



METROPOLITAN
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COMMISSION

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Tom Bates
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Bill Dodd
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Steve Heminger
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Ann Flemer
Deputy Executive Director, Policy

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COMMISSION MEETING

Wednesday, November 20, 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 1:50 p.m. In addition to Chair Worth and Vice Chair Cortese the following Commissioners were present: Aguirre, Bates, Dodd, Giacopini, Haggerty, Halsted, Kinsey, Liccardo, Luce, Pirzynski, Quan, Sartipi, Spering, and Wiener.

CHAIR'S REPORT

Chair Worth informed the Commission that on October 23rd Commissioners Dodd, Mackenzie, Tissier and she attended the exit interview conducted by PricewaterhouseCoopers. They reviewed the:

- MTC financial report for the year ending June 30, 2013;
- Report on federal awards in accordance with OMB Circular A-133; and
- BAIFA and BAHA financial statements for the year ending June 30, 2013.

Chair Worth stated that the auditors reported that their audit opinion is unqualified and they found no material weaknesses or questioned costs in internal controls. The auditors also discussed recommendations designed to improve internal reporting as well as management's plans to implement procedures to address these recommendations. She noted that a copy of the MTC financial report had been mailed to each Commissioner.

Chair Worth reminded Commissioners that due to the holidays, the Commission meeting in December has been scheduled one week earlier than its regularly scheduled time and to confirm December 18th starting at 1:30 p.m. on their calendars.

Chair Worth asked for a moment of silence in memory of Ron Kirby. Mr. Kirby was a long-time MPO director for the Washington DC region, who was tragically shot and killed in his home on Monday, November 11th and his homicide remains unsolved.

POLICY ADVISORY COUNCIL REPORT

Naomi Armenta, Acting Chair for the Policy Advisory Council presented its report to the Commission highlighting on their presentation received on the proposed Plan Bay Area Investment Implementation strategy involving Cap and Trade funding framework and the Core Capacity Challenge Grant Program. The Council commented on their support for the 25 % set-aside for disadvantaged communities across funding categories; their discomfort with the term “workforce housing” in the OneBayArea Grant and recommended that the focus within the category be an affordable housing, and that the language in the proposal be strengthened to make that clear. There was also the suggestion that the percentage of low-income/transit-dependent ridership for each operator may be a more important metric for determining need than total percent of ridership for the region. The Council also received an orientation to MTC’s Legislation and Public Affairs Section followed by a review of the 2014 Draft Advocacy Program. Ms. Armenta informed the Commission that the Council took nominations for their new Chair and Vice Chair that will take effect in December.

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 Aguirre and second by Commissioner Spering, the Commission unanimously approved the Consent Calendar:

- Commission Meeting Minutes – October 23, 2013.

Programming and Allocations Committee

- Resolution No. 4035, Revised – Cycle 2 One Bay Area Grant (OBAG) Program: Project Selections and Programming Revisions.
- Resolution No. 4075, Revised – 2013 Transportation Improvement Program (TIP) Amendment 2013-08.*
- Resolution Nos. 4079, Revised, 4119 and 4120 – Revisions to FY 2012-13 AB 664 program, and preliminary programming and allocation of FY 2013-14 AB 664 Net Bridge Toll revenue.*
- Resolution Nos. 4100, Revised and 4101, Revised – Allocation of \$5.0 million in FY 2013-14 Transportation Development Act (TDA) and State Transit Assistance (STA) operating funds to AC Transit to support transit operations.*

- Resolution No. 4116, Revised – Revisions to the New Freedom Cycle 5 Program Guidelines for Large Urbanized Areas.*

CLOSED SESSION

Closed Session

At approximately 2:25 p.m., the Commission met in closed session pursuant to Government Code Section 54956.9(a) to confer with counsel regarding the following litigation: *Bay Area Citizens v. Association of Bay Area Governments and Metropolitan Transportation Commission, et al.*, Alameda County Superior Court Case No.: RG-13690631; *Building Industry Association Bay Area v. Association of Bay Area Governments and Metropolitan Transportation Commission, et al.*, Alameda County Superior Court Case No.: RG-13692098; *Communities for a Better Environment and The Sierra Club v. Metropolitan Transportation Commission and Association of Bay Area Governments, et al.*, Alameda County Superior Court Case No.: RG-13692189; *The Post Sustainability Institute; Rosa Koire; Michael Shaw v. Association of Bay Area Governments and Metropolitan Transportation Commission, et al.*, Alameda County Superior Court Case No.: RG-13699215.

Open Session

The Commission reconvened in open session at 2:35 p.m. Chair Worth reported that the Commission met pursuant to Government Code Section 54956.9(a) in closed session to discuss the above litigations, and no action was taken.

PUBLIC COMMENT/ADJOURNMENT/NEXT MEETING

There being no further business or public comment, Chair Worth adjourned the meeting at 2:36 p.m. The next regular Commission meeting is scheduled for Wednesday, December 18, 2013 at 1:35 p.m.

Amy Rein Worth, Chair