METROPOLITAN TRANSPORTATION COMMISSION Meeting Transcript



1	METROPOLITAN TRANSPORTATION COMMISSION
2	EXECUTIVE COMMITTEE
3	WEDNESDAY, JANUARY 26, 2022 8:35 AM
4	
5	ALFREDO PEDROZA, CHAIR: GOOD MORNING EVERYONE. I'M GOING CALL
6	TO ORDER THE METROPOLITAN TRANSPORTATION COMMISSION EXECUTIVE
7	COMMITTEE. MY NAME IS ALFREDO PEDROZA, CHAIR, AND OUR VICE
8	CHAIR NICK JOSEFOWITZ, WILL JOIN US SOON. PLEASE PLAY THE
9	BROADCAST RECORDING FOR THE COVID-19. [RECORDED MEETING
10	PROCEDURES ANNOUNCEMENT] DUE TO COVID-19, THIS MEETING WILL BE
11	CONDUCTED AS A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF
12	ASSEMBLY BILL 361 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE
13	BROWN ACT. THIS MEETING IS BEING WEBCAST ON THE MTC WEBSITE.
14	THE CHAIR WILL CALL UPON COMMISSIONERS, PRESENTERS, STAFF, AND
15	OTHER SPEAKERS, BY NAME, AND ASK THAT THEY SPEAK CLEARLY AND
16	STATE THEIR NAMES BEFORE GIVING COMMENTS OR REMARKS. PERSONS
17	PARTICIPATING VIA WEBCAST AND ZOOM, WITH THEIR CAMERAS
18	ENABLED, ARE REMINDED THAT THEIR ACTIVITIES ARE VISIBLE TO
19	VIEWERS. COMMISSIONERS AND MEMBERS OF THE PUBLIC PARTICIPATION
20	BY ZOOM, WISHING TO SPEAK, SHOULD USE THE RAISE HAND FEATURE
21	OR DIAL STAR 9, AND THE CHAIR WILL CALL UPON THEM AT THE
22	APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON
23	BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. IT IS REQUESTED
24	THAT PUBLIC SPEAKERS STATE THEIR NAMES AND ORGANIZATION, BUT,
25	PROVIDING SUCH INFORMATION IS VOLUNTARY. WRITTEN PUBLIC



1	COMMENTS RECEIVED AT INFOATBAYAREAMETRO.GOV BY 5 P.M.,
2	YESTERDAY, WILL BE POSTED TO THE ONLINE AGENDA AND ENTERED
3	INTO THE RECORD, BUT WILL NOT BE READ OUT LOUD. IF AUTHORS OF
4	THE WRITTEN CORRESPONDENCE WOULD LIKE TO SPEAK, THEY ARE FREE
5	TO DO SO. THEY SHOULD RAISE THEIR HAND AND THE CHAIR WILL
6	CALL UPON THEM AT THE APPROPRIATE TIME. A ROLL CALL VOTE WILL
7	BE TAKEN FOR ALL ACTION ITEMS. PANELISTS AND ATTENDEES SHOULD
8	NOTE THAT THE CHAT FEATURE IS NOT ACTIVE. IN ORDER TO GET THE
9	FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP
10	TO DATE.
11	
12	ALFREDO PEDROZA, CHAIR: THANK YOU, BROADCASTING TEAM. LET'S
13	MOVE ON TO THE FIRST ITEM ON OUR AGENDA. IF YOU CAN PLEASE DO
14	ROLL CALL.
15	
16	CLERK OF THE BOARD: YES. CHAIR PEDROZA?
17	
18	ALFREDO PEDROZA, CHAIR: HERE.
19	
20	CLERK OF THE BOARD: VICE CHAIR JOSEFOWITZ IS ABSENT.
21	COMMISSIONER DUTRA-VERNACI?
22	
23	CAROL DUTRA-VERNACI: HERE.

CLERK OF THE BOARD: COMMISSIONER GLOVER?

24



1	
2	FEDERAL D. GLOVER: HERE.
3	
4	CLERK OF THE BOARD: COMMISSIONER LICCARDO? LICCARDO IS ABSENT.
5	RABBIT?
6	
7	DAVID RABBIT: HERE.
8	
9	CLERK OF THE BOARD: SPERING?
10	
11	JAMES P. SPERING: PRESENT.
12	
13	CLERK OF THE BOARD: WORTH?
14	
15	AMY R. WORTH: HERE.
16	
17	CLERK OF THE BOARD: THANK YOU. QUORUM IS PRESENT
18	
19	ALFREDO PEDROZA, CHAIR: THANK YOU, KIMBERLY, AND THANK YOU
20	COMMISSIONERS FOR JUMPING ON A LITTLE EARLY TODAY. ITEM TWO,
21	CONSENT CALENDAR, KIMBERLY HAVE WE RECEIVED ANY PUBLIC COMMENT
22	ASSOCIATED WITH OUR CONSENT CALENDAR?
23	



1	CLERK OF THE BOARD: THERE ARE NO MEMBERS OF THE PUBLIC WITH
2	THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED
3	ON THIS ITEM.
4	
5	ALFREDO PEDROZA, CHAIR: ALL RIGHT. AT THIS POINT I'LL
6	ENTERTAIN A MOTION TO APPROVE OUR CONSENT CALENDAR AS
7	PRESENTED.
8	
9	CAROL DUTRA-VERNACI: DUTRA-VERNACI MOVES APPROVAL.
10	
11	DAVID RABBIT: SECOND.
12	
13	ALFREDO PEDROZA, CHAIR: FIRST BY COMMISSIONER DUTRA-VERNACI,
14	SECOND BY COMMISSIONER RABBIT. ROLL CALL PLEASE.
15	
16	CLERK OF THE BOARD: PEDROZA?
17	
18	ALFREDO PEDROZA, CHAIR: YES.
19	
20	CLERK OF THE BOARD: VICE CHAIR JOSEFOWITZ IS ABSENT.
21	COMMISSIONER DUTRA-VERNACI?
22	
23	CAROL DUTRA-VERNACI: AYE.
24	
25	CLERK OF THE BOARD: GLOVER?



1	
2	FEDERAL D. GLOVER: AYE.
3	
4	CLERK OF THE BOARD: COMMISSIONER IS ABSENT. COMMISSIONER
5	SPERING?
6	
7	JAMES P. SPERING: YES.
8	
9	CLERK OF THE BOARD: COMMISSIONER WORTH?
10	
11	AMY R. WORTH: AYE.
12	
13	CLERK OF THE BOARD: PASSES UNANIMOUSLY BY ALL MEMBERS PRESENT.
14	
15	ALFREDO PEDROZA, CHAIR: ITEM 3A CLOSED SESSION PUBLIC COMMENT.
16	KIMBERLY HAVE WE RECEIVED PUBLIC COMMENT AND DO WE HAVE ANYONE
17	WHO WISHES TO GIVE PUBLIC COMMENT?
18	
19	CLERK OF THE BOARD: THERE ARE NO MEMBERS OF THE PUBLIC WITH
20	THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED
21	ON THIS ITEM.
22	
23	ALFREDO PEDROZA, CHAIR: ALL RIGHT. WE'RE GOING TO PROCEED TO
24	3B CLOSED SESSION. THE COMMITTEE WILL MEET IN CLOSED SESSION,
25	PURSUANT TO GOVERNMENT CODE \$54957, WITH RESPECT TO THE



- 1 EXECUTIVE DIRECTOR'S AND GENERAL COUNSEL'S EMPLOYEE
- 2 PERFORMANCE EVALUATIONS AND THE EXECUTIVE DIRECTOR'S AND
- 3 GENERAL COUNSEL'S COMPENSATION RANGE OF NON-REPRESENTED
- 4 EMPLOYEES. MTC COMMITTEE MEMBERS, WE HAVE SENT YOU A NEW LINK
- 5 TO GO INTO CLOSED SESSION. AND THIS WILL BE AT THE TOP OF OUR
- 6 E-MAIL BOXES. AT THAT POINT, WE'LL COME BACK TO OPEN SESSION
- 7 FOR REPORTABLE ACTIONS. WITH THAT COMMISSIONERS, PLEASE
- 8 CONTINUE TO CLOSED SESSION. [CLOSED SESSION]

9

- 10 ALFREDO PEDROZA, CHAIR: GOOD AFTERNOON MY NAME IS ALFREDO
- 11 PEDROZA, CHAIR OF THE EXECUTIVE COMMITTEE, JOINED BY MY VICE
- 12 CHAIR. AS ANNOUNCED EARLIER, WE DID NOT CONCLUDE BUSINESS. AT
- 13 THIS TIME, I'M GOING TO ALLOW PUBLIC COMMENT BEFORE WE GO BACK
- 14 INTO CLOSED SESSION. I'LL ASK IF THERE IS PUBLIC COMMENT
- 15 RECEIVED, TO SEE IF THERE IS ANYONE WHO WISHES TO MAKE PUBLIC
- 16 COMMENT ON THE CLOSED SESSION. THIS IS ON ITEM 3A FROM OUR
- 17 EXECUTIVE COMMITTEE MEETING.

18

- 19 CLERK OF THE BOARD: THERE ARE NO MEMBERS OF THE PUBLIC WITH
- 20 THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED
- 21 ON THIS ITEM.

- 23 ALFREDO PEDROZA, CHAIR: LET ME READ THIS TO MAKE SURE WE'RE IN
- 24 FULL COMPLIANCE. THE COMMITTEE WILL MEET IN CLOSED SESSION,
- 25 PURSUANT TO GOVERNMENT CODE \$54957, WITH RESPECT TO THE



- 1 EXECUTIVE DIRECTOR'S AND GENERAL COUNSEL'S EMPLOYEE
- 2 PERFORMANCE EVALUATIONS AND THE EXECUTIVE DIRECTOR'S AND
- 3 GENERAL COUNSEL'S COMPENSATION RANGE OF NON-REPRESENTED
- 4 EMPLOYEES. COMMISSIONERS, AT THIS POINT PLEASE RETURN TO OUR
- 5 CLOSED SESSION. CONTINUE TO CLOSED SESSION.

6

- 7 KATHLEEN KANE: THANK YOU ALL FOR THE HOUSEKEEPING. [CLOSED
- 8 SESSION CONTINUED]

9

- 10 ALFREDO PEDROZA, CHAIR: GOOD AFTERNOON EVERYONE. WE'RE BACK
- 11 FROM OUR CLOSED SESSION WE'RE GOING TO PROCEED WITH ITEM FOUR
- 12 IN OPEN SESSION. THE MTC COMMITTEE IS NOW BACK IN OPEN SESSION
- 13 WE HAVE WE HAVE DETERMINED THE HIGH MAX SET OUT BY THE
- 14 EMPLOYMENT CONTRACTS AND COST OF LIVING ADJUSTMENTS BE APPLIED
- 15 TO THE CURRENT SALARY. WE'RE GOING TO PROCEED --

16

- 17 CLERK OF THE BOARD: SORRY. WE NEED FIVE FOR A QUORUM. AND I
- 18 ONLY SEE FOUR COMMISSIONS. DID I MISCOUNT?

19

20 ALFREDO PEDROZA, CHAIR: THAT'S CORRECT.

21

- 22 AMY R. WORTH, VICE CHAIR: I THINK WE LOST SOMEBODY WHO WAS ON
- 23 EARLIER. THEN THEY CAME BACK.

24

25 KATHLEEN KANE: VICE CHAIR.



1 CAROL DUTRA-VERNACI: WHAT ABOUT FEDERAL? 2 3 ALFREDO PEDROZA, CHAIR: WE DON'T HAVE TO TAKE ANY ACTION --4 5 WHILE WE WAIT FOR ANOTHER COMMISSIONER MOMENTARILY, KIMBERLY, I WILL JUST PAUSE. ALL RIGHT. I SEE OUR VICE CHAIR HAS 6 JOINED. ALL RIGHT. THANK YOU. KIMBERLY, CAN YOU CONFIRM WE 7 8 HAVE A QUORUM, NOW? 9 CLERK OF THE BOARD: YES. WE HAVE A QUORUM. 10 11 ALFREDO PEDROZA, CHAIR: WE'LL PROCEED WITH ITEM 4A EXECUTIVE 12 DIRECTOR THERESE MCMILLAN COST OF LIVING ADJUSTMENT FOR THE 13 CONSUMER PRICE INDEX ESTABLISHED IN OCTOBER 2020 TO OCTOBER 14 2021, HAS BEEN DETERMINED TO BE 2.8 RETROACTIVELY APPLIED TO 15 JANUARY 2022, BASED ON THIS ASSESSMENT OF THE ANNUAL ADJUSTED 16 17 SALARY WILL BE \$411,337.29. GENERAL COUNSEL, KATHLEEN KANE COST LIVING ADJUSTMENT IS ATTRIBUTED TO BE 2.8 RETROACTIVELY 18 APPLIED TO JANUARY 1ST, 2022 BASED ON THIS ASSESSMENT ADJUSTED 19 ANNUAL SALARY WILL BE \$334,100. WE PROPERLY DISCLOSE THAT. AT 20 21 THIS POINT I WILL ENTERTAIN A MOTION FOR THE COST OF LIVING ADJUSTMENT TO BE APPLIED TO THE EXECUTIVE DIRECTOR AND GENERAL 22 COUNSEL 23 24

JAMES P. SPERING: SPERING WILL MOVE.

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1	
2	NICK JOSEFOWITZ: SECOND.
3	
4	ALFREDO PEDROZA, CHAIR: SPERING MAKES THE MOTION SECONDED BY
5	VICE CHAIR JOSEFOWITZ. KIMBERLY, HAVE WE RECEIVED PUBLIC
6	COMMENT ASSOCIATED WITH THIS ITEM?
7	
8	CLERK OF THE BOARD: THERE ARE NO MEMBERS OF THE PUBLIC WITH
9	THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED
10	ON THIS ITEM.
11	
12	ALFREDO PEDROZA, CHAIR: FIRST BY COMMISSIONER SPERING. SECOND
13	BY VICE CHAIR JOSEFOWITZ. AND I WANT TO THANK AND ACKNOWLEDGE
14	OUR EXECUTIVE DIRECTOR THERESE MCMILLAN AND OUR GENERAL
15	COUNSEL FOR THEIR SERVICE TO THIS ORGANIZATION IT IS NOTED
16	YOUR MANY CONTRIBUTIONS HAVE POSITIVELY IMPACTED THE
17	RESIDENTS. REGION AND WE'RE FORTUNATE FOR YOUR SERVICE TO THIS
18	ORGANIZATION. ROLL CALL VOTE
19	
20	CLERK OF THE BOARD: PEDROZA?
21	
22	ALFREDO PEDROZA, CHAIR: YES.
23	
24	CLERK OF THE BOARD: VICE CHAIR JOSEFOWITZ?



1	NICK JOSEFOWITZ: YES.
2	
3	CLERK OF THE BOARD: COMMISSIONER DUTRA-VERNACI?
4	
5	CAROL DUTRA-VERNACI: AYE.
6	
7	CLERK OF THE BOARD: COMMISSIONER GLOVER IS ABSENT.
8	COMMISSIONER LICCARDO IS ABSENT. COMMISSIONER RABBIT IS
9	ABSENT. COMMISSIONER SPERING?
10	
11	JAMES P. SPERING: YES.
12	
13	CLERK OF THE BOARD: COMMISSION WORTH?
14	
15	AMY R. WORTH, VICE CHAIR: AYE.
16	
17	CLERK OF THE BOARD: THANK YOU. PASSES UNANIMOUSLY BY ALL
18	MEMBERS PRESENT.
19	
20	ALFREDO PEDROZA, CHAIR: THANK YOU, COMMISSIONERS. AND, AGAIN,
21	THANK YOU TO THERESE AND KATHLEEN. LET'S MOVE TO ITEM FIVE,
22	PUBLIC COMMENT I'LL ASK THE CLERK TO LIST ANY ITEMS RECEIVED
23	UNDER PUBLIC COMMENT OR ASSOCIATED WITH THIS ITEM AT
24	INFO@BAYAREAMETRO.GOV BY 5:00 P.M. INTO THE RECORD? KIMBERLY
25	ANY PUBLIC COMMENT?



1	
2	CLERK OF THE BOARD: THERE ARE NO MEMBERS OF THE PUBLIC WITH
3	THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED
4	ON THIS ITEM.
5	
6	ALFREDO PEDROZA, CHAIR: ALL RIGHT COMMISSIONERS ADJOURNMENT.
7	ITEM SIX WE'RE GOING TO ADJOURN OUR MEETING TO OUR NEXT MTC
8	EXECUTIVE COMMITTEE WHICH WILL BE HELD AT A DATE TO BE DULY
9	NOTED. THANK YOU COMMISSIONERS FOR YOUR EXTRA WORK TODAY AND
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37	EXTRA HOURS. HAVE I GOOD ONE. [ADJOURNED]



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