Meeting Minutes

Metropolitan Transportation Commission

Alfredo Pedroza, Chair     Nick Josefowitz, Vice Chair

Wednesday, June 22, 2022  9:35 AM  HYBRID (In person option available)

Call Meeting to Order

1. Roll Call / Confirm Quorum

Present:  17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering, and Commissioner Worth

Absent:  1 - Commissioner Ronen

Non-Voting Member Present: Commissioner Giacopini
Non-Voting Member Absent: Commissioner El-Tawansy

2. Pledge of Allegiance / Acknowledgement of the Flag

3. Compensation Announcement (Clerk)

4. Chair's Report (Pedroza)


   Rich Hedges was called to speak.

6. Executive Director's Report (McMillan)

   Aleta Dupree was called to speak.

   **22-0859**  Executive Director's Report

   **Action:** Information

7. Commissioner Comments

   Commissioner Josefowitz arrived during agenda item 7.
8. Consent Calendar

Commissioner Fleming arrived during agenda item 8.

Upon the motion by Commissioner Ahn and seconded by Commissioner Dutra-Vernaci, the Consent Calendar was unanimously approved by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Ronen

8a. 22-0860 Minutes of the February 23, 2022 meeting
    
    Action: Commission Approval

8b. 22-0858 MTC Resolution No. 4531 - Providing for Remote Meetings Pursuant to Assembly Bill 361
    
    Action: Commission Approval

Programming and Allocations Committee

8c. 22-0891 MTC Resolution Nos. 4169, Revised and 4263, Revised. Extends BATA Project Savings and AB 664 funds.
    
    Action: Commission Approval
    
    Presenter: Margaret Doyle

8d. 22-0896 MTC Resolution No. 3989, Revised and 4202, Revised. Various revisions to MTC’s Exchange Program and the One Bay Area Grant (OBAG 2) regional programs.
    
    Action: Commission Approval
    
    Presenter: Thomas Arndt

8e. 22-0856 MTC Resolution No. 4475, Revised. 2021 Transportation Improvement Program (TIP) Amendment 2021-22
    
    Action: Commission Approval
    
    Presenter: Adam Crenshaw
8f. **22-0889** MTC Resolution No. 4520. Adoption of the $37.5 million FY 2022-23 Regional State Transit Assistance (STA) Program.

*Action:* Commission Approval

*Presenter:* Cheryl Chi

8g. **22-0852** MTC Resolution No. 4521. Adoption of the $48 million FY2022-23 Regional Measure 2 (RM2) Operating and Marketing Assistance Program.

*Action:* Commission Approval

*Presenter:* Kenji Anzai

8h. **22-0853** MTC Resolution No. 4527. Allocation of FY 2022-23 Transportation Development Act (TDA) funds to County Controllers for TDA administration and to MTC for TDA administration and planning.

*Action:* Commission Approval

*Presenter:* Kenji Anzai

8i. **22-0898** MTC Resolution No. 4473, Revised. Fiscal Year 2021-22 allocation of approximately $6.5 million in Five Percent Unrestricted State Fund Revenues and $860,000 in Two Percent Bridge Toll Revenues to the Water Emergency Transportation Authority (WETA).

*Action:* Commission Approval

*Presenter:* Terence Lee

8j. **22-0935** MTC Resolution No. 4412, Revised. Regional Measure 3 (RM3) Letter of No Prejudice of $0.8 million to the Solano Transportation Authority for the I-80/680/SR-12 Interchange Project.

*Action:* Commission Approval

*Presenter:* Kenneth Kao
Committee Reports

9. Administration Committee (Glover)

9a. **22-0987**

MTC Resolution Nos. 4341, Revised and 4342, Revised. Modification and Extension of Current Memorandum of Understanding (MOU).

A request for Commission approval of MTC Resolution Nos. 4341, Revised and 4342, Revised approving the modification and extension of the current MOU for MTC employee salaries and benefits effective July 1, 2022 through and including June 30, 2023.

**Action:** Commission Approval

**Presenter:** Nalungo Conley

Upon the motion by Commissioner Glover and seconded by Commissioner Dutra-Vernaci, the Commission unanimously adopted MTC Resolution Nos. 4341, Revised and 4342, Revised. The motion carried by the following vote:

**Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 1 - Commissioner Ronen

9b. **22-0543**

MTC Resolution No. 4517 - FY 2022-23 Operating and Capital Budgets

Staff presented and requested Commission approval of MTC Resolution No. 4517 authorizing the FY 2022-23 Operating and Capital Budgets.

**Action:** Commission Approval

**Presenter:** Derek Hansel

Upon the motion by Commissioner Glover and seconded by Commissioner Spering, the Commission unanimously adopted MTC Resolution No. 4517. The motion carried by the following vote:

**Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 1 - Commissioner Ronen
10. Programming and Allocations Committee (Rabbitt)

10a. 22-0677

MTC Resolution Nos. 4519, 4202, Revised, and 4505, Revised.

Proposed programming of approximately $117 million to support implementation of the Transit Transformation Action Plan including $85 million through adoption of the Blue Ribbon Transit Transformation Action Plan (Action Plan) Funding Framework and Program of Projects and amendment of One Bay Area Grant (OBAG) 2; and $31.6 million through the One Bay Area Grant, Cycle 3 (OBAG3) program.

**Action:** Commission Approval

**Presenter:** Cheryl Chi

Upon the motion by Commissioner Rabbitt and seconded by Commissioner Glover, the Commission unanimously adopted MTC Resolution Nos. 4519, 4202, Revised, and 4505, Revised. The motion carried by the following vote:

- **Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

- **Absent:** 1 - Commissioner Ronen

10b. 22-0854

MTC Resolution Nos. 4522, 4523, 4524, 4525, and 4526

Allocation of $412 million in FY2022-23 Transportation Development Act (TDA), State Transit Assistance (STA), Regional Measure 2 (RM2), and AB1107 funds to 4 transit operators, MTC, and the Transbay Joint Powers Authority (TJPA) to support transit operations and capital projects in the region.

**Action:** Commission Approval

**Presenter:** Kenji Anzai

Upon the motion by Commissioner Rabbitt and seconded by Commissioner Papan, the Commission unanimously adopted MTC Resolution Nos. 4522, 4523, 4524, 4525, and 4526. The motion carried by the following vote:

- **Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

- **Absent:** 1 - Commissioner Ronen
10c. 22-0892 MTC Resolution Nos. 4273, Revised, 4505, Revised, and 4520. Caltrain Right-of-Way Repayment to SamTrans

Staff seek commission approval of a proposed $19.6 million funding plan to repay MTC’s portion of Caltrain Right-of-Way (ROW) funds fronted by SamTrans. This item includes reprogramming of $4.6 million in population-based Low Carbon Transit Operations Program (LCTOP) funds, $7 million in One Bay Area Grant Program (OBAG 3) funds, and $8 million in State Transit Assistance (STA) funds to SamTrans.

Action: Commission Approval
Presenter: Anne Spevack

Upon the motion by Commissioner Rabbitt and seconded by Commissioner Papan, the Commission unanimously adopted MTC Resolution Nos. 4273, Revised, 4505, Revised, and 4520. The motion carried by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Ronen

10d. 22-0685 MTC Resolution No. 4505, Revised. One Bay Area Grant (OBAG 3) Revisions.

Revisions to the One Bay Area Grant program (OBAG 3), including the programming of $42.2 million to specific projects and programs in the Regional Program and $11.8 million in County & Local Program, and the inclusion of $7 million in additional anticipated revenues as part of the SamTrans Caltrain right-of-way repayment arrangement.

Action: Commission Approval
Presenter: Mallory Atkinson

Aleta Dupree was called to speak.

Rich Hedges was called to speak.

Upon the motion by Commissioner Rabbitt and seconded by Commissioner Spering, the Commission unanimously adopted MTC Resolution No. 4505, Revised. The motion carried by the following vote:

Aye: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Ronen
11. Joint MTC ABAG Legislation Committee (Liccardo, Vice Chair)

11a. 22-0827 Assembly Bill 2594 (Ting): Toll Penalties and Payment Options

Lowers maximum toll penalties, requires payment plans for toll penalties, cash payment options, and sets forth minimum customer service hours of operation.

**Action:** Support If Amended / MTC Commission Approval

**Presenter:** Rebecca Long

Aleta Dupree was called to speak.

Upon the motion by Commissioner Liccardo and seconded by Commissioner Ahn, the Commission unanimously adopted a support position on Assembly Bill 2594 (Ting). The motion carried by the following vote:

**Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 1 - Commissioner Ronen

11b. 22-1007 Potential Regional Revenue Options for Housing and Transportation

Next steps in pursuit of a regional housing bond, authorization for a future regional transportation measure and identification of other transportation funding opportunities.

**Action:** Approval / ABAG Executive Board
Approval / MTC Commission
Approval / Bay Area Housing Finance Authority

**Presenter:** Rebecca Long

The following members of the public were called to speak: Adina Levin (Policy Advisory Councilmember), Vinay Pimple (Policy Advisory Councilmember), Efren Carrillo (Burbank Housing), Amy Thomson (TransForm), Matthew Reid (Silicon Valley at Hom), Ja'Nai Aubry (Non Profit Housing), Sangeeta Sarbarn (Save the Bay), Justine Marcus (Enterprise Community Partners), Christine Fitzgerald (Silicon Valley Independent Living Center), Jen Klose (Generation Housing), Anne Olivia Eldred (Policy Advisory Councilmember), Rollie Katz (Marin Association of Public Employees), Richard Hedges, and Jane Kramer.

Upon the motion by Commissioner Liccardo and seconded by Commissioner Spering, the Commission unanimously approved assigning to the responsibility for overseeing the next steps in the conversation about new transportation revenue sources, including discussion of enabling legislation for a future regional transportation measure to the MTC Programming and Allocations Committee and the Joint MTC ABAG Legislation Committee. The motion carried by the following vote:
11c. **22-0832** Assembly Bill 2011 (Wicks): Affordable Housing and High Road Act of 2022

Streamlines certain affordable housing development on underutilized commercial sites; Eligibility for streamlining subject to affordability, location, objective design and labor standards.

**Action:** Support If Amended / ABAG Executive Board Approval
Support If Amended / MTC Commission Approval

**Presenter:** Georgia Gann Dohrmann

Howard Wong was called to speak.

Commissioners Ahn and Chavez left before the vote for agenda item 11c.

Upon the motion by Commissioner Liccardo and seconded by Commissioner Schaaf, the Committee adopted a support if amended position on AB 2011 (Wicks) and directed staff to return to the Commission to reconsider once ABAG has had an opportunity to consider. The motion carried by the following vote:

**Aye:** 11 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Canepa, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Nay:** 2 - Commissioner Connolly and Commissioner Papan

**Absent:** 3 - Commissioner Ahn, Commissioner Chavez and Commissioner Ronen

**Abstain:** 2 - Commissioner Abe-Koga and Commissioner Dutra-Vernaci

12. **Public Comment / Other Business**

Written public comment was received from Dan Dickerman.

**22-1163** Public Comment

13. **Adjournment / Next Meetings:**

The next meeting of the Metropolitan Transportation Commission is scheduled to be held on Wednesday, July 27, 2022. Any changes to the schedule will be duly noticed to the public.