



METROPOLITAN
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COMMISSION

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Ann Flemer
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Andrew B. Fremier
Deputy Executive Director, Operations

COMMISSION MEETING

Wednesday, April 24, 2013

Joseph P. Bort MetroCenter, Lawrence D. Dahms Auditorium
101 Eighth Street
Oakland, CA 94607

MINUTES

ATTENDANCE

Chair Worth called the meeting to order at 11:10 a.m. In addition to Chair Worth and Vice Chair Cortese the following Commissioners were present: Aguirre, Bates, Campos, Dodd, Giacopini, Glover, Haggerty, Halsted, Kinsey, Liccardo, Luce, Mackenzie, Pirzynski, Quan, Sartipi, Spering, Tissier, and Wiener.

CHAIR'S REPORT

Chair Worth announced that she is planning on attending Congestion Management Board meetings in the Bay Area within the coming year.

POLICY ADVISORY COUNCIL REPORT

Naomi Armenta presented the Policy Advisory Council report and indicated that the Council reviewed the Draft Plan Bay Area; Draft Environmental Impact Report (EIR); Equity Analysis and Draft Transportation Improvement Program (TIP). The Council will finalize their comments in May. She informed the Commission that the Council continues to discuss 1) Express/HOT lanes and strategies to see direct benefit to transit from the Express lanes, 2) the possibility of imposing a sales tax on electricity at electric vehicle charging stations; in line with a gas tax; and 3) providing information at a level the general public can understand, including the policies and the assumptions related to the Draft Plan Bay Area. The Council recommends that MTC conduct a sensitivity analysis with regards to Vehicle Miles Traveled (VMT) tax, or any other alternative that has a high impact on the overall goals of the plan. Chair Worth thanked Ms. Armenta for her report and reminded Commissioners that the Council is recruiting members to serve on the Policy Advisory Council for their next term; and to encourage people within their jurisdictions to volunteer to serve.

EXECUTIVE DIRECTOR'S REPORT

Steve Heminger, Executive Director, presented the Executive Director's report to the Commission. Copies of the report are available from the Executive Office or www.mtc.ca.gov.

COMMISSIONER COMMENTS

There were no Commissioner comments.

CONSENT CALENDAR

Upon the motion by Commissioner Sperring and second by Commissioner Haggerty, the Commission unanimously approved the following items on the Consent Calendar:

- Commission Meeting Minutes – March 27, 2013.

Administration Committee

- Resolution No. 3619, Revised – Delegation of Contracting Authority to Executive Director, Deputy Executive Directors, and Designee of the Executive Director, including MTC's Emergency Operations Center Director.

Programming and Allocations Committee

- Resolution No. 4053, Revised – Revisions to the Third Cycle Lifeline Transportation Program of Projects.
- Resolution Nos. 3916, Revised, 4072, Revised, and 4084, Revised – Revisions to Transit Capital Priorities policy and programs for FY 2009-10 through FY 2013-14.
- Resolution No. 4061, Revised – Allocation of \$1.5 million in TDA to Napa County Transportation and Planning Agency for Transit Operating.

Legislation Committee

- AB 1179 (Bocanegra) – School Siting: New requirements for Sustainable Communities Strategy to Incorporate School Siting. – Oppose.
- AB 466 (Quirk Silva) – Congestion Mitigation & Air Quality Funds: Preserve California Distribution Formula – Support and Seek Amendment.
- AB 210 (Wieckowski) – Alameda County Sales Tax: Extension of Option to Exceed Cap – Support.
- AB 487 (Linder)/AB 493 (Daly) – Motor Vehicle Registration: Address for Toll Violation Processing/National Interoperability of Electronic Toll Collection – Support.

Select Committee on Transit Sustainability

- Resolution No. 4060, Revised – Revisions to the Transit Sustainability Project recommendations to include the Inner East Bay Comprehensive Operational Analysis.

COMMITTEE REPORTS

Programming and Allocations Committee – Glover

Upon the motion by Commissioner Glover and second by Commissioner Campos, the Commission unanimously approved the following item:

- Resolution Nos. 3801, Revised, and 4094 – Proposed Amendment to the Regional Measure 2 (RM2) Program for the I-80 Eastbound HOV Lane Project in contra Costa County, and proposed allocation of RM2 funds to the I-80/San Pablo Dam Road Project in Contra Costa County.

The Commission received public comment from the following:

- Jerry Grace –spoke on the above mentioned resolutions to inform the Commission that San Pablo Dam Road will benefit greatly from regional traffic relief.
- Resolution No. 4072, Revised – Transit Performance Initiative (TPI) – Incentive Program Distribution Formula. This resolution would establish a formula for the distribution of a \$12.5 million for the Transit Performance Incentive program for the seven large operators.

Upon a motion by Commissioner Tissier and second by Commissioner Pirzynski to approve Resolution No. 4072, Revised with formula Alternative #3. Motion was not carried due to a substitute motion by Commissioner Wiener and second by Commissioner Campos to approve Resolution No. 4072, Revised with Alternative #2 which includes 20% based on Passenger Increase (absolute); 10% based on Passenger Per Hour Increase (absolute); and 70% based on Annual Passengers for large operator distribution formula.

The Commission received public comment from the following:

- Chris Andrichak, AC Transit – spoke in favor of formula Alternative #1.

Ann Flemer, MTC elaborated on the three alternatives being presented and after discussion and receipt of public comment, the Commission voted on the Substitute Motion. Motion passed with 11 ayes by Commissioners Cortese, Campos, Dodd, Glover, Halsted, Kinsey, Liccardo, Luce, Mackenzie, Spring and Wiener, and 6 noes by Commissioners Worth, Aguirre, Bates, Pirzynski, Quan and Tissier. Commissioner Haggerty was absent.

Operations Committee – Mackenzie

Upon the motion by Commissioner Mackenzie and second by Commissioner Halsted the Commission unanimously approved the following item:

- Resolution 4040, Revised amends the Clipper® Privacy Policy to reduce the period for which the Clipper® Program retains personally identifiable information from seven years to four years and six months.

Legislation Committee – Haggerty

- SB 391 (DeSaulnier) – Affordable Housing Funding: California Homes and Jobs Act. This bill would impose a \$75 fee on the recording of every real estate document (excluding those related to the sale of a property) to provide ongoing funding to support the development, acquisition, rehabilitation and preservation of affordable homes of all kinds.

Upon the motion by Commissioner Haggerty and second by Commissioner Cortese the Commission approved a support position on SB 391 with one no vote by Commissioner Luce:

- SB 179 (Bocanegra) – Retention of Toll & Transit Fare Card Account Information. This bill would apply new restrictions to the retention and sharing of account information for electronic transit fare collection systems, such as Clipper®, as well as electronic toll collection systems, such as FasTrak®.

Upon the motion by Commissioner Haggerty and second by Commissioner Aguirre the Commission unanimously approved an oppose unless amended position to (1) revise the timeframe in SB 179 from 6 months to three years, and (2) revise the statute of limitations for claims relating to electronic toll collection systems and transit smart card programs to three years.

- SB 792 (DeSaulnier) – This bill would impose several new requirements on the interagency Joint Policy Committee.

Upon the motion by Commissioner Haggerty and second by Commissioner Spring the Commission unanimously approved an oppose position on SB 792.

PUBLIC COMMENT

The Commission received public comment from the following:

- Jane Kramer – commented on implementation of SB 375.
- Evelyn Stivers, None Profit Housing Association of Northern California (NPH) – spoke about the Commission’s position on AB 574 (Lowenthal) and asked for the Commission to consider offering a friendly amendment to the bill advocating for SCS implementation. She thanked the Commission for their support of SB 391.

PUBLIC COMMENT (continues)

- Jerry Grace – Requested information about Clipper[®] Card uses on various public transit operators.

ADJOURNMENT/NEXT MEETING

There being no further business or public comment, Chair Worth adjourned the meeting at 12:05 p.m. The next Commission meeting is scheduled for Wednesday, May 22, 2013.

Amy Rein Worth, Chair