

**METROPOLITAN
TRANSPORTATION
COMMISSION**
Meeting Transcript



MAY 13, 2022

1 **METROPOLITAN TRANSPORTATION COMMISSION**

2 **OPERATIONS COMMITTEE**

3 **FRIDAY, MAY 13, 2022 9:35 AM**

4

5 **DAMON CONNOLLY, VICE CHAIR:** GOOD MORNING WE'RE CALLING TO
6 ORDER THE MEETING OF THE MTC OPERATIONS COMMITTEE FOR FRIDAY
7 THE 13th. WOULD THE BROADCASTING TEAM PLAY THE ANNOUNCEMENT?
8 [RECORDED MEETING PROCEDURES ANNOUNCEMENT] THIS MEETING WILL
9 BE CONDUCTED AS A HYBRID MEETING A ZOOM WEBINAR LINK HAS BEEN
10 PROVIDED AS WELL AS ACCOMMODATIONS FOR IN-PERSON ATTENDANCE.
11 THIS MEETING IS ALSO BEING WEBCAST ON THE METROPOLITAN
12 TRANSPORTATION COMMISSION WEB SITE. COMMISSIONERS AND MEMBERS
13 OF THE PUBLIC PARTICIPATION BY ZOOM, WISHING TO SPEAK, SHOULD
14 USE THE RAISE HAND FEATURE OR DIAL STAR 9, AND THE CHAIR WILL
15 CALL UPON THEM AT THE APPROPRIATE TIME. TELECONFERENCE
16 ATTENDEES WILL BE CALLED UPON BY THE LAST FOUR DIGITS OF THEIR
17 PHONE NUMBER. IT IS REQUESTED THAT PUBLIC SPEAKERS STATE THEIR
18 NAMES AND ORGANIZATION, BUT, PROVIDING SUCH INFORMATION IS
19 VOLUNTARY. WRITTEN PUBLIC COMMENTS RECEIVED AT
20 INFO@BAYAREAMETRO.GOV BY 5 P.M., YESTERDAY, WILL BE POSTED TO
21 THE ONLINE AGENDA AND ENTERED INTO THE RECORD, BUT WILL NOT BE
22 READ OUT LOUD. A ROLL CALL VOTE WILL BE TAKEN FOR ALL ACTION
23 ITEMS. PANELISTS AND ATTENDEES SHOULD NOTE THAT THE CHAT
24 FEATURE IS NOT ACTIVE. IN ORDER TO GET THE FULL ZOOM
25 EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP TO DATE.



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1

2 **DAMON CONNOLLY, VICE CHAIR:** THANK YOU. AND BEFORE WE PROCEED
3 WITH TODAY'S BUSINESS. I WANT TO TAKE A MOMENT TO ACKNOWLEDGE
4 THE PASSING OF ONE OF THE BAY AREA'S TRANSPORTATION HEROES.
5 FORMER SECRETARY AND CONGRESSMAN NORM MINETA WHO PASSED AWAY
6 MAY 3RD. MANY OF US HAVE HAD THE CHANCE TO GET TO KNOW NORM
7 AND HAVE GREATLY ADMIRED HIM. WE ADJOURN TODAY'S MEETING IN
8 MEMORY OF MR. MINETA. PLEASE JOIN ME IN A MOMENT OF SILENCE.
9 THANK YOU. WILL THE CLERK CONDUCT THE ROLL CALL AND CONFIRM
10 WHETHER A QUORUM IS PRESENT

11

12 **CLERK, FRED CASTRO:** YES, SIR. COMMISSIONER CONNOLLY?

13

14 **DAMON CONNOLLY, VICE CHAIR:** HERE.

15

16 **CLERK, FRED CASTRO:** COMMISSIONER AHN?

17

18 **EDDIE AHN:** HERE.

19

20 **CLERK, FRED CASTRO:** COMMISSIONER CANEPA? IS ABSENT.

21 COMMISSIONER DUTRA-VERNACI? IS ABSENT. COMMISSIONER FLEMING?

22

23 **VICTORIA FLEMING:** PRESENT.

24



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1 **CLERK, FRED CASTRO:** COMMISSIONER GIACOPINI, NON-VOTING? IS
2 ABSENT. COMMISSIONER LICCARDO? IS ABSENT. COMMISSIONER SCHAFF
3 IS ABSENT. COMMISSIONER SPERING?

4

5 **JAMES P. SPERING:** PRESENT.

6

7 **CLERK, FRED CASTRO:** THANK YOU. AND WE ARE DEPUTIZING
8 COMMISSIONER PEDROZA, CORRECT?

9

10 **DAMON CONNOLLY, VICE CHAIR:** YES WE ARE.

11

12 **CLERK, FRED CASTRO:** QUORUM IS PRESENT WITH DEPUTIZED
13 COMMISSIONER PEDROZA.

14

15 **DAMON CONNOLLY, VICE CHAIR:** EXCELLENT. AND THANK YOU FOR THAT.
16 AGENDA ITEM TWO IS THE PLEDGE OF ALLEGIANCE. IF YOU WOULD JOIN
17 ME? [PLEDGE OF ALLEGIANCE] "I PLEDGE ALLEGIANCE TO THE FLAG
18 OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH
19 IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND
20 JUSTICE FOR ALL."

21

22 **DAMON CONNOLLY, VICE CHAIR:** MOVING TO AGENDA ITEM THREE,
23 COMPENSATION ANNOUNCEMENT. WILL THE CLERK PLEASE MAKE THE
24 COMPENSATION ANNOUNCEMENT?

25



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1 **CLERK, FRED CASTRO:** YES, SIR. AS AUTHORIZED BY STATE LAW I AM
2 MAKING THE FOLLOWING ANNOUNCEMENT. EACH MEMBER OF THE BOARD
3 HERE TODAY WILL BE ENTITLED TO RECEIVE \$100 PER MEETING
4 ATTENDED UP TO A MAXIMUM OF \$500 PER MONTH PER AGENCY. THIS
5 AMOUNT IS A PROVIDED AS A RESULT OF CONVENING A MEETING FOR
6 WHICH EACH MEMBER IS ENTITLED TO COLLECT SUCH AMOUNT.

7

8 **DAMON CONNOLLY, VICE CHAIR:** THANK YOU. AGENDA ITEM FOUR IS THE
9 CONSENT CALENDAR, WHICH CONSISTS OF APPROVAL OF OPERATIONS
10 COMMITTEE MINUTES OF APRIL 8TH, 2022. THIS IS AN ACTION ITEM.
11 IS THERE A MOTION AND SECOND TO APPROVE THE CONSENT CALENDAR?

12

13 **JAMES P. SPERING:** SPERING WILL MOVE.

14

15 **VICTORIA FLEMING:** FLEMING SECONDS.

16

17 **DAMON CONNOLLY, VICE CHAIR:** ALL RIGHT. GREAT. SPERING ON THE
18 MOTION. FLEMING ON THE SECOND. ANY DISCUSSION BY MEMBERS ON
19 THIS MOTION? I'LL LOOK TO THE CLERK AS TO WHETHER THERE ARE
20 ANY PUBLIC COMMENTS RECEIVED FOR THIS ITEM.

21

22 **CLERK, FRED CASTRO:** THERE WERE NO PUBLIC COMMENTS RECEIVED FOR
23 THIS ITEM, AND I SEE NO MEMBERS OF THE ATTENDEES WITH THEIR
24 HAND RAISED, AND I SEE NOW MEMBERS QUEUED UP FOR BASKETBALL
25 COMMENT IN THE BOARDROOM. THANK YOU.



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2 **DAMON CONNOLLY, VICE CHAIR:** IN THAT CASE, WOULD THE CLERK
3 PLEASE CONDUCT A ROLL CALL VOTE.

4

5 **CLERK, FRED CASTRO:** MOTION SPERING, SECOND FLEMING.
6 COMMISSIONER AHN?

7

8 **EDDIE AHN:** AYE.

9

10 **CLERK, FRED CASTRO:** COMMISSIONER CANEPA? IS ABSENT.
11 COMMISSIONER CONNOLLY?

12

13 **DAMON CONNOLLY, VICE CHAIR:** AYE.

14

15 **CLERK, FRED CASTRO:** COMMISSIONER DUTRA-VERNACI? IS ABSENT.
16 COMMISSIONER FLEMING?

17

18 **VICTORIA FLEMING:** AYE.

19

20 **CLERK, FRED CASTRO:** COMMISSIONER LICCARDO? IS ABSENT.
21 COMMISSIONER SCHAFF?

22

23 **LIBBY SCHAFF:** AYE.

24

25 **CLERK, FRED CASTRO:** THANK YOU. AND COMMISSIONER SPERING?



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1

2 **JAMES P. SPERING:** AYE.

3

4 **CLERK, FRED CASTRO:** MOTION PASSES UNANIMOUSLY.

5

6 **DAMON CONNOLLY, VICE CHAIR:** THANK YOU. AGENDA ITEM FIVE NEXT

7 GENERATION CLIPPER SYSTEM INTEGRATOR CONTRACT CHANGE ORDER.

8 JASON WEINSTEIN WILL BE PRESENTING ON THIS ITEM.

9

10 **JASON WEINSTEIN:** THANK YOU. GOOD MORNING COMMISSIONERS. JASON
11 WEINSTEIN, CLIPPER STAFF. BEFORE I GET STARTED I WANT TO
12 REMIND EVERYBODY THAT THE NEXT GENERATION CLIPPER CONTRACT WAS
13 AWARDED IN 2018 AND SINCE THEN MTC CLIPPER STAFF TRANSIT
14 AGENCY STAFF AND OUR CONTRACTOR HAVE BEEN MAKING STEADY
15 PROGRESS TOWARDS DELIVERING THE NEXT GENERATION CLIPPER SYSTEM
16 WHICH WILL GO LIVE NEXT YEAR. SINCE AUGUST OF LAST YEAR,
17 HOWEVER, CLIPPER STAFF HAVE BEEN REPORTING TO THE CLIPPER
18 EXECUTIVE BOARD ABOUT SCHEDULE DELAYS THAT WE HAVE BEEN
19 EXPERIENCING, CAUSED IN PART BY ENGINEERING RESOURCE SHORTAGES
20 AND DELAYS IN THE DELIVERY OF CHIPS AND PLASTICS WHICH
21 CONTRIBUTED TO DELAYS. CAN WE PULL UP THE SLIDE, BROADCASTING
22 TEAM? NEXT SLIDE? THANK YOU. THE PROPOSED CHANGE HERE TODAY
23 ADDRESSES THE CURRENT SCHEDULE DELAYS AND IT DOES A NUMBER OF
24 THINGS. IT TIES A FINANCIAL INCENTIVE TO THE START OF CUSTOMER
25 TRANSITION TO THE NEXT GENERATION CLIPPER SYSTEM AS SOON AS



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1 PRACTICAL. IT DOESN'T CHANGE THE SYSTEM INTEGRATOR CONTRACT
2 VALUE OR LENGTH OF OPERATIONS AND MAINTENANCE PERIOD, AND IT
3 ALLOWS THE PROGRAM TO PROCEED WITH AN AGREED UPON SCHEDULE AND
4 GREATER CERTAINTY THAN WE HAVE TODAY. I'LL LET SOME OF THESE
5 BENEFITS SINK IN FOR YOU. AND WE'LL MOVE TO THE NEXT SLIDE.
6 OKAY. I'M GOING TO TALK A LITTLE BIT ABOUT THIS SLIDE HERE IN
7 TERMS OF THE PROPOSED CONTRACT CHANGES. FIRST ONE ON THIS
8 SLIDE SHOWS THE CURRENT CONTRACT TERMS AS THEY ARE TODAY. THE
9 SECOND ROW SHOWS A PROPOSED CHANGES IN RED TO THE CONTRACT
10 TERMS AND INTRODUCES THAT FINANCIAL INCENTIVE TO ACHIEVE THE C
11 TWO SYSTEM TRANSITION NOTICE TO PROCEED, WHICH I ALLUDED TO IN
12 THE PREVIOUS SLIDE. AND THE THIRD ROW SHOWS THE IMPACT TO THIS
13 REDUCTION OPERATIONS AND MAINTENANCE PAYMENTS WHICH ARE SHARED
14 BETWEEN MTC AND THE TRANSIT OPERATORS. SO I'LL JUST TAKE A
15 SECOND TO -- IN THE ORIGINAL CONTRACT, WE WERE GOING TO GO,
16 WHEN WE GET TO REVENUE READY, WE WERE GOING TO MOVE FROM AN
17 O&M AT \$300,000 TO \$1.4 MILLION. THAT'S WHAT IT SHOWS IN THE
18 MIDDLE COLUMN IN THAT FIRST ROW. AND YOU CAN SEE, IN TERMS OF
19 THE PROPOSED CHANGE, AT REVENUE READY, WE'LL INCREASE FROM
20 300,000 TO 900,000, AND ONCE WE GET TO THE PLACE WHERE WE'RE
21 READY TO TRANSITION CUSTOMERS, THEN WE'LL MOVE TO THE FULL 1.4
22 MILLION FOR O&M. SO THAT GIVES THE CONTRACTOR A FINANCIAL
23 INCENTIVE TO GET THERE SOONER. LET'S MOVE TO THE NEXT SLIDE.
24 FLUSH FLASHING SO THIS SLIDE, HERE, HAS A LOT OF WORDS AND IT
25 SHOWS THE MODIFICATIONS TO THE REQUIREMENTS FOR REVENUE READY,



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1 CUSTOMER TRANSITION, AND THE REDUCTIONS IN THE OPERATIONS AND
2 MAINTENANCE PAYMENTS AMOUNT. IT ALSO MODIFIES SEVERAL
3 GUARANTEED COMPLETION DATES AS SHOWN IN THAT BOTTOM BULLET.
4 AND I WANT TO MENTION THAT NEXT MONTH WE PLAN TO BRING TO THIS
5 COMMITTEE A COMPREHENSIVE UPDATE ON THE STATUS OF THE NEXT
6 GENERATION CLIPPER SYSTEM AS WELL AS CLIPPER START AND OTHER
7 START PROGRAMS AND OTHER DISCOUNT PROGRAMS FOR TRANSIT SO THAT
8 YOU CAN HAVE A LARGER PICTURE OF WHAT WE'RE DOING. AT THIS
9 TIME STAFF REQUESTS THAT THE EXECUTIVE DIRECTOR OR DESIGNEE IS
10 AUTHORIZED TO NEGOTIATE AND ENTER INTO A CONTRACT AGREEMENT
11 WITH CUBIC TRANSPORTATION SYSTEMS FOR THE PURPOSES DESCRIBED
12 IN THIS ITEM. I'M AVAILABLE TO ANSWER ANY QUESTIONS.

13

14 **DAMON CONNOLLY, VICE CHAIR:** THANK YOU, JASON. COMMISSIONER,
15 ANY QUESTIONS OR COMMENTS ON THIS ITEM? NOT SEEING ANY. WILL
16 THE CLERK INFORM US WHETHER THERE ARE ANY PUBLIC COMMENTS
17 RECEIVED FOR THIS ITEM?

18

19 **CLERK, FRED CASTRO:** THERE WERE NO WRITTEN COMMENTS RECEIVED
20 FOR THIS ITEM. NO ATTENDEES WITH THIS HAND RAISED AND I SEE NO
21 PUBLIC COMMENT IN THE BOARDROOM.

22

23 **DAMON CONNOLLY, VICE CHAIR:** GREAT. I'LL CALL FOR A MOTION FOR
24 APPROVAL?

25



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1 **JAMES P. SPERING:** SPERING WILL MOVE.

2

3 **VICTORIA FLEMING:** SECOND, FLEMING.

4

5 **DAMON CONNOLLY, VICE CHAIR:** SPERING AND FLEMING, AGAIN. LET'S
6 GO AHEAD WITH THE ROLL CALL VOTE.

7

8 **CLERK, FRED CASTRO:** ON THE MOTION BY SPERING, WITH A SECOND BY
9 FLEMING. COMMISSIONER AHN?

10

11 **EDDIE AHN:** AYE.

12

13 **CLERK, FRED CASTRO:** COMMISSIONER CANEPA? IS ABSENT.
14 COMMISSIONER CONNOLLY?

15

16 **DAMON CONNOLLY, VICE CHAIR:** AYE.

17

18 **CLERK, FRED CASTRO:** COMMISSIONER DUTRA-VERNACI? IS ABSENT.
19 COMMISSIONER FLEMING?

20

21 **VICTORIA FLEMING:** AYE.

22

23 **CLERK, FRED CASTRO:** THANK YOU. COMMISSIONER LICCARDO? IS
24 ABSENT. COMMISSIONER SCHAFF?

25



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1 **LIBBY SCHAAF:** AYE.

2

3 **CLERK, FRED CASTRO:** THANK YOU. COMMISSIONER SPERING?

4

5 **JAMES P. SPERING:** AYE.

6

7 **CLERK, FRED CASTRO:** MOTION PASSES WITH A UNANIMOUS VOTE BY ALL
8 MEMBERS PRESENT.

9

10 **DAMON CONNOLLY, VICE CHAIR:** ITEM SIX, PUBLIC COMMENT I'LL ASK
11 THE CLERK TO READ THE NAMES OF ORGANIZATIONS OF ANY GENERAL
12 WRITTEN PUBLIC COMMENTS RECEIVED AT INFO@BAYAREAMETRO.GOV
13 YESTERDAY INTO THE RECORD. I WOULD ALSO ASK IF ANY MEMBERS OF
14 THE PUBLIC PARTICIPATING BY TELECONFERENCE WITH GENERAL PUBLIC
15 COMMENT NOT RELATED TO AN ITEM ON TODAY AGENDA PLEASE RAISE
16 YOUR HAND OR DIAL STAR NINE AND I WILL CALL UPON YOU TO SPEAK.
17 WHEN CALLED UPON UNMUTE YOURSELF OR DIAL STAR SIX. IF ANY
18 MEMBERS OF THE PUBLIC IN THE BOARDROOM WOULD LIKE TO SPEAK ON
19 THIS ITEM, PLEASE FILL OUT A BLUE SPEAKER CARD AND HAND IT TO
20 STAFF. I'LL LOOK TO THE CLERK TO SEE IF WE HAVE ANY COMMENTS?

21

22 **CLERK, FRED CASTRO:** THERE WERE NO COMMENTS RECEIVED FOR THIS
23 ITEM. THERE WERE NO MEMBERS OF THE PUBLIC WITH THEIR -- NO
24 MEMBERS OF THE ATTENDEES WITH THEIR HANDS RAISED AND I SEE NO
25 MEMBERS AT THE BOARDROOM READY TO SPEAK. THANK YOU.



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2 **DAMON CONNOLLY, VICE CHAIR:** GREAT. IN THAT CASE, WE'LL MOVE TO
3 AGENDA ITEM NUMBER SEVEN, ADJOURNMENT. THE NEXT MEETING OF THE
4 OPERATIONS COMMITTEE WILL BE FRIDAY JUNE 10TH, 2022, AT 9:35
5 A.M. ANY CHANGES TO THE SCHEDULE WILL BE DULY NOTICED TO THE
6 PUBLIC. THIS MEETING OF THE OPERATIONS COMMITTEE IS HEREBY
7 ADJOURNED IN HONOR OF NORM MINETA. THANK YOU EVERYONE.

8 [ADJOURNED]

9

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