



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TTY/TDD 510.817.5769
FAX 510.817.5848
EMAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Dave Cortese, Chair
Santa Clara County

Jake Mackenzie, Vice Chair
Sonoma County and Cities

Alicia C. Aguirre
Cities of San Mateo County

Tom Azumbrado
U.S. Department of Housing
and Urban Development

Jason Baker
Cities of Santa Clara County

Tom Bates
Cities of Alameda County

David Campos
City and County of San Francisco

Dorene M. Giacomini
U.S. Department of Transportation

Federal D. Glover
Contra Costa County

Scott Haggerty
Alameda County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Steve Kinsey
Marin County and Cities

Sam Liccardo
San Jose Mayor's Appointee

Mark Luce
Napa County and Cities

Julie Pierce
Association of Bay Area Governments

Bijan Sartipi
California State
Transportation Agency

Libby Schaaf
Oakland Mayor's Appointee

James P. Spering
Solano County and Cities

Adrienne J. Tissier
San Mateo County

Scott Wiener
San Francisco Mayor's Appointee

Amy Rein Worth
Cities of Contra Costa County

Steve Heminger
Executive Director

Alix Bockelman
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

COMMISSION MEETING

Wednesday, March 25, 2015

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

MINUTES

ATTENDANCE

Chair Cortese called the meeting to order at 9:40 a.m. In addition to Chair Cortese the following Commissioners were present: Baker, Bates, Campos, Haggerty, Kinsey, Luce, Mackenzie, Pierce, Schaaf, Spering, Tissier, Wiener and Worth.

AD-HOC NOMINATING COMMITTEE REPORT

Chair Cortese asked Commissioner Spering, Chair of the Ad Hoc Nominating Committee, to present the Committee's report. Commissioner Spering advised that the Committee conferred and presented its recommendations, nominating Commissioner Mackenzie for Vice Chair of the Commission for the first two years of the 2015-2019 four year term.

Upon the motion by Commissioner Spering and second by Commissioner Kinsey, the commission unanimously passed the motion to accept and close the nominations as presented for the next two years.

Upon the motion by Commissioner Spering and second by Commissioner Tissier, the Commission unanimously appointed Jake Mackenzie as the Commission Vice Chair for the first two years of the 2015-2019 four year term.

Vice Chair Mackenzie expressed his appreciation to the Commission, accepted his new appointment and was welcomed by the Chair on behalf of all Commissioners.

CHAIR'S REPORT

Chair Cortese reminded Commissioners to submit their Form 700 Annual Statement of Economic Interest Report to the California Fair Political Practices Commission as mandated. The forms are due April 1, 2015.

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COMMITTEE ASSIGNMENTS

Chair Cortese asked Commissioners to review the new Committee Assignments sheet and requested approval of these appointments as outlined effective April 2015.

Upon the motion by Commissioner Spring and second by Commissioner Tissier the Committee assignments were approved as presented. The motion passed unanimously.

POLICY ADVISORY COUNCIL REPORT

Carlos Castellanos, Vice Chair of the Policy Advisory Council, advised that the Council discussed the following at their March meeting: 1) ABAG's State of the Region Report; 2) Vital Signs Initiative; and 3) MTC's role in affordable housing and workforce. He informed the Commission that the Council has an Equity and Access sub-committee and recently created a Fuel Extraction sub-committee looking at transportation funding alternatives.

EXECUTIVE DIRECTOR'S REPORT

Steve Heminger, Executive Director, Policy presented the Executive Director's report to the Commission. Copies of the report are available from the Executive Office or http://www.mtc.ca.gov/news/ed_report.htm.

COMMISSIONER COMMENTS

Commissioner Wiener highlighted the importance and challenges associated with the Washington DC trips and transportation funding advocacy.

Vice Chair Jake Mackenzie informed the Commission that he participated in a meeting with State Senator Mike McGuire, Petaluma Council Member David Rabbitt, Secretary Brian Kelly, and Caltrans Director Malcolm Dougherty in Sonoma County, to discuss and examine available funds to finish the 101 widening project between Marin and Sonoma counties. Vice Chair Mackenzie indicated that Measure M moneys and State I-TIP funds were identified as potential funding for this unfinished roadwork gap.

CONSENT CALENDAR

Chair Cortese informed the Commission and the public that Resolution No. 3931, Revised under the Legislation Committee item, was further revised from what was sent out in the packet. The revision to the resolution was that Maria Gabriela Huertas Diaz has a conflict of interest and cannot be appointed as an advisor to MTC.

Upon the motion by Commissioner Tissier and second by Commissioner Rein Worth, the Commission unanimously approved the Consent Calendar:

- Commission Meeting Minutes – February 25, 2015.

Programming and Allocations Committee

- Resolution No. 4035, Revised – Revision to the Surface Transportation Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) One Bay Area Grant (OBAG) Program to revise the Freeway Performance Initiative, Planning and County Congestion Management Agency (CMA) programs.
- Resolution Nos. 3880, Revised and 4179 – Cycle 4 Lifeline Transportation Program – Partial Proposition 1B Program of Projects.
- Resolution No. 4124, Revised – Revisions to agreement with the Contra Costa Transportation Authority (CCTA) to exchange Regional Transportation Improvement Program (RTIP) funds for county Measure funds.
- Resolution No. 4170, Revised – Cap and Trade – Low Carbon Transit Operations Program: FY 2014-15 Population-Based Allocation Request.

Legislation Committee

- Resolution No. 3931, Revised – MTC Policy Advisory Council.

Administration Committee

- Resolution No. 1198, Revised – Revisions to MTC’s Conflict of Interest Code.
- Resolution No. 1058, Revised – Update Appendix A, MTC’s Conflict of Interest Code, to the Commission Procedures Manual.

COMMITTEE REPORTS

Programming & Allocations Committee – Campos

- Resolution No. 3655, Revised – Allocation of \$46.1 million in Regional Measure 2 (RM2) Capital funds to AC Transit for major construction activities for the East Bay Bus Rapid Transit project, and rescission of approximately \$4.3 million in previous RM2 allocations to the same project.

Upon the motion by Commissioner Campos and second by Commissioner Baker, the Commission unanimously approved Resolution No. 3655, Revised.

- Cap and Trade: Regional Principles for Reviewing Projects in the Affordable Housing and Sustainable Communities (AHSC) Program. Adds criteria to reflect a level of prioritization for affordable units with a higher level of affordability, in line with the Strategic Growth Council’s criteria, and emphasizes the importance of increasing affordable housing production near transit as the preferred regional strategy for avoiding displacement of residents and workers.

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The Commission received public comment from the following:

- Andre Carpiaux– advised the Commission of anticipated problem with labor related issue citing a Marin County example with the farmers and the environment.
- David Zisser, Public Advocates – thanked the Commission for the Regional Principles and Affordable Housing Program and emphasized the importance of anti-displacement strategies if protection is not in place. He asked that the Commission direct staff to include anti-displacement strategies in the principles and priorities.

After receipt of public comment and upon the motion by Commissioner Campos and second by Commissioner Schaaf, the Commission unanimously approved the Cap and Trade Regional Principles for Reviewing Projects in the Affordable Housing and Sustainable Communities Program.

- Cap and Trade: Regional Priorities for the FY2014-15 and FY2015-16 Transit and Intercity Rail Capital Program prioritizes the Core Capacity Challenge Grant Cap and Trade projects for the initial cycle of the Transit and Intercity Rail Capital Program.

Upon the motion by Commissioner Campos and second by Commissioner Tissier, the Commission unanimously approved the Cap and Trade Regional Priorities for the FY 2014-15 and FY 2015-16 Transit and Intercity Rail Capital Program.

- Resolution No. 4162, Revised – revises the FY2014-15 Transit Capital Priorities (TCP) program to program \$10.5 million in Federal Transit Administration funds, currently held in vehicle procurement reserve for Caltrain’s new railcars, to VTA for preventive maintenance, subject to conditions.

Upon the motion by Commissioner Campos and second by Commissioner Baker, the Commission unanimously approved Resolution No. 4162, Revised.

Operations Committee – Mackenzie

- Contract: Next Generation Clipper® System Consultant Support: IBI Group (\$5,000,000).

A summary of the Next Generation Clipper System Consultant Support contract recommendation was presented to the Commission.

The Commission received public comment from the following:

- Brin Owen, CH2M Hill – indicated there were inconsistencies identified in the scoring of the proposals. He stated that the ratings for cost effectiveness and firm experience are the most questionable inconsistencies. He emphasized that CH2M Hill was a more qualified and cost effective team, and suggested several options for the commission: cancel the procurement; overturn the award to CH2M Hill; and to direct staff to go back and direct the evaluation committee to re-evaluate and re-score the proposals.

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- Paul Lavallee, IBI Group – spoke in support of staff recommendation and clarified IBI Group’s presence in California and expressed its familiarity with the current Clipper System and IBI’s group readiness to move the Next Generation Clipper System to its fruition.
- Anthony DeVito, CH2M Hill, also supported Mr. Owen’s comments and noted that their team has provided unbroken support since 1999 on this project, delivering implementation and design services throughout all phases of the Clipper program up until the present day. He clarified their firm is retained until 2019 for the current system but their scope does not include any forward planning on their long term program for C2.

After receipt of public comment and upon the motion by Commission Vice Chair Mackenzie and second by Commissioner Tissier, the Commission unanimously authorized the Executive Director or his designee to negotiate and enter into a contract with IBI Group in an amount not to exceed \$5,000,000 to provide Next Generation Clipper® System consultant support for a term through June 2020 with options to extend up to an additional ten years, in annual increments, subject to the approval of future MTC budgets.

Legislation Committee – Haggerty

Upon the motion by Commissioner Haggerty and second by Commissioner Tissier, the Commission unanimously approved a support position on the following pending legislation:

- Assembly Bill 464 (Mullin) – Increase cap on local option sales tax from 2 percent to 3 percent and allow voters to approve additional local taxes for a maximum combined rate of 10.5 percent.

Upon the motion by Commissioner Haggerty and second by Commissioner Pierce, the Commission unanimously approved a support and seek amendment position on the following pending legislation:

- Assembly Bill 157 (Levine) – Richmond San Rafael Bridge Improvements, would help expedite construction of the peak period third traffic lane on the eastbound Interstate 580 Access Improvement Project at the Richmond-San Rafael Bridge.

Upon the motion by Commissioner Haggerty and second by Commissioner Rein Worth, the Commission unanimously approved a support position on the following pending legislation:

- House Resolution 680 (Blumenauer) – Update, Promote, and Develop America’s Transportation Essentials (UPDATE) Act; Federal Gasoline Tax Increase would restore solvency to the Highway Trust Fund by raising the federal excise tax on gasoline and diesel fuels.

Upon the motion by Commissioner Haggerty and second by Commissioner Pierce, the Commission unanimously approved a support position on the following pending legislation:

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- House Resolution 990 (King) - Commuter Parity Act: Restoration of Parity between Parking and Transit/Vanpooling Pre-Tax Transportation Fringe Benefit would restore equality in the federal transportation fringe benefit program by ending the financial advantage provided to those who drive to work as compared to those who take transit or vanpool.

PUBLIC COMMENT

- Roland Lebrun – spoke about his concerns with Caltrain’s safety and capacity.

ADJOURNMENT/NEXT MEETING

Commission Chair Cortese adjourned the meeting at 10:41 a.m. There being no further business or public comment, Chair Cortese announced the next regular Commission meeting scheduled for Wednesday, April 22, 2015.

Dave Cortese, Chair