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January 12, 2007
Minutes

Jon Rubin, Chair
San Francisco Mayor's Appointee

John McLemore, Vice Chair
Cities of Santa Clara County

Tom Anniano
City and County of San Francisco

Irma L. Anderson
Cities of Contra Costa County

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

James T. Beall Jr.
Santa Clara County

Bob Blanchard
Sonoma County and Cities

Mark DeSaulnier
Contra Costa County

Bill Dodd
Napa County and Cities

Dorene M. Giacopini
U.S. Department of Transportation

Scott Haggerty
Alameda County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Steve Kinsey
Marin County and Cities

Sue Lempert
Cities of San Mateo County

Bijan Sartipi
State Business, Transportation
and Housing Agency

James P. Spering
Solano County and Cities

Adrienne J. Tissier
San Mateo County

Pamela Torliatt
Association of Bay Area Governments

Shelia Young
Cities of Alameda County

Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Operations

Andrew Fremier
Deputy Executive Director,
Bay Area Toll Authority

Therese W. McMillan
Deputy Executive Director, Policy

Vice Chair Lempert called the meeting to order at 10:05 a.m. In attendance were committee members Azumbrado, Giacopini, McLemore, Rubin, Spering, and Torliatt. Also attending was incoming Commissioner Glover.

Minutes

Minutes of the Dec. 8, 2006 meeting were moved by Commissioner Spering, seconded by Commissioner Torliatt, and approved.

MTC Environmental Justice Funding Analysis

James Corless gave a detailed presentation of the staff analysis and recommendations on equity in transportation funding patterns in the Bay Area. His presentation addressed the challenges in defining equity; the imperfect aspects of all the funding analyses; and the difficulties of having "apples and apples" to compare race, ethnicity and income. Staff recommendations were as follows: (1) re-examine transit capital funding priorities; (2) grow the pie in order to target new flexible funding toward the Lifeline program; (3) develop criteria for funds anticipated from new sources such as the infrastructure bonds passed by voters in November 2006; and (4) complete all 44 community-based transportation plans.

Vice Chair Lempert called for public comment:

- Frank Gallo, member of the Minority Citizens Advisory Committee – don't avoid discussing the topic because it's one that is difficult to talk about. Make EJ a central part of MTC's overall policies.
- David Schonbrunn, TRANSDEF – re-open the Regional Transit Expansion Program of Projects (Resolution 3434) from the standpoint of equity.
- Michael Rubiano, member of the Minority Citizens Advisory Committee – there is inequity in the data sets being analyzed. Come to an agreement about inequity. Work with MCAC's new leadership.
- H. E. Christian Peeples, AC Transit's Planning Committee Chair – MTC's efforts are good but Chart F (transit operations budget growth vs. service growth FY98-FY05) seems not to account for inflation and thus represents AC Transit inaccurately.
- Suzanne Smith, Bay Area Partnership Chair – the Partnership found this particular funding analysis too divisive to make recommendations on. She said there was agreement on the need to increase funding for transit operations throughout the region.
- Raphael Durr, chair of the Minority Citizens Advisory Committee – use the EJ principles to ensure fairness. MCAC worked hard with the Partnership. EDAC ought to be included. MCAC voted 14-1 to recommend all four EJ principles.

- Bob Mills, community organizer, Street Spirit writer, member of U.S. Human Rights Network – there is a need to bring a human face to the equity discussion, otherwise the poor and the disabled are underserved and become shut-ins without friends or family.
- Allison Quaid, Bay Area Alliance for Sustainable Communities – sustainable development is linked to equity. The 2003 Sustainable Bay Area report declared the need for the Bay Area’s long-range Regional Transportation Plan to be equitable.
- Pam Scoggins, Grassroots Leadership Network of Marin – transportation is important, street crossings are dangerous, safety needs more consideration, and bus shelters need improving.
- Olivia Beltran, Grassroots Leadership Network of Marin – supports the EJ principles and through her work with the Canal District’s community-based transportation plan sees the importance of coordinating community voices.
- Lindsay Imai, Urban Habitat – distributed her own equity analysis, said MTC’s funding analysis, by using only 8 years of data, misstates concerns of the participants, and misrepresents West Oakland BART users.
- Dawn Love, member of the Minority Citizens Advisory Committee and the organization LIFETIME – said MTC legal counsel did not provide the analysis she and others were hoping to see.
- Michael (last name undecipherable), BOSS (Building Opportunities for Self-Sufficiency) – bus drivers are stressed, buses are crowded, bus lines and bus stops are cut, some people walk miles for their food, they miss court dates because they can’t get there.
- Carlos Valenzuela, member of the Minority Citizens Advisory Committee – as the MCAC former chair, he said he now calls it Environmental Just-Us (many agendas, personal items, misrepresentations, convoluted recommendations). He said the staff recommendation is a sound one, and commended the Legislation Committee for taking on a challenging issue.

Vice Chair Lempert requested staff clarifications, comment from legal counsel, then committee comment and action. Mr. Corless said data sources for the analysis are the U.S. Census and MTC’s *Transportation 2030* plan. He said transit demographic data was not collected systematically over time but looked forward to the availability of such data across all operators in the future. Therese McMillan clarified that the Commission has authority over discretionary monies, with limitations such as congressional earmarks and not being able to move money from one county to another. She distinguished between capital spending (rolling stock vs. transit guideway, building roads, right-of-way, etc.) and operations (running services, maintenance, security, etc.).

Francis Chin said MTC is in federal court over issues of funding inequity, and that he anticipates MTC prevailing. He said cuts in transit and transportation funding would likely occur if the governor’s proposed budget is adopted, and that such cuts would place greater responsibility on MTC. He said the EJ principles, as crafted, are inappropriate.

Vice Chair Lempert said there are several new faces on the Commission, that committee assignments have not yet been made, and that all parties are seeking action – not just words. She made a motion directing the staff recommendation to the Programming and Allocations Committee. In the interim, staff should develop further data details to recommend to the Programming and Allocations Committee at its

March meeting how Lifeline can be made a priority for the infrastructure bond.
Commissioner Spering seconded.

Commissioner McLemore asked how areas of concern are defined (communities of low income and minority residents).

Commissioner Spering said he still disagrees with adopting the EJ principles, is opposed to spending funds on lawsuits that could otherwise fund transit, and is against giving money to operators that would create inequity. He referenced transit budget growth at AC Transit vs. Muni and said Muni riders ought to be upset by the funding analysis.

Commissioner Glover spoke to social inequities as a whole, the need to be mindful of decisions that will make a difference, how job and housing locations need transit access to be factored in. He was encouraged by the staff recommendation but discouraged by the principles as they show what's not happening each day. He cautioned against setting goals that we can't deliver, and to tying ourselves to principles when root causes are what we need to address.

Commissioner Torliatt recommended focusing on common ground, not getting hung up on the words but achieving something instead. She said equity has many faces, and that reliability of the system is important. She said we must be able to agree on actual data put forth as well as on how it's interpreted, "then the analysis should become self-evident."

Commissioner Rubin was concerned that the principles could conceivably be used by one parochial interest to deprive funding from another.

Commissioner Azumbrado said he was concerned about switching MTC committees for EJ matters, and that the principles are a federal order for all metropolitan transportation organizations. He advocated open meetings, looking at cost-per-rider and the efficiency of transit systems. Determine inequity and attack it head on – address the issues overtly.

Vice Chair Lempert thanked all who attended, especially MCAC members because "without their work we wouldn't be as far as we are." She reminded everyone that just giving money to a transit agency doesn't necessarily provide transit service, and echoed Commissioner Torliatt that actions speak louder than words. Vice Chair Lempert's motion passed unanimously.

In the name of time, the remaining agenda items were deferred until next month's meeting:

Deferred Items

- Legislative History
- Governor's FY 2007-08 Budget Proposal
- State Legislation
- Legislative Visits to Sacramento and DC
- Federal Legislation

Other Business/Public Comment/Next Meeting -- There was no other business or public comment. The next meeting was scheduled for Feb. 9, 2007. The meeting was adjourned at 11:50 a.m.