

## Meeting Agenda

### Joint MTC ABAG Legislation Committee

*Jesse Arreguin, Chair      Sam Liccardo, Vice Chair*

#### *Members*

*Eddie Ahn, David Canepa, Damon Connolly,  
Carol Dutra-Vernaci, Pat Eklund, Victoria Fleming,  
Barbara Halliday, Dave Hudson, Gordon Mar,  
Karen Mitchoff, Alfredo Pedroza, David Rabbitt,  
Belia Ramos, Libby Schaaf, and Jim Spering*

#### *Non-Voting Members*

*Dorene M. Giacomini and Vacant*

---

Friday, November 12, 2021

9:40 AM

REMOTE

---

In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with the recently signed Assembly Bill 361 allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants.

A Zoom panelist link for meeting participants will be sent separately to Committee members.

The meeting webcast will be available at <http://mtc.ca.gov/whats-happening/meetings>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number. Committee Members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial \*9. When called upon, unmute yourself or dial \*6. In order to get the full Zoom experience, please make sure your application is up to date.

Attendee Link: <https://bayareametro.zoom.us/j/87418509940>

iPhone One-Tap: US: +14086380968,,87418509940# or +16699006833,,87418509940#

Join by Telephone US: 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 874 1850 9940

International numbers available: <https://bayareametro.zoom.us/u/kcdqDOWCIM>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>

Members of the public may participate by phone or Zoom or may submit comments by email at [info@bayareametro.gov](mailto:info@bayareametro.gov) by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name and agenda item number in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

## 1. Call to Order / Roll Call / Confirm Quorum

*Quorum: A quorum of this body shall be a majority of its regular voting members (9).*

## 2. Consent Calendar

- 2a. [21-1315](#) Approval of Joint MTC ABAG Legislation Committee Minutes of the October 8, 2021 Meeting

**Action:** Committee Approval

**Attachments:** [2a\\_2021-09-10\\_Joint\\_MTC\\_ABAG\\_Legislation\\_Committee\\_Meeting\\_Minutes.p](#)

## 3. MTC Approval

- 3a. [21-1170](#) MTC Resolution No. 3931, Revised - Policy Advisory Council Appointments & Stipends

Update on stipends and appointments to the 4-year Policy Advisory Council term that will run January 1, 2022 - December 31, 2025.

**Action:** MTC Commission Approval

**Presenter:** Ky-Nam Miller and Marti Paschal

**Attachments:** [3a MTC Resolution 3931 Revised Policy Advisory Council Update to Legis](#)

## 4. State and Federal Legislation

- 4a. [21-1317](#) Draft 2022 Joint Advocacy Program

Draft 2022 Joint Advocacy Program for MTC and ABAG, expressing the agencies' state and federal legislative priorities.

**Action:** Information

**Presenter:** Rebecca Long

**Attachments:** [4a\\_Draft\\_2022\\_Joint\\_Advocacy\\_Program.pdf](#)  
[4aii\\_Handout\\_Policy\\_Advisory\\_Council\\_Recommendations\\_November\\_2021\\_Br](#)

- 4b. [21-1506](#) Bay Area Strategy for State Funding Opportunities

Update on the latest developments related to transportation receiving additional funding from the state's General Fund surplus and efforts to develop a coordinated Bay Area transportation funding advocacy strategy.

**Action:** Information

**Presenter:** Rebecca Long

**Attachments:** [4b\\_Bay\\_Area\\_Strategy\\_for\\_State\\_Funding\\_Opportunities.pdf](#)  
[4b\\_Bay\\_Area\\_Strategy\\_for\\_State\\_Funding\\_Opportunities-Handout\\_Letter\\_to\\_Gr](#)

**4c.     [21-1467](#)           2022 Washington D.C. Advocacy Trip Update**

Update on preparations for MTC and ABAG's 2022 Washington D.C. advocacy trip.

**Action:**           Information

**Presenter:**       Georgia Gann Dohrmann

**Attachments:**   [4c\\_2022\\_Washington\\_D.C.\\_Advocacy\\_Trip\\_Update.pdf](#)

**4d.     [21-1316](#)           Washington D.C. Legislative Update**

Report on key legislative, funding and political developments over the past month from Washington, D.C. prepared by the Summit Strategies team.

**Action:**           Information

**Presenter:**       Georgia Gann Dohrmann

**Attachments:**   [4d\\_Washington\\_D.C.\\_Legislative\\_Update\\_Oct\\_2021.pdf](#)  
[4d\\_Handout A\\_Staff Summary\\_Infrastructure Investment and Jobs Act\\_Nov21.r](#)  
[4d\\_Handout B\\_Staff Summary of Surface Transportation Provisions of IJJA.pdf](#)

**5. Tribute to Randy Rentschler****5a.     [21-1379](#)           Link to YouTube video <<https://youtu.be/Z0vNe25UdM8>>****6. Public Comment / Other Business**

*Committee Members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial \*9. When called upon, unmute yourself or dial \*6.*

**7. Adjournment / Next Meeting**

**The next meeting of the Joint MTC ABAG Legislation Committee will be Friday, December 10, 2021, at 9:45 a.m. remotely and by webcast as appropriate. Any changes to the schedule will be duly noticed to the public.**

**Public Comment:** The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

**Meeting Conduct:** If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

**Record of Meeting:** Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site ([mtc.ca.gov](http://mtc.ca.gov)) for public review for at least one year.

**Accessibility and Title VI:** MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

**可及性和法令第六章:** MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

**Acceso y el Titulo VI:** La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

---

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

## Meeting Minutes - Draft

### Joint MTC ABAG Legislation Committee

*Jesse Arreguin, Chair      Sam Liccardo, Vice Chair*

#### *Members*

*Eddie Ahn, David Canepa, Damon Connolly,  
Carol Dutra-Vernaci, Pat Eklund, Victoria Fleming,  
Barbara Halliday, Dave Hudson, Gordon Mar,  
Karen Mitchoff, Alfredo Pedroza, David Rabbitt,  
Belia Ramos, Libby Schaaf, and Jim Spering*

#### *Non-Voting Members*

*Dorene M. Giacopini and Vacant*

---

Friday, October 8, 2021

9:40 AM

REMOTE

---

#### 1. Call to Order / Roll Call / Confirm Quorum

**Present:** 15 - Committee Member Eklund, Committee Member Connolly, Committee Member Spering, Committee Member Ahn, Committee Member Pedroza, Committee Member Mitchoff, Committee Member Ramos, Committee Member Canepa, Committee Member Dutra-Vernaci, Committee Member Schaaf, Committee Member Rabbitt, Vice Chair Liccardo, Committee Member Hudson, Chair Arreguin and Committee Member Halliday

**Absent:** 2 - Committee Member Mar and Committee Member Fleming

Non-Voting Member Present: Commissioner Giacopini

Ex Officio Voting Members Present: Commission Chair Pedroza and  
Commission Vice Chair Josefowitz

Ad Hoc Non-Voting Members Present: Commissioner Papan, Commissioner Rabbitt, and  
Commissioner Worth

## 2. Consent Calendar

Barry Smith spoke on this item.

**Upon the motion by Committee Member Dutra-Vernaci and second by Committee Member Eklund, the Consent Calendar was unanimously approved. The motion carried by the following vote:**

**Aye:** 13 - Committee Member Eklund, Committee Member Connolly, Committee Member Spring, Committee Member Pedroza, Committee Member Mitchoff, Committee Member Ramos, Committee Member Canepa, Committee Member Dutra-Vernaci, Committee Member Schaaf, Committee Member Rabbitt, Vice Chair Liccardo, Chair Arreguin and Committee Member Halliday

**Absent:** 4 - Committee Member Ahn, Committee Member Mar, Committee Member Fleming and Committee Member Hudson

- 2a. [21-1161](#) Approval of Joint MTC ABAG Legislation Committee Minutes of the September 10, 2021 Meeting

**Action:** Committee Approval

**Attachments:** [2a Joint LEGIS Minutes Sept 10 2021.pdf](#)

- 2b. [21-1162](#) Legislative History

Detailed list of bills the ABAG and MTC are tracking in Sacramento, including those ABAG or MTC supports or opposes.

**Action:** Information

**Presenter:** Rebecca Long

**Attachments:** [2b Legislative History October.pdf](#)

Member Ahn and Member Hudson arrived after the approval of the Consent Calendar.

## 3. Information

- 3a. [21-1163](#) 2021 Legislative Scorecard

Comparison of MTC/ABAG 2021 Advocacy Program with legislative outcomes in the 2021 state and federal legislative sessions.

**Action:** Information

**Presenter:** Rebecca Long

**Attachments:** [3a 2021 Legislative Scorecard.pdf](#)

#### 4. Federal Legislation

4a. [21-1165](#) Federal Infrastructure Update

Status update on the Build Back Better climate and social spending package and on the bipartisan Infrastructure Investment and Jobs Act.

**Action:** Information

**Presenter:** Georgia Gann Dohrmann

**Attachments:** [4a\\_Federal Infrastructure Update.pdf](#)

4b. [21-1167](#) Washington D.C. Legislative Update

Report on key legislative, funding and political developments over the past month from Washington, D.C. prepared by the Summit Strategies team.

**Action:** Information

**Presenter:** Georgia Gann Dohrmann

**Attachments:** [4b\\_Washington D.C. Legislative Update Sept 2021.pdf](#)

#### 5. Public Comment / Other Business

#### 6. Adjournment / Next Meeting

The next meeting of the Joint MTC ABAG Legislation Committee will be Friday, November 12, 2021, at 9:45 a.m. remotely and by webcast as appropriate depending on the status of any shelter in place orders. Any changes to the schedule will be duly noticed to the public.

**Metropolitan Transportation Commission and Association of Bay Area Governments  
Joint MTC ABAG Legislation Committee**

**November 12, 2021**

**Agenda Item 3a**

**MTC Resolution No. 3931, Revised - Policy Advisory Council Appointments & Stipends**

---

**Subject:**

Update on stipends and appointments to the 4-year Policy Advisory Council term that will run January 1, 2022 - December 31, 2025.

**Summary:**

MTC Resolution No. 3931, Revised, which created the MTC Policy Advisory Council (“Council”), calls for recruitment and appointment of a new Council every four years. All voting Commissioners have reviewed the applications and affirmatively named their appointments. Staff is also recommending increasing the meeting stipend for the first time since the Policy Advisory Council was established in 2010.

**Background:**

The Council consists of 27 members, one third (9) representing communities of color, environmental justice or low-income interests; one third (9) representing older adults (a.k.a. “senior”) or disabled interests; and one third (9) represent economic and environmental interests. Current advisors were eligible for reappointment for a new term, provided they re-apply, along with new candidates.

Nine Council members — one from each county — are to represent low-income communities and communities of color, with four aligned with low-income communities, four representing communities of color, with the ninth member coming from either category. The same formula holds for the nine members representing older adults and persons with disabilities (one from each county, with four from each category and the ninth member coming from either). These advisors are recommended for appointment by the Commissioners from their particular county.

Of the nine members representing economic and environmental interests, four represent the economy, and four represent the environment, with the ninth member selected from either category. These advisors are recommended for appointment by the Commission chair and vice chair on an at-large basis; with at least one member each from the five most populous Bay Area counties — Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara.



**Recruitment Results:**

The recruitment window lasted seven weeks from June 14 – August 1, 2021. The recruitment announcement and online application were posted to MTC’s website, and a press release was picked up in the local press and shared on social media sites including LinkedIn, Facebook, and Twitter. An announcement was also included in MTC’s E-newsletter to 33,200 individuals (including our partner agencies), subscribers to our headlines (15,600 people), as well as a blog post (1,700 subscribers). In addition, hundreds of postcards were distributed via libraries in all nine counties to reach those without internet access.

132 applications were submitted for the 27 available seats, including 17 applications from current advisors. Applicants included individuals from a range of fields including academics, business professionals, community leaders and transportation system users. The candidates possessed a rich array of skills and experiences, and this year’s recruitment pool stood out for its deep knowledge and demonstrated commitment to improving the quality of life for all Bay Area residents.

**Selection and Appointment:**

Staff completed an initial review of the applicants for experience and availability to attend Council meetings. Following this initial assessment, staff did a second assessment - including group Zoom interviews with non-incumbents – to further assess the extremely well-qualified pool of candidates. Following these assessments, staff made an initial set of recommendations, while also sharing application materials from all of the candidates' to the relevant Commissioners for consideration. Staff received recommendations from all voting members of the Commission. The recommended candidates are included at the end of this memo.

**Compensation:**

Dating back to when the current iteration of the Policy Advisory Council was established in 2009, Members have been provided with a \$50 stipend per meeting (up to 3 meetings per calendar month), along with transportation costs. During the recruitment period, a number of candidates asked whether the compensation and stipend policy would be updated to lower participation barriers for representatives from low-income and other historically excluded

communities. A survey of other regional bodies indicated that meeting stipends go significantly higher. For example, the California Air Resource Board, the San Francisco Bay Conservation and Development Commission, and the Bay Area Air Quality Management District pay their advisory board members upwards of \$500 per meeting.

**Issues:**

Representation on the Council reflecting the Bay Area's diverse communities and constituencies.

**Staff Recommendations:**

MTC Resolution No. 1058 currently states that Policy Advisory Council Members' stipends be set at \$50 per meeting while Commissioners are paid \$100 stipends per meeting. Staff recommends that the Joint MTC ABAG Legislation Committee request the Administration Committee update MTC Resolution No. 1058 to increase Policy Advisory Council Members' stipends to \$100 per meeting compensation for up to three (3) meetings in any calendar month.

Staff requests Staff further recommends that you refer MTC Resolution No. 3931, Revised, to appoint the Policy Advisory Council members for the new term to the Commission for approval.

**Attachments:**

- Attachment A: MTC Resolution No. 3931, Revised
- Attachment B: MTC Resolution No. 1058, Appendix D

  
Alix A. Bockelman

Date:	November 18, 2009	
W.I.:	1114	
Referred by:	Legislation	
Revised:	03/24/10-C	02/23/11-C
	02/22/12-C	07/25/12-C
	03/27/13-C	07/24/13-C
	07/23/14-C	11/19/14-C
	03/25/15-C	09/23/15-C
	10/26/16-C	07/26/17-C
	10/25/17-C	04/24/19-C
	07/24/19-C	02/26/20-C
	12/16/20-C	03/24/21-C
	11/17/21-C	

### ABSTRACT

#### Resolution No. 3931, Revised

This resolution defines the role and responsibilities of the Commission's Policy Advisory Council.

This resolution supersedes Resolution No. 3516. Further discussion of this action is contained in the Executive Director's memorandum dated November 6, 2009. This resolution includes:

- Attachment A, which outlines the mission statement, roles, expectations, procedures, appointment process and membership criteria for the Council;

This resolution was revised on March 24, 2010, to include:

- Attachment B, a table listing the currently appointed advisors and their term.

This resolution was revised on February 23, 2011, to include revisions to Attachment B and:

- Attachment C, a table showing which advisors have been replaced and their replacements.

This resolution was revised on February 22, 2012 to extend the terms of the advisors identified in Attachment B through July 2013.

This resolution was revised on July 25, 2012, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 27, 2013, to add Conflict of Interest and Ethics Training policies to Attachment A.

This resolution was revised on July 24, 2013, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 23, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on November 19, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 25, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on September 23, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on October 26, 2016, to include revisions to Attachment A, Attachment B and Attachment C.

This resolution was revised on July 26, 2017 to extend the terms of the advisors identified in Attachment B through September or October 2017, depending on final 2017 recruitment appointment.

This resolution was revised on October 25, 2017, to include revisions to Attachment B and Attachment C.

This resolution was revised on April 24, 2019, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 24, 2019, to include revisions to Attachment B and Attachment C.

This resolution was revised on February 26, 2020, to include revisions to Attachment B and Attachment C.

This resolution was revised on December 16, 2020 to extend the terms of the advisors identified in Attachment B through December 2021.

This resolution was revised on March 24, 2021, to include revisions to Attachment B and Attachment C.

This resolution was revised on November 17, 2021, to include revisions to Attachment B and Attachment C.

Date: November 18, 2009  
W.I.: 1114  
Referred by: Legislation

RE: Commission Policy Advisory Council

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3931

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC seeks to involve citizens of diverse backgrounds and interests in the development of transportation plans and programs, in a manner consistent with applicable state and federal requirements and Commission policy (Resolution No. 2648); and

WHEREAS, MTC seeks to focus its advisory processes around the “Three E” principles of sustainability outlined in the regional transportation plan: a prosperous and globally competitive economy; a healthy and safe environment; and equity wherein all Bay Area residents share in the benefits of a well-maintained, efficient and connected regional transportation system; and

WHEREAS, MTC seeks to utilize its advisors to ensure that a wide spectrum of views are considered in developing transportation policy, and enhance the contributions and effectiveness of its advisors, now, therefore be it

RESOLVED, that the Commission establishes a Policy Advisory Council; and be it further

RESOLVED, that the members of the Policy Advisory Council will be appointed according to the process and shall have the role, tasks, membership and meetings as described in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the Policy Advisory Council roster is contained in Attachment B to this resolution; and be it further

RESOLVED, that the Executive Director is instructed to secure nominations to fill expired terms and other vacancies and present them to the Commission for confirmation by periodically revising Attachment B; and be it further

RESOLVED, that Resolution No. 3516, Revised, is superseded with the adoption of this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

---

Scott Haggerty, Chair

The above resolution was entered into by the  
Metropolitan Transportation Commission  
at a regular meeting of the Commission held  
in Oakland, California, on November 18, 2009

Date: November 18, 2009  
W.I.: 1114  
Referred by: Legislation  
Revised: 03/27/13-C 10/26/16-C

Attachment A  
Resolution No. 3931  
Page 1 of 4

**Attachment A**  
**Metropolitan Transportation Commission**  
**Policy Advisory Council**

**A. Mission Statement**

The mission of the Metropolitan Transportation Commission's Policy Advisory Council (Council) is to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. The Council advises the Commission and its staff through the appropriate MTC standing committees on matters within MTC's jurisdiction and as assigned by the Commission.

**B. Roles/Expectations**

**1. Advisors Provide Interest-Based and/or Geographic Perspectives**

Advisors should represent the stakeholder interest under which they have been appointed. Although some advisors may be appointed based on an organizational affiliation, they should represent their constituency (not just their individual organization).

**2. Responsibilities**

Advisors will be expected to regularly attend their Council meetings and to maintain an ongoing engagement with organizations and individuals who make up the advisor's constituency.

**3. Council Work Plan**

The Commission will hold an annual workshop as a separately agendized meeting with the Policy Advisory Council to set the Council's work plan and schedule for the year. At this meeting, the Commission will identify several priority areas in which it desires feedback and/or research from the Council, and establish appropriate goals and performance measures. Advisors also will be given the opportunity to recommend initiatives of potential relevance to the Commission for inclusion in the work plan.



4. Reporting to the Commission

With the assistance of MTC staff, the Council will report on its work plan progress or present recommendations to the full Commission or MTC's standing committees, as appropriate.

5. Limitations on Advisor Activities

The role of the advisors is to advise the MTC Commission. Advisors are not to convey positions to outside agencies on behalf of the Council, independent of Commission action.

6. Conflict of Interest Policy

In order to avoid potential conflict of interest, no person shall sit on the Policy Advisory Council and concurrently be in a business relationship with MTC/BATA. A member is considered to have a business relationship with MTC/BATA when that member is employed by or serves on the Board of Directors of an organization that has received a grant or contract award from MTC – where MTC staff alone reviews proposals and recommends an organization or organizations for award of that grant or contract. In such cases, the member shall resign from the Council for the duration of the contract or grant, but may reapply for any vacancies upon completion of the contract or grant.

7. Ethics Training

All members of the Council shall complete an ethnics training course within the first year of their term on the Council.

C. Membership

The Council shall be composed of twenty-seven (27) members as follows.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent interests related to the communities of color, environmental justice and low-income issues. A minimum of four members shall represent the communities of color, and a minimum of four shall represent environmental justice/low-income issues. The ninth member shall be selected from either category.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent the interests of disabled persons and seniors. A minimum of four members shall represent senior issues, and a minimum of four shall represent disabled issues. The ninth member shall be selected from either category.

A total of nine (9) members shall be selected to represent interests related to the economy and the environment. A minimum of four members shall represent economy interests and a minimum of four members shall represent environmental interests. The ninth member shall be selected from either category. Of these nine seats, at least five should be held by residents from each of the five most populous counties. The remaining four seats may be selected at large from throughout the entire Bay Area.

There shall be no alternates to the appointed membership.

D. Appointment Process

1. General

MTC staff shall secure nominations to fill terms and vacancies for the Council and present them to the appropriate Commissioners for confirmation. Appointments for advisors representing a particular county will be made by that county's Commissioners. Appointments for all the at-large advisors will be made by the Commission's chair and vice chair. Nominations for members of the Council will be solicited from a wide range of sources including, but not limited to: MTC Commissioners, current advisors, relevant organizations in the community, and via news releases or display ads sent to media outlets in the nine-county Bay Area.

2. Terms of Appointment

In general, advisors will serve four-year terms. Although there are no term limits, MTC Commissioners are to consider length of service and effectiveness before recommending the reappointment of advisors. All advisors wishing to be reappointed must reapply.

E. Procedures

Attendance and Participation

1. Advisors must attend at least two-thirds of the Council's regularly scheduled meetings each year and make a constructive contribution to the work of the Policy Advisory Council. Those who do not do so may be subject to dismissal from the Council at the discretion of the appointing Commissioner(s).

2. Residency Requirements

Advisors must live or work in the nine-county Bay Area.

3. Compensation

Subject to the Commission Procedures Manual (MTC Resolution No. 1058, Revised,

Appendix D), advisors will receive a stipend per meeting and be reimbursed for actual expenses for travel, with a maximum of three meetings per month. Meetings are defined as a) publicly noticed meetings or meetings of ad hoc working groups of the Council; b) noticed MTC Commission or committee meetings; or c) attendance at a community meeting at the request of the Commission or MTC staff to provide outreach assistance (i.e., when he/she attends a community meeting with MTC staff to provide an introduction to a particular community).

4. Meeting Frequency and Location of Meetings

The Council will meet regularly as required by its annual work plan. Public meetings will be held at the MTC offices or other locations at a regular time to be agreed upon by the members of the Council.

5. Ad Hoc Working Groups

To implement its work plan, the Council may establish working groups, with participation from MTC staff, on an ad hoc basis.

6. Quorum Requirements

At least 50 percent plus one of the Council's appointed membership must be present to constitute a quorum and vote on issues. The Council can hold discussions in the absence of a quorum, but cannot vote.

7. Election of Council Chair and Vice Chair

The Council will have a chair and a vice-chair, to be elected by the council for a two-year term. Although Council officers may be reelected, regular rotation of these positions among the Council membership is strongly encouraged.

8. Public Meetings

All Council meetings and any ad hoc working group meetings will be noticed and open to the public.

Date: March 24, 2010  
 W.I.: 1114  
 Referred by: Legislation  
 Revised: 02/23/11-C 02/22/12-C 07/25/12-C  
 07/24/13-C 07/23/14-C 11/19/14-C  
 03/25/15-C 09/23/15-C 10/26/16-C  
 07/26/17-C 10/25/17-C 04/24/19-C  
 07/24/19-C 02/26/20-C 12/16/20-C  
 03/24/21-C 11/17/21-C

Attachment B  
 Resolution No. 3931  
 Page 1 of 1

**Metropolitan Transportation Commission**  
**Policy Advisory Council**  
**Term: January 2021 – December 2025**

Advisor Name	Representing	County	Appointing Commissioner(s)
Adina Levin	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Anne Olivia Eldred	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Carina Vinh Lieu	People of Color	Alameda	Dutra-Vernaci, Miley and Schaaf
Chris Fitzgerald	Disabled	Santa Clara	Chavez, Abe-Koga, and Liccardo
Christina Gotuaco	Low-Income/Environmental Justice	San Francisco	Vice Chair Josefowitz, Ronen, Ahn
Dwayne Hankerson	Disabled	Solano	Spering
Frank Welte	Disabled	Alameda	Dutra-Vernaci, Miley and Schaaf
Gabriela Yamilet Orantes	People of Color	Sonoma	Fleming, Rabbitt
Genay Markham	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Gerald Glaser	Older Adult	Sonoma	Fleming, Rabbitt
Hans Korve	Older Adult	Napa	Chair Pedroza (for Napa County)
Howard Wong	Older Adult	San Francisco	Vice Chair Josefowitz, Ronen, Ahn
Ilaf Esuf	Economy	At-Large	Chair Haggerty and Vice Chair Pedroza
Michael Baldini	Low-Income/Environmental Justice	Napa	Chair Pedroza (for Napa County)
Pamela Campos	People of Color	San Mateo	Papan, Canepa
Phil Pierce	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Rachel Zack	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Randi Kinman	Low-Income/Environmental Justice	Santa Clara	Chavez, Abe-Koga, and Liccardo
Rich Hedges	Older Adult	San Mateo	Papan, Canepa
Rodney Nickens	Economy	At-Large	Chair Pedroza and Vice Chair Josefowitz
Veda Florez	Older Adult	Marin	Connolly
Vinay Pimple	Disabled	Contra Costa	Glover, Worth
Walter Wilson	Economy	At-Large	Chair Haggerty and Vice Chair Pedroza
Wendi Kallins	Low-Income/Environmental Justice	Marin	Connolly
William Goodwin	People of Color	Contra Costa	Glover, Worth
Zachary Deutsch-Gross	Economy	At-Large	Chair Pedroza and Vice Chair Josefowitz
Benjamin Edokpayi	People of Color	Solano	Spering

Date: February 23, 2011  
 W.I.: 1114  
 Referred by: Legislation  
 Revised: 07/25/12-C 07/24/13-C  
 07/23/14-C 11/19/14-C  
 03/25/15-C 09/23/15-C  
 10/26/16-C 10/25/17-C  
 04/24/19-C 07/24/19-C  
 02/26/20-C 03/24/21-C  
 11/17/21-C  
 Attachment C  
 Resolution No. 3931  
 Page 1 of 2

**Metropolitan Transportation Commission**  
**Policy Advisory Council**  
**Former Advisors and Their Replacements**

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Andrew Casteel	March 2010 – June 2010	Environment	Sandi Galvez, Environment	February 23, 2011
Ann Hancock	March 2010 – July 2010	Environment	Tanya Narath, Environment	February 23, 2011
Allison M. Hughes	March 2010 – September 2011	Equity	Jim E. Blacksten, Equity	July 25, 2012
Evelina Molina	March 2010 – February 2012	Equity	Elizabeth A. Clary, Equity	July 25, 2012
Cheryl O'Connor	March 2010 – February 2012	Economy	Alan R. Talansky, Economy	July 25, 2012
Carmen Rojas	March 2010 – November 2010	Equity	Yokia Mason, Equity	February 23, 2011
Abigail Thorne-Lyman	March 2010 – June 2010	Environment	Tina King Neuhausel, Environment	February 23, 2011
Dolores Jaquez	March 2010 – July 2013	Equity	Elizabeth Clary, Equity	July 24, 2013
Federico Lopez	March 2010 – July 2013	Equity	Timothy Reeder, Equity	July 24, 2013
Yokia Mason	February 2011 – July 2013	Equity	Carlos Castellanos, Equity	July 24, 2013
Tanya Narath	February 2011 – July 2013	Environment	Chris Coursey, Environment	July 24, 2013
Tina King Neuhausel	February 2011 – July 2013	Environment	Linda Jeffrey Sailors, Environment	July 24, 2013
Kendal Oku	March 2010 – July 2013	Equity	Veda Florez, Equity	July 24, 2013
Lori Reese-Brown	March 2010 – July 2013	Equity	Richard Burnett, Equity	July 24, 2013
Frank Robertson	March 2010 – July 2013	Equity	Mark Nicholson, Equity	July 24, 2013
Dolly Sandoval	March 2010 – July 2013	Equity	Marie Marchese, Equity	July 24, 2013
Egon Terplan	March 2010 – July 2013	Environment	Benjamin Schweng, Environment	July 24, 2013
Jack Gray	July 2013 – April 2014	Economy	Cathleen Baker, Environment	July 23, 2014
Marie Marchese	July 2013 – October 2013	Equity	Harriet Wolf, Equity	November 19, 2014
Mordechai Winter	July 2013 – June 2014	Equity	Charles Kaufman, Equity	November 19, 2014
Cathleen Baker	March 2010 – July 2014	Equity	Shireen Malekafzali, Equity	November 19, 2014
Chris Coursey	July 2013 – November 2014	Environment	Cynthia Murray, Economy	March 25, 2015
Tim Reeder	July 2013 – December 2014	Equity	Michelle R. Hernandez, Equity	September 23, 2015
Bena Chang	March 2010 – November 2014	Economy	Scott Lane, Environment	September 23, 2015

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Joanne Busenbark	September 2013 – September 2015	Equity	Sudhir Chaudhary, Equity	October 26, 2016
Linda Jeffrey Sailors	July 2013 – May 2016	Environment	Sydney Fang, Environment	October 26, 2016
Gerald Rico	March 2010 – June 2016	Equity	Cathleen Baker, Equity	October 26, 2016
Sandi Galvez	February 2011 – June 2016	Environment	Jonathan Fearn, Economy	October 26, 2016
Cathleen Baker	July 2014 – October 2016	Environment	Anna Lee, Environment	October 26, 2016
Caroline Banuelos	March 2010 – October 2017	Equity	Adrian Mendoza, Equity	October 25, 2017
Naomi Armenta	March 2010 – October 2017	Equity	Abigail Cochran, Equity	October 25, 2017
Elizabeth A. Clary	July 2013 – October 2017	Equity	Rick Coates, Equity	October 25, 2017
Sydney Fang	October 2016 – October 2017	Environment	Wendi Kallins, Environment	October 25, 2017
Jonathan Fearn	October 2016 – October 2017	Economy	Teddy Ky-Nam Miller, Economy	October 25, 2017
Bob Glover	September 2013 – October 2017	Economy	Matt Regan, Economy	October 25, 2017
Charles Kaufman	November 2014 – October 2017	Equity	Marc Madden, Equity	October 25, 2017
Scott Lane	September 2015 – October 2017	Environment	Corinne Winter, Environment	October 25, 2017
Jerry Levine	July 2013 – October 2017	Environment	Adina Levin, Environment	October 25, 2017
Shireen Malekafzali	November 2014 – October 2017	Equity	Daniel Saver, Equity	October 25, 2017
Mark Nicholson	July 2013 – October 2017	Equity	Rahmon Momoh, Equity	October 25, 2017
Mike Pechner	July 2013 – October 2017	Equity	Richard Burnett, Equity	October 25, 2017
Alan R. Talansky	July 2012 – October 2017	Economy	Patrick Wolff, Economy	October 25, 2017
Harriet Wolf	November 2014 – October 2017	Equity	Michael Lopez, Equity	October 25, 2017
Richard Burnett	March 2010 – October 2017	Equity	K. Patrice Williams, Equity	October 25, 2017
Wil Din	September 2013 – October 2017	Equity	Jerri Diep, Equity	October 25, 2017
Corinne Winter	October 2017 – December 2018	Environment	Anne Olivia Eldred, Environment	April 24, 2019
Jerri Diep	October 2017 – January 2019	Equity	Daisy Ozim, Equity	July 24, 2019
Sudhir Chaudhary	October 2017 – March 2019	Equity	Terry Scott, Equity	February 26, 2020
Matt Regan	October 2017 – July 2018	Economy	Bob Glover, Economy	February 26, 2020
Teddy Ky-Nam Miller	October 2017 – July 2019	Economy	Christina Gotuaco, Economy	February 26, 2020
Patrick Wolff	October 2017 – October 2019	Economy	Walter Wilson, Economy	February 26, 2020
Daniel Saver	October 2017 – December 2019	Equity	Pamela Campos, Equity	January 12, 2022
Jim E. Blacksten	July 2012 – July 2020	Equity	Frank Welte, Equity	March 24, 2021
Cathleen Baker	October 2016 – July 2019	Equity	Michael Baldini, Equity	February 26, 2020
K. Patrice Williams	October 2017 – June 2020	Equity	Benjamin Edokpayi, Equity	January 12, 2022
Daisy Ozim	July 2019 – December 2020	Equity	Christina Gotuaco, Equity	January 12, 2022
Abigail Cochran	October 2017 – August 2021	Equity	Howard Wong, Equity	January 12, 2022
Adrian Mendoza	October 2017 – December 2021	Equity	Gabriela Yamilet Orantes, Equity	January 12, 2022
Anna Lee	October 2016 – March 2020	Environment	Genay Markham, Environment	January 12, 2022
Bob Glover	February 2020 – December 2021	Economy	Ilaf Esuf, Economy	January 12, 2022
Carlos Castellanos	2007 – December 2021	Equity	Carina Vinh Lieu	January 12, 2022

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Cynthia Murray	March 2015 – December 2021	Economy	Rodney K. Nickens, Economy	January 12, 2022
Marc Madden	October 2017 – December 2021	Equity	Phil Pierce, Environment	January 12, 2022
Michael Lopez	October 2017 – December 2021	Equity	Chris Fitzgerald, Equity	January 12, 2022
Michelle Hernandez	Sept. 2015 – December 2021	Equity	Vinay Pimple, Equity	January 12, 2022
Rahmon Momoh	October 2017 – December 2021	Equity	William Goodwin, Equity	January 12, 2022
Richard Burnett	March 2010 – December 2021	Equity	Dwayne Hankerson, Equity	January 12, 2022
Rick Coates	October 2017 – December 2021	Equity	Gerald Glaser, Equity	January 12, 2022
Terry Scott	February 2020 – December 2021	Equity	Hans Korve, Equity	January 12, 2022
Benjamin Schweng	July 2013 – December 2021	Environment	Rachel Zack, Environment	January 12, 2022

Date:	11/25/81	
W.I.:	11.1.1.0	
Referred by:	A&O	
Revised:	10/27/82	11/24/82
	11/27/85	02/25/87
	09/23/87	04/26/89
	09/18/89	09/26/90
	06/26/91	11/25/92
	01/27/93	12/15/93
	05/24/95	02/26/97
	12/16/98	07/28/99
	11/17/99	02/26/03
	07/23/03	04/28/04
	01/25/06	04/26/06
	12/19/12	05/22/13
	01/28/15	03/25/15
	09/28/16	09/27/17
	06/27/18	07/24/19
	03/25/20	08/26/20

## ABSTRACT

### Resolution No. 1058, Revised

This resolution adopts the Commission Procedures Manual as revised and dated November 25, 1981. Resolution No. 1058 supersedes Resolution No. 745. Resolution No. 745 previously superseded Resolution No. 358.

Appendix A to the Commission Procedures Manual (MTC's Conflict of Interest Code) was revised by the Commission on October 27, 1982.

The Commission Procedures Manual was revised by the Commission on November 24, 1982 to amend the election of the Commission Chair and Vice-Chair to terms that begin in February of odd-numbered years.

The Commission Procedures Manual was revised by the Commission on November 27, 1985 to clarify some minor parliamentary procedures, to update information, and to revise Appendices B, D, and E so that those appendices supersede MTC Resolution Nos. 208, 348, 291, and 1057.

The Commission Procedures Manual was revised on February 25, 1987 to require all agendas to be posted at least 72 hours prior to meetings, special meeting agendas to be posted at least 24 hours prior to the meeting, to provide additional information on public comment, to clarify the approval authority of GR&AC and WPPRC Committees, and to allow flexibility in selection of the first meeting date of each new Commission term.



The Commission Procedures Manual was revised on September 23, 1987 to state that items on Commission and committee agendas are all subject to action.

The Commission Procedures Manual was revised on April 26, 1989 to revise the membership of standing committees, to add the Vice-Chair as an ex-officio member of all standing committees, and to allow per diem payments to any Commissioner attending any committee meeting.

The Commission Procedures Manual was revised on September 18, 1989 to clarify certain expense provisions in Appendix B.

Appendix E to the Commission Procedures Manual was revised by the Commission on September 26, 1990 to clarify certain delegations between the Grant Review and Allocations Committee and the Work Program and Plan Revision Committee.

The Commission Procedures Manual was revised on June 26, 1991 to change the membership of standing committees; to eliminate the Transportation Finance standing committee and change the name of the Work Program and Plan Revision Committee to the Work Program Committee; to update and clarify standing committee delegations and descriptions of special and advisory committees; and to update references.

Appendix D to the Commission Procedures Manual was revised on November 25, 1992 to add the Blue Ribbon Advisory Council to the list of Citizen Advisory Committees eligible for expense reimbursement.

The Commission Procedures Manual was revised on January 27, 1993 to delete provisions for reimbursement for meals of citizen advisors.

The Commission Procedures Manual was revised on December 15, 1993 to amend Section 3.08 to include further guidance regarding public comment at MTC meetings.

The Commission Procedures Manual was revised on May 24, 1995 to incorporate new MTC responsibilities, update references and committee information, make editorial changes, and delete Appendices F, G, H, and I. The revisions are summarized in the General Counsel's memorandum to the A&O Committee dated May 3, 1995.

The Commission Procedures Manual was revised on February 26, 1997 to amend the regular meeting date and times of MTC's standing committees.

The Commission Procedures Manual was revised on December 16, 1998 to update references, update special and advisory committees, add language regarding the designation of ad hoc committee members, and revise MTC's Conflict of Interest Code (Attachment A).

Appendix E to the Commission Procedures Manual was revised by the Commission on July 28, 1999 to rename: the Administration and Oversight Committee to the Administration Committee; the Grant Review and Allocations Committee to the Programming and Allocations Committee; the Legislation and Public Affairs Committee to the Legislation Committee; and the Work Program and Plan Revision Committee to the Planning and Operations Committee; and to restructure and clarify certain delegations among and between them.

Section 1.07 of the Commission Procedures Manual was revised on November 17, 1999 to allow commissioners to be reimbursed for up to five meetings in one day.

Appendix D to the Commission Procedures Manual was revised on February 26, 2003, to revise the reimbursement policy for advisors appointed by the Commission serving on the Advisory Council, the Minority Citizens Advisory Committee, and the Elderly and Disabled Advisory Committee.

The Commission Procedures Manual was revised on July 23, 2003 to update references, update committees, and incorporate MTC's revised Conflict of Interest Code (Attachment A).

Appendix D to the Commission Procedures Manual was revised on April 28, 2004, to clarify that members of the Advisory Council, the Minority Citizens Advisory Committee, and the Elderly and Disabled Advisory Committee may seek reimbursement for attending meetings of working groups with MTC staff formed at the direction of the Commission to provide input into Commission decisions.

Section 4.14 Commission Committees, and Appendix E to the Commission Procedures Manual were revised on January 25, 2006, to rename the Planning and Operations Committee as the Planning Committee and to add the Operations Committee to replace the SAFE Committee.

The Commission Procedures Manual was revised on April 26, 2006 to revise Appendix E to delegate specific contract, personal services agreement, and purchase order approval authority to the Operations Committee.

The Commission Procedures Manual was revised on December 19, 2012 to update provisions relating to AB57, SB375, MAP 21, the development of the Commission's Public Participation Plan, the creation of the Policy Advisory Council, the creation of the Bay Area Infrastructure Financing Authority and the Bay Area Headquarters Authority, clarify ex-officio voting capacity, incorporate MTC's revised Conflict of Interest Code, and to update provisions to conform to current practice (Attachment A, Appendices A, B, D and E).

The Commission Procedures Manual was revised on May 22, 2013 to incorporate MTC's revised Conflict of Interest Code as approved by the California Fair Political Practices Commission (FPPC) on April 17, 2013 to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Attachment A).

The Commission Procedures Manual was revised on January 28, 2015 to update and revise the Travel Policy contained in Appendix B.

The Commission Procedures Manual was revised on March 25, 2015 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on February 2, 2015, to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Attachment A).

The Commission Procedures Manual was revised on September 28, 2016 to provide for the appointment of one or more public transportation representatives in accordance with provisions contained in MAP 21 as amended by the FAST Act and to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on June 30, 2016, to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Appendix A to Attachment A), and to add a MTC special committee.

Appendix E to the Commission Procedures Manual was revised on September 27, 2017 to change the composition of the MTC Executive Committee to add the Association of Bay Area Governments (ABAG) Representative.

The Commission Procedures Manual was revised on June 27, 2018 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on March 29, 2018, to revise the designated positions to reflect the MTC-Association of Bay Area Governments staff consolidation, MTC's staffing of the Advancing California Financing Authority, and MTC's current organizational structure (Appendix A to Attachment A).

Appendix B to the Commission Procedures Manual was revised on July 24, 2019 to substitute the updated Meeting and Travel Expense Claim Form for the prior version of the Meeting and Travel Expense Claim Form as the attachment to Appendix B.

The Commission Procedures Manual was revised on March 25, 2020 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on January 27, 2020, to revise the designated positions to reflect MTC's affiliation with the Bay Area Regional Collaborative and MTC's current organizational structure (Appendix A to Attachment A); to add a new Section 5.03 regarding meeting protocol in declared emergencies; and to incorporate as Appendix F the Protocol Governing Amendments to Commission Procedure During Declared Emergencies.

The Commission Procedures Manual was revised on August 26, 2020 to allow the Chair and Vice Chair to serve as regular voting members of joint committees formed with ABAG, provide for inclusion of the Bay Area Housing Finance Authority (BAHFA), eliminate the MTC Legislation Committee, and authorize appointment of commissioners to a new Joint Committee with ABAG appointed representatives, with the new Joint MTC ABAG Legislation Committee's role to review legislation and pass recommendations up to the full Commission and the ABAG Executive Board.

Date: 11/25/81  
W.I.: 99.1.20  
Referred by: A&O

Re: Commission Procedures Manual.

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 1058

WHEREAS, by Resolution No. 358 and 746 the Metropolitan Transportation Commission (Commission) adopted the Commission Procedures Manual relating to the Commission and commissioners, Commission officers, Commission meetings and the conduct of business, and Commission committees; and

WHEREAS, the Commission now desires to revise the Procedures Manual to clarify and reflect current practice as well as make revisions to the duties of the Commission resulting from recent State legislation; now, therefore, be it

RESOLVED, that the Metropolitan Transportation Commission adopts its Commission Procedures Manual as revised and dated November 25, 1981, a copy of which is attached hereto and marked Attachment A and incorporated by reference; and, be it further

RESOLVED, that MTC Resolution No. 1058 supersedes Resolution No. 746.

METROPOLITAN TRANSPORTATION COMMISSION

/s/ William R. "Bill" Lucius  
William R. "Bill" Lucius, Chairman

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on November 25, 1981.

W.I.: 1111  
Referred by: A&O  
Revised: See below

Attachment A  
Resolution No. 1058

## METROPOLITAN TRANSPORTATION COMMISSION

### COMMISSION PROCEDURES MANUAL

Adopted September 22, 1976  
Revised December 19, 1979  
Adopted and Revised November 25, 1981  
Revised October 27, 1982  
Revised November 24, 1982  
Revised November 27, 1985  
Revised February 25, 1987  
Revised September 23, 1987  
Revised April 26, 1989  
Revised September 18, 1989  
Revised September 26, 1990  
Revised June 26, 1991  
Revised November 25, 1992  
Revised January 27, 1993  
Revised December 15, 1993  
Revised May 24, 1995  
Revised February 26, 1997  
Revised December 16, 1998  
Revised July 28, 1999  
Revised November 17, 1999  
Revised February 26, 2003  
Revised July 23, 2003  
Revised April 28, 2004  
Revised January 25, 2006  
Revised April 26, 2006  
Revised December 19, 2012  
Revised May 22, 2013  
Revised January 28, 2015  
Revised March 25, 2015  
Revised September 28, 2016  
Revised September 27, 2017  
Revised June 27, 2018  
Revised July 24, 2019  
Revised March 25, 2020  
Revised August 26, 2020

# METROPOLITAN TRANSPORTATION COMMISSION

## COMMISSION PROCEDURES MANUAL

### Table of Contents

### Page

#### INTRODUCTION 1

#### I. THE COMMISSION AND COMMISSIONERS

1.01.	Commissioners	9
1.02.	Selection	10
1.03.	Term of Office	10
1.04.	Oath of Office	10
1.05.	Conflict of Interest Code	10
1.06.	Alternates	11
1.07.	Reimbursement	11
1.08.	Travel Expenses	11
1.09.	Orientation for New Commissioners	11

#### II. OFFICERS

2.01.	Commission Officers	12
2.02.	Term	12
2.03.A	Nomination/Election of Commission Officers (New Commission Term)	12
2.03.B	Nomination/Election of Commission Officers (Mid-Commission Term)	13
2.04.	Duties of Chair	13
2.05.	Duties of Vice-Chair	14
2.06.	Chair Pro Tem	14
2.07.	Vacancies During Term of Office	14
2.08.	Staff Officers	15

#### III. COMMISSION MEETINGS AND CONDUCT OF BUSINESS

3.01.	Principal Offices	16
3.02.	Regular Commission Meetings	16
3.03.	Special Commission Meetings	16
3.04.	Notice Regarding Commission Meetings	16
3.05.	Open Meetings	17
3.06.	Quorum	17
3.07.	Voting	18
3.08.	Conduct of Meetings	18

3.09.	Agenda	18
3.10.	Resolutions	19
3.11.	Regional Transportation Plan Revisions	19
3.12.	Public Hearings	20
3.13.	Recording of Meetings	20
3.14.	Minutes of Meetings	20
3.15.	Public Information Materials	20
3.16.	Meeting Conduct	20

#### IV. COMMISSION COMMITTEES

4.01.	Types	21
4.02.	Policy	21
4.03.	Standing Committees	21
4.04.	Special Committees	21
4.05.	Advisory Committees	21
4.06.	Appointments to Committees	21
4.07.	Quorum	22
4.08.	Open Meetings	23
4.09.	Notice of Meetings	23
4.10.	[Reserved]	23
4.11.	Recording of Meetings	23
4.12.	Minutes of Committee Meetings	24
4.13.	Reimbursement and Travel Expenses	24
4.14.	Commission Committees	24

#### V. MISCELLANEOUS

5.01.	Authority	28
5.02.	Emergency Notice Provision	28
5.03.	Meeting Protocol in Declared Emergencies	28
5.04.	Severability	28



## APPENDICES

### Appendix A

Resolution No. 1198  
(Last revised 03/25/20)

Conflict of Interest Code

### Appendix B

(Last revised 07/24/19)

Travel Reimbursement to Commissioners and MTC Staff

### Appendix C

Resolution Nos. 663 and 664  
(Adopted 05/23/79)

MTC Legal Counsel

### Appendix D

(Last revised 12/19/12)

Travel Reimbursement Rates for Citizens on Advisory Committees

### Appendix E

(Last revised 08/26/20)

Standing Committees' Structure/Joint MTC ABAG Legislation  
Committee Structure

### Appendix F

(Last revised 03/25/20)

Protocol Governing Amendments to Commission Procedure During  
Declared Emergencies

METROPOLITAN TRANSPORTATION COMMISSION,  
METROPOLITAN TRANSPORTATION COMMISSION SERVICE AUTHORITY FOR  
FREEWAYS AND EXPRESSWAYS, BAY AREA TOLL AUTHORITY, BAY AREA  
HOUSING FINANCE AUTHORITY, BAY AREA INFRASTRUCTURE FINANCING  
AUTHORITY AND BAY AREA HEADQUARTERS AUTHORITY  
PROCEDURES MANUAL

INTRODUCTION

The Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for that area of California comprising the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma (Government Code § 66500 *et seq.*). These nine counties of the Bay Area cover an area of approximately 7,000 square miles and have a population of approximately 7.2 million (2010 census). Within the structure of California governmental agencies, MTC is classified as a local area planning agency and not as part of the executive branch of the state government.

In accordance with its legislative mandate, MTC adopted a Regional Transportation Plan (RTP) in June 1973. Thereafter, the Commission has regularly reviewed and revised the RTP in compliance with the statutory requirement of continuing plan review. The enactment of Senate Bill 375 (Steinberg) in 2008 requires MTC to adopt a Sustainable Communities Strategy (SCS) together with its RTP to strive to reach greenhouse gas (GHG) reduction targets. The first SCS/RTP is scheduled for adoption in 2013.

The Commission is charged with certain responsibilities for implementation of the SCS/RTP, as well as the RTP standing alone. Applications of local agencies for grants of certain state and federal transportation funds are subject to MTC review and approval as to their compatibility with the RTP. Generally, the state must conform to the RTP in allocating funds for construction on the state highway system within the MTC region.

Legislation passed in 1997 gave MTC increased decision-making authority over the selection of project and allocation of funds for the State Transportation Improvement Program (STIP). MTC is the agency responsible for allocation of local transportation funds among qualified claimants

under the Transportation Development Act (TDA) (Public Utilities Code § 99200 *et seq.*). The TDA statute provides MTC with a role in fulfilling fiscal and performance audit requirements with respect to claimants of TDA funds.

Under AB 1107 (Public Utilities Code § 29142.2), MTC allocates among eligible claimants one-fourth of the one-half cent Bay Area Rapid Transit District (BART) sales tax in Alameda, Contra Costa and San Francisco counties. Under AB 664 (Streets and Highways Code § 30880 *et seq.*), MTC is responsible for allocation of net revenues of state toll bridges located within the region. Pursuant to Streets and Highways Code § 30889, MTC may establish tolls for such bridges in order to generate net revenues provided that net revenues may not exceed the average net revenues available during fiscal year 1977-78 and 1978-79, except as may be adjusted annually according to the appropriate inflationary index as adopted by MTC. SB 620 (Public Utilities Code § 99310 *et seq.*) provides MTC with authority to allocate the regional share of the State Public Transportation Account.

MTC is responsible for meeting state and federal Transportation Improvement Program (TIP) requirements for the Bay Region. (Government Code § 65080 *et seq.* and 23 Code of Federal Regulations Section 450 Subpart B.) The Commission is the region's Metropolitan Planning Organization (MPO) and conducts the continuing, comprehensive, cooperative planning program necessary to maintain this region's eligibility for federal transportation funding. (23 Code of Federal Regulations Section 450 Subpart A.) MTC is the designated recipient of large urbanized area Federal Transit Administration (FTA) formula funds, such as 5307, 5339, and 5337. MTC is also designated other responsibilities for FTA funds by the California Department of Transportation (Caltrans), such as the 5303 planning funds, 5311, and 5310.

Through state law, MTC has programming responsibilities for Federal Highway Administration (FHWA) funds such as Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ). MTC is also responsible for submitting a Regional Transportation Improvement Program to the California Transportation Commission and Caltrans every two years.

MTC has conducted special planning studies at a multi-regional and subregional level. Examples include the Transit Connectivity Plan, the Transit Sustainability Project, and the Regional Goods Movement Study. MTC is jointly responsible with the Association of Bay Area Governments (ABAG) and the Bay Area Air Quality Management District (BAAQMD) for air quality planning to meet the requirements of the federal Clean Air Act, as amended, and shares with the BAAQMD the responsibility for air quality transportation control measures under the state Clean Air Act, as amended. MTC shares with ABAG the responsibility for preparing the SCS.

The Metropolitan Transportation Commission Service Authority for Freeways and Expressways (“MTC SAFE”) was created by legislation effective January 1, 1988 (Streets and Highways Code § 2550 *et seq.*), which authorized the creation of an MTC SAFE to provide for implementation, maintenance and operation of motorist-aid services through a call box program linked directly to the California Highway Patrol and a fleet of roving tow truck patrols, the Freeway Service Patrol. Under the law, MTC oversees the regional SAFE, which was officially convened in mid-1988.

The Bay Area Toll Authority (“BATA”) was created by legislation effective January 1, 1998 (Streets & Highways Code § 30950 *et seq.*) to administer the base \$1 toll on the San Francisco Bay Area’s seven state-owned toll bridges. Pursuant to additional legislation including SB 60, AB 1171, AB 144 and AB 1175 and voter-approved toll increases, tolls in addition to the \$1.00 base toll are collected and administered. Under the law, MTC serves as BATA.

In July, 2012 AB 57 (Beall) was chaptered. AB 57 amended Sections 66503 and 66504 of the Government Code to add, effective January 1, 2013, two additional voting seats on the commission and impose certain other requirements on commissioner appointments as further outlined in Part I of this Commission Procedures Manual.

In 2015 Congress enacted, and the President signed into law the FAST Act (23 U.S.C. §101). Title 23 U.S.C. §134 (d)(2) provides that a metropolitan planning organization shall consist of local officials, officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation, and appropriate

State officials. Title 23 U.S.C. §134 (d)(3)(B) provides that, subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

In October 2019, AB 1487 (Chiu) was chaptered. AB 1487 added Title 6.8 to the Government Code, commencing with Government Code Section 64510, which created the Bay Area Housing Finance Authority (“BAHFA”) with jurisdiction extending throughout the San Francisco Bay Area and provided that BAHFA shall be governed by the same board that governs MTC.

For the purposes of this Commission Procedures Manual, the term “MTC” includes the four agencies: the Metropolitan Transportation Commission, the Metropolitan Transportation Commission Service Authority for Freeways and Expressways, the Bay Area Toll Authority and the Bay Area Housing Finance Authority. It also includes two joint powers authorities formed by MTC and BATA: the Bay Area Infrastructure Financing Authority (“BAIFA”), and the Bay Area Headquarters Authority (“BAHA”).

## I. THE COMMISSION AND COMMISSIONERS

1.01. Commissioners. Effective January 1, 2013, there are eighteen voting commissioners. The City and County of San Francisco and the Counties of Contra Costa and San Mateo, each have two commissioners, and the Counties of Alameda and Santa Clara each have three commissioners, appointed as follows: the Board of Supervisors of each county appoints one commissioner; in San Francisco, the Mayor appoints one commissioner; in each of the remaining counties, the City Selection Committee appoints one commissioner; and in the Counties of Alameda and Santa Clara, the Mayors of the Cities of Oakland and San Jose shall be self-appointed or shall appoint a member of their respective City Councils to serve as the third commissioner . The Counties of Marin, Napa, Solano, and Sonoma each have one commissioner who is appointed by the county's Board of Supervisors from a list of three nominees furnished by the Mayor's Selection Committee. The Association of Bay Area Governments appoints one commissioner who shall not be from the Counties of Alameda or Santa Clara or from the City and County of San Francisco. The San Francisco Bay Conservation and Development Commission appoints one commissioner, who shall be a resident of the City and County of San Francisco approved by the Mayor of San Francisco. All appointments are subject to Section 1.02.

Effective September 28, 2016, any sitting commissioner who also serves on the board of a public transit agency shall be deemed to be a representative of a provider of public transportation within the meaning of the FAST Act ("Transit Representative"). Subsequent to September 28, 2016, at the beginning of each Commission term, the Chair shall designate and the Commission shall approve any sitting commissioner who also serves on the board of a public transit agency as a Transit Representative. Upon a vacancy occurring during a Commission term of a commissioner then serving as a Transit Representative, the Chair shall designate, and the Commission shall approve, one or more representatives not then currently designated, if any, from the commissioners then currently on the board who are also serving on a board of a transit agency as a Transit Representative.

The Commission's enabling legislation provides for three non-voting members, one appointed by the Secretary of the Business, Transportation and Housing Agency, and one each appointed by the United States Department of Transportation, and the United States Department of Housing and Urban Development.

1.02. Selection. The basis for selection of a commissioner is special familiarity with the problems and issues in the field of transportation. Elected or appointed public officers may serve as commissioners during their terms of public office. The effect of this is that such public officers are not prohibited from being commissioners; i.e., the two positions are not necessarily incompatible. No more than three voting members of the Commission shall be residents of the same county.

1.03. Term of Office. The term of office of a commissioner is four years. Since the initial term for commissioners commenced February 10, 1971, the organizational meeting date of the Commission, the four-year terms of commissioners shall commence quadrennially from that date. The current appointment term began February 10, 2019. The next appointment dates are February 10, 2023 and February 10, 2027. Appointments to fill a resignation or vacancy during a term shall be only for the balance of such term. Commissioners shall continue to serve as such until reappointed or until their successor is appointed; provided that, where a commissioner has been appointed as a public officer, the commissioner must vacate his/her Commission seat upon ceasing to hold such public office, unless the appointing authority consents to completion of the commissioner's term (Government Code Section 66504).

1.04. Oath of Office. Commissioners shall complete oath of office forms when they are appointed to the Commission, which are then notarized. The original is kept on file at the MTC offices.

1.05. Conflict of Interest Code. The Commission adopted a conflict of interest code by Resolution No. 1198, Revised (Appendix A), which was subsequently approved by the State of California Fair Political Practices Commission. Commissioners are required to file annual statements of economic interest and within thirty days of assuming or leaving office.

1.06. Alternates. There is no provision for voting alternates for the voting commissioners. Substitutes may sit on behalf of non-voting commissioners.

1.07. Reimbursement. Commissioners serve without compensation. Commissioners are entitled to receive reimbursement for actual and necessary expenses incurred in connection with the performance of their duties. In lieu of such reimbursement for attendance at Commission or committee meetings, each commissioner shall receive one hundred dollars (\$100.00) per meeting for a maximum of five (5) such meetings in any one calendar month, plus necessary travel expenses as authorized by the Commission pursuant to the rates and terms set forth in Appendix B to this manual. Commissioners may be reimbursed a separate per diem for each such meeting in any one day up to the monthly maximum reimbursement number of meetings. The monthly maximum is calculated and applied separately to MTC, BATA and BAHFA; provided however that for BAHFA a maximum of two monthly meetings shall be applicable. BAIFA and BAHA meeting per diem is applied and counts toward the BATA monthly maximum. No reimbursement applies to MTC SAFE meetings.

1.08. Travel Expenses. Commissioners shall be paid necessary traveling expenses as may be authorized from time to time by the Commission. The Commission policy for travel expenses is set forth in Appendix B to this manual. The policy applies to all MTC employees as well.

1.09. Orientation for New Commissioners. When a new commissioner is appointed to the Commission, the Secretary to the Commission will provide the commissioner, along with administrative materials, copies of the current major MTC, BATA, BAHFA, MTC SAFE, BAIFA and BAHA documents and an overview of the content of these documents. The Secretary will also arrange an orientation session for the new commissioner with the Executive Director and section managers.



## II. OFFICERS

2.01. Commission Officers. There are two (2) Commission officers: a Chair and a Vice-Chair. Any voting commissioner is eligible to hold the office of Chair or Vice-Chair. Non-voting commissioners are ineligible for such offices.

2.02. Term. The Chair and Vice-Chair shall serve two-year terms commencing upon elections at the regular Commission meeting in February of odd numbered years. A commissioner may serve as Chair or Vice-Chair without restriction as to number of terms. The Chair and Vice-Chair shall serve as such until their successors are elected.

2.03A. Nomination/Election of Commission Officers (New Commission Term). In years when new Commission terms begin, the following procedure for the nomination and election of Commission officers shall be followed:

- a. The Commission shall meet on February 10, or within five working days thereof, for a special meeting. The meeting date shall be set by the prior Commission.
- b. The existing Chair, if reappointed, or if not reappointed, the Vice-Chair, if reappointed, or if not reappointed, the reappointed commissioner with the longest continuous length of service, shall preside over the meeting, and is the Acting Chair until the election of new officers.
- c. The Acting Chair shall at this special meeting appoint an Ad Hoc Nominating Committee of commissioners subject to the confirmation of the Commission.
- d. The Ad Hoc Nominating Committee shall meet and send its report in writing to the Commission with the packet for the regular February meeting.
- e. The Acting Chair shall convene the regular February meeting, usually the fourth Wednesday of the month, at which the Ad Hoc Nominating Committee shall give its report as the first order of business. Additional nominations may be offered after the Committee report. Thereafter, nominations may be closed; but, if not closed, nominations shall remain open until the March meeting.
- f. The Commission shall elect a Chair and Vice-Chair at its regular February meeting, or as soon thereafter as possible after nominations are closed.
- g. Upon the election of new officers, the new Chair shall take over the gavel and conduct the remaining business of the meeting.

2.03B. Nomination/Election of Commission Officers (Mid-Commission Term.) The Chair shall appoint an Ad Hoc Nominating Committee of commissioners subject to the confirmation of the Commission at the regular Commission meeting in December of even-numbered years. The Ad Hoc Nominating Committee shall send its report in writing to the Commission with the packet for the regular January Commission meeting. Additional nominations may be offered after the Committee report. Thereafter, nominations may be closed; but, if not closed, nominations shall remain open until the February Commission meeting. The Commission shall elect a Chair and Vice-Chair at its regular February meeting as the first order of business, or as soon thereafter as possible.

2.04. Duties of Chair. The Chair shall preside at all meetings of the Commission, state each question for vote, announce the decision, and decide all questions of order subject to appeal to the Commission. The Chair is a voting ex-officio member of all standing committees of the Commission, with the exception of any joint committee formed with the Association of Bay Area Governments (“ABAG”). As an ex-officio member of a standing committee the Chair shall vote only when necessary to attain a quorum of voting members of a committee. In the case of joint committees formed with ABAG, the Chair if so appointed to such committee shall be a full voting member, authorized to vote whether or not there is a quorum. The Chair shall execute all resolutions adopted by the Commission, the approved minutes, and any other documents that may require the signature of the Chair.

The Chair shall appoint, subject to approval of the Commission, members of standing committees, and subsequent to September 28, 2016, the Chair shall designate, subject to approval of the Commission, the Transit Representative(s). In making committee and Transit Representative appointments/designations, the Chair shall, as much as possible, attempt to balance the representation of various areas of the region. The Chair shall select the Chair and Vice-Chair of each committee subject to approval of the Commission. The Chair should request individual commissioners to submit their preferences and areas of interest regarding appointment to

committees. The Chair shall also appoint, subject to the approval of the Commission, Commission members of special committees.

In years when a new Chair is elected, then current committee members, chairs, and vice chairs shall continue to serve as such until the new Chair makes new committee appointments. To the extent necessary to carry out committee business, the Chair may appoint temporary committee chairs, vice-chairs, and members, pending confirmation of committee appointments at the regular March Commission meeting.

The Chair shall approve, within the limits of the approved budget, commissioner's attendance and expenses at an out-of-region conference or any conference in which MTC has a substantial interest in being represented.

The Chair shall perform such functions as may be delegated by action of the Commission. Where circumstances warrant, the Chair may, in the absence of existing policy, act as necessary for the Commission between its scheduled meetings and shall report that action at the next Commission meeting.

The Chair shall select a temporary chair of a committee when that committee's chair and vice-chair are both unable to attend that committee's meeting(s).

2.05. Duties of Vice-Chair. The Vice-Chair shall assume the Chair's duties in his/her absence. The Vice-Chair is a voting ex-officio member of all standing committees of the Commission, with the exception of any joint committee formed with ABAG. As an ex-officio member of a standing committee the Vice-Chair shall vote only when necessary to attain a quorum of voting members of a committee. In the case of joint committees formed with ABAG, the Vice-Chair if so appointed to such committee shall be a full voting member, authorized to vote whether or not there is a quorum.

2.06. Chair Pro Tem. If both the Chair and Vice-Chair are or will be absent from a Commission meeting or other functions, or duties of the Chair must be performed (including, but not limited to, the execution of documents), the most senior member of the Commission shall perform such functions and duties.

2.07. Vacancies During Term of Office.

A. Chair. In the event the office of Chair is vacated during the term, the vacancy shall be filled for the unexpired balance of the term by the Vice-Chair.

B. Vice-Chair. In the event the office of Vice-Chair is vacated during the term, the vacancy may be filled for the unexpired balance of the term by a special election. If the vacancy is to be filled, an ad hoc nominating committee shall be appointed by the Chair, subject to the approval of the Commission at the next regular Commission meeting. At the Commission meeting following the meeting approving the ad hoc nominating committee, the ad hoc nominating committee shall present its written report which shall be included in the meeting packet sent to commissioners; additional nominations, if any, may be made by commissioners at the meeting; nominations shall thereafter be closed and the election for Vice-Chair held at that meeting.

C. Chair and Vice-Chair. In the event the office of Chair and Vice-Chair are both vacated simultaneously during their terms, the vacancy for Chair and Vice-Chair shall be filled in the same manner as the vacancy for Vice-Chair in paragraph B of this Subsection, with the ad hoc nominating committee being appointed by the Commission.

2.08 Staff Officers.

A. Executive Director. The Commission shall appoint an Executive Director who shall have charge of administering the affairs of the Commission subject to the Commission's direction and policies. The Executive Director shall in turn appoint, subject to approval of the Commission, such employees as may be necessary to carry out the functions of the Commission (Resolution No. 664). The Executive Director shall designate an employee to act as Secretary of the Commission for the purpose of keeping its minutes and resolutions.

B. Legal Counsel. The Executive Director shall appoint a Legal Counsel subject to the approval of the Commission. In addition to other duties, the Legal Counsel shall have a responsibility to directly advise the Commission and commissioners in the course of their duties (Resolution Nos. 663 and 664, Appendix C).

### III. COMMISSION MEETINGS AND CONDUCT OF BUSINESS

3.01. Principal Offices. The principal offices of the Commission shall be at the-Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105, or at such other location as may be determined by Commission action.

3.02. Regular Commission Meetings. Regular Commission meetings shall be on the fourth Wednesday of each month with the exception of the month of December when the regular meeting of the Commission shall be the third Wednesday of December and with the exception of the month of August which shall not have a regular Commission meeting. Unless otherwise scheduled, meetings regularly commence at 9:30 a.m. When a regular meeting falls upon a legal holiday, the date and time of such meeting shall be determined by the Commission no later than at its preceding regular meeting. Commission meetings shall be held in the Board Room, 375 Beale Street, San Francisco, CA 94105, in alternate locations within the region that are easily available to the public and accessible to persons with disabilities; provided that, if such an alternative location is chosen, it shall be publicly announced, if possible, at the preceding regular Commission meeting.

The Chair may cancel or reschedule a regular Commission meeting if a quorum cannot be obtained, or if there is insufficient business to warrant a meeting. Notice of cancellation of a meeting shall be given, if possible, not later than seven (7) days prior to the meeting date to those persons who receive formal notice of regular meetings.

3.03. Special Commission Meetings. The Chair may call special meetings of the Commission when warranted by the business of the Commission. In addition, upon written request of ten (10) Commissioners, a special meeting shall be held upon the call of the Chair.

3.04. Notice Regarding Commission Meetings. Notice of Commission meetings shall be given as follows:

A. Regular Meetings. Notice of all regular Commission meetings shall be given in compliance with applicable provisions of the Ralph M. Brown Act (Government Code Section 54950 *et seq.*, as may be amended from time to time; hereinafter "Brown Act"). The notice shall at

a minimum specify the date, hour, and location of the meeting and may be a preliminary agenda for the meeting. The final agenda shall be posted adjacent to the front door of the Bay Area Metro Center not later than 72 hours prior to the date of the meeting.

B. Special Meetings. Notice of special meetings shall be given in compliance with applicable provisions of the Brown Act. Notice of special meetings shall specify the date, time, and location of the meeting and the matters to be considered by the Commission. No matters other than those specified in the notice of special meetings may be considered. Notice of special meetings shall be given to those persons who receive notice of regular meetings. Unless otherwise provided by the Brown Act, at least twenty-four (24) hours' written notice shall be given by electronic or U.S. postal mail or personal delivery to each commissioner and to each local newspaper of general circulation, radio or television station requesting notice in writing, and by posting such notice in the MTC library.

C. Recipients of Notice. Notice of MTC meetings may be received by any person or organization requesting notice. Designated staff shall maintain a database of persons and organizations who have requested notice or to whom, in designated staff's judgment, notice shall be sent. The database is updated on an ongoing basis.

D. Brown Act. In providing notice of Commission meetings, MTC staff shall at all times comply at least with all minimum applicable notice requirements of the Brown Act.

3.05. Open Meetings. In accordance with the provisions of the Brown Act, all meetings of the Commission shall be open to the public except matters that may be discussed in closed session pursuant to the Brown Act. Members of the public shall have an opportunity to directly address the Commission on matters before it, subject to limitations on the total amount of time allocated for public testimony on particular issues and for each individual speaker.

3.06. Quorum. A majority of the appointed, voting commissioners shall constitute a quorum for any meeting of the Commission. When 18 voting commissioners have been appointed and seated, the quorum is ten (10) voting commissioners. No official action shall be taken by the Commission unless a quorum is present. A majority of the commissioners present and voting shall

be required to carry any action of the Commission; provided that, no action shall be valid unless approved by at least a majority of a quorum.

3.07. Voting. Voting shall be by voice; provided that a roll call shall be taken at the Chair's discretion or upon the request of one (1) commissioner.

3.08. Conduct of Meetings. Robert's Rules of Order, as revised, except when inconsistent with these procedures, law, or specific resolutions of the Commission, shall govern the conduct of meetings of the Commission and its established committees.

3.09. Agenda. The Commission may take no action on any item not appearing on the agenda except as allowed under the Brown Act. All items on Commission agendas shall be subject to action.

A preliminary agenda shall be distributed electronically or by regular or express mail prior to the date of the meeting, consistent with the Brown Act. (See Subsection 3.04, Notice Regarding Commission Meetings.) A final agenda will be prepared and posted adjacent to the front door of the Bay Area Metro Center in accordance with the Brown Act. Copies of the final agenda will be available at the meeting.

If, in the Chair's judgment, it is necessary to maintain the orderly flow of business, public comment may be restricted by any one or a combination of the following procedures:

1. limiting the time each speaker may testify per agenda item. The limit may not be less than one (1) minute for each speaker, and may range, at the discretion of the Chair, up to three (3) minutes per speaker.
2. requiring a speaker who plans to speak on more than one agenda item to combine his or her testimony on all agenda items to one appearance. The limit for a combined appearance may not be less than three (3) minutes per speaker, and may range, at the discretion of the Chair, up to seven (7) minutes per speaker.
3. establishing the maximum amount of time available during the meeting for public comment so as to permit the meeting agenda to be completed before the loss of a quorum; provided, however, that each speaker be permitted to speak at least one (1) minute.

4. establishing a single period of time during a meeting to take all public testimony before proceeding with the agenda, when there are multiple requests to speak on multiple items on the agenda.

5. rearranging the order of items on the agenda to accommodate public testimony.

Any decision of the Chair regarding the taking of public testimony made pursuant to the Commission Procedures Manual shall govern for the meeting unless overruled by a two-thirds vote of the quorum present.

The order of agenda items may also be changed, if, in the Chair's judgment, there are other reasons to do so.

3.10. Resolutions. Resolutions may be considered by the Commission at any regular or special Commission meetings. All resolutions shall be in writing.

A summary explanation of the purpose and content of each resolution shall be prepared and attached to the proposed resolution, but shall not be considered part of such resolution. The original of a resolution adopted by the Commission is the one signed by the Chair and shall be the official text of that resolution.

3.11. Regional Transportation Plan Revisions. Revisions of the Commission's adopted Regional Transportation Plan (RTP) are prepared as the need arises. Except for revisions approved by the Commission under emergency procedures, revisions to the RTP are considered by the Commission for adoption every four years. Review of proposed Plan revisions is assigned to a standing committee of the Commission, which shall make recommendations to the full Commission for Plan revision. Notice of availability of the text of proposed revisions of the RTP shall be sent to organizations and concerned citizens on the current Commission mailing list. Not earlier than twenty (20) days after this distribution of the proposed revisions, and at a time convenient to the public, no less than (2) public hearings shall be held in the region to receive comments, suggestions, and reactions to the proposed revisions. Additional hearings may be scheduled if necessary to allow opportunity for public comment in parts of the region significantly affected by proposed revisions. These public hearings may be conducted by less than a quorum of



the Commission. A transcript or summary of the public hearings shall be provided to all commissioners prior to their acting on the Plan revisions. Notice of the public hearings shall appear in major newspapers of the region and other media as appropriate at least thirty (30) days prior to the scheduled hearings.

3.12 Public Hearings. Public hearings shall be conducted in accordance with MTC's Public Participation Plan, MTC Resolution No. 3821.

3.13. Recording of Meetings. Commission meetings shall be recorded electronically and are available on the Commission's website at no cost and are archived for meetings occurring since 2004. Copies of any recordings (in accessible formats, for persons with disabilities) shall be made available to the public upon request. Further, any citizen may record a Commission meeting or parts thereof, if such recording is done in a reasonable manner.

3.14. Minutes of Meetings. The Commission shall keep accurate minutes of all meetings and make them available to the public. Minutes shall include a record of attendance, a summary of motions, resolutions, consensus items, discussion on motions receiving a split vote and/or resulting in a direction to staff or a Commission committee, other business, and public comment. Minutes approved by the board at a succeeding meeting shall be the evidence of action taken at a prior meeting.

3.15. Public Information Materials. MTC staff will routinely prepare and provide all commissioners with general public informational material. Requests for specialized public information assistance for a specific commissioner will be handled on a time-available basis.

3.16 Meeting Conduct. In the event that any public meeting conducted by MTC is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible, the Chair may order the removal of those individuals who are willfully disrupting the meeting. Such individuals may be subject to arrest. If order cannot be restored by such removal, the members of the Commission may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue on matters appearing on the agenda.

#### IV. COMMISSION COMMITTEES

4.01. Types. Commission committees are designated as standing committees, special committees, or advisory committees.

4.02. Policy. It is the general policy of the Commission to receive comments from the public on specific items at committee meetings. Summaries of these comments shall be included in the committee minutes and forwarded to all commissioners.

4.03. Standing Committees. Each standing committee is charged with subject matter responsibility over specific element(s) of the Commission's overall mission and/or organizational functions. Standing committees shall be composed solely of commissioners. Non-voting commissioners may be appointed to standing committees. Notwithstanding that there may be a quorum of the Commission (10 or more commissioners commencing January 1, 2013) in attendance at a standing committee meeting, no standing committee may act for the full Commission unless the meeting is noticed, in accordance with the Brown Act, as a Commission meeting. Each standing committee shall be responsible for reviewing comments of appropriate MTC advisory committees and such comments shall accompany any standing committee recommendations to the Commission.

4.04. Special Committees. The Commission may establish special committees to supervise the development of a specific task or project. Membership of special committees is not limited to commissioners. Composition of special committees will depend upon the task to be performed and may involve the participation of private citizens or representatives of other public agencies.

4.05. Advisory Committees. Advisory committees are discussed in Section 4.14C.

4.06. Appointments to Committees.

A. Manner of Appointment. The Chair of the Commission, subject to the approval of the Commission, shall appoint members of standing committees and special committees to the extent that special committee appointments are the responsibility of MTC. The Commission Chair

shall designate the Chair and Vice-Chair of the standing committee, subject to approval of the Commission. Designation by the MTC Chair of special committee chairs and vice-chairs is subject to the approval of the Commission to the extent that these appointments are the responsibility of MTC. Appointments to advisory committees shall be made by the Commission in accordance with the Commission resolution establishing the particular advisory committee. In the event the Chair and Vice-Chair of a standing committee are not present at a standing committee meeting, the committee members present shall select a Chair Pro Tem for that meeting from among themselves.

B. Term. Subject to Section 2.04, appointments to standing committees shall be for the term of the Commission Chair. Appointments of commissioners to special committees shall be for the term of the Commission Chair. Other appointments to special committees shall be for a term dependent upon the function of the special committee as set forth in the resolution which governs the special committee. Appointments to advisory committees are for a term dependent upon the function of the advisory committee as set forth in the resolution establishing the particular advisory committee.

4.07. Quorum. The quorum for committees established by the Commission shall be a majority of the committee's non-ex-officio voting membership. Except as otherwise provided in Sections 2.04 and 2.05, if necessary to establish a quorum of a committee at a meeting, the Chair and Vice-Chair of the Commission, as ex-officio members of the committee, shall become voting members for that meeting. Unless otherwise approved by the Commission and except as otherwise provided in Sections 2.04 and 2.05, MTC standing committees shall have eight (8) voting members, as approved by the Commission, plus the MTC Chair and Vice-Chair as ex-officio, voting members.

Every member of the Commission who is not a voting member of a standing committee is an ad hoc non-voting member. Although a quorum of the Commission may be in attendance at a meeting of a standing committee, the committee may take action only on those matters delegated to it. The committee may not take any action as the full Commission unless a meeting has been previously noticed as a Commission meeting.

An ad hoc non-voting committee member who is also a voting member of the Commission may be designated by the committee chairperson as a voting member at a particular committee meeting if an additional voting member is needed for a committee quorum. In the case of joint committees formed with ABAG, additional provisions contained in Appendix E shall also apply.

4.08. Open Meetings. It is recognized that "legislative body" as defined in the Brown Act does not include committees composed solely of commissioners when they number less than a quorum of the Commission or a quorum of a standing committee. It is the intention of the Commission to apply the Brown Act to include all non-ad-hoc committees created by the Commission, not just those identified as advisory commissions or committees. All meetings of non-ad-hoc committees created by the Commission, with the exception of closed sessions permitted by the Brown Act, shall be open meetings properly announced in accordance with the provisions of the Brown Act.

4.09. Notice of Meetings. Notice of regular committee meetings shall be given consistent with applicable provisions of the Brown Act and posted adjacent to the front door of the Bay Area Metro Center not less than 72 hours, preceding the date of the meeting. If a special meeting is called on short notice, then notice shall comply with the requirements of Subsection 3.04 B of these procedures. The notice shall announce the date, time, and location of the meeting together with an agenda. This notice shall be sent to all commissioners and to media representatives, concerned citizens, and organizations who have filed a request for receipt of notice of committee meetings and posted in the MTC library. Special meetings of committees shall comply with the minimum notice provisions of the Brown Act. Notices of postponed or canceled committee meetings shall be posted adjacent to the front door of the Bay Area Metro Center not less than 72 hours prior to the regular date of the meeting and shall state the date, time, and location of the next committee meeting if possible. Notices of meetings held earlier than the regular meeting date shall be sent out and posted adjacent to the front door of the Bay Area Metro Center as soon as possible.

4.10. [Reserved]

4.11. Recording of Meetings. Standing and special committee meetings, if possible, shall be recorded electronically and follow the procedures as stated in Subsection 3.13 of this document.

4.12. Minutes of Committee Meetings. Minutes of all committee meetings shall be kept and made available to the public. Minutes shall include a record of attendance, a summary of motions, resolutions, consensus items, discussion on motions receiving a split vote and/or resulting in a direction to staff or a Commission committee, other business, and public comment.

4.13. Reimbursement and Travel Expenses. Commissioners who are members of standing or special committees shall be entitled to receive in lieu reimbursement for attendance at such committee meetings in accordance with Government Code Section 66504.1. Commissioners serving on standing and/or special committees shall also be entitled to receive necessary travel expenses in accordance with the Commission's current resolution in this regard. (See Appendix B.) Members of special committees appointed by the Commission and members of advisory committees appointed through Commission resolutions shall be reimbursed for their necessary travel expenses in accordance with the Commission's current procedures regarding this subject. (See Appendix D.)

Commissioners appointed by the Chair or the full Commission to represent MTC on committees other than those created by MTC shall be entitled to receive the MTC per diem and necessary travel expenses for attendance at such committee meetings. If the procedures of such committees require or permit the appointment of an alternate representative, MTC alternates to such committees may not claim per diem or travel expenses for any meeting at which the MTC commissioner is also present and claiming per diem.

4.14. Commission Committees.

A. Standing Committees. The current charters of the Commission's standing committees, as established by this Manual, are attached as Appendix E. Current Commission standing committees are as follows:

1. Administration Committee - is charged with the oversight of the operation and performance of the Commission staff including the development and oversight of agency personnel, financial policies, and management.

2. Programming and Allocations Committee - reviews projects seeking federal, state and regional funding approval for conformance with the Sustainable Communities Strategy/Regional Transportation Plan, adopts the region's multi-year program of funding priorities for federal, state and regional funds, and recommends allocation of various federal, state and regional funds among the various eligible claimants and applicants within the region.

3. Planning Committee - develops the region's annual transportation work program and program budget, reviews planning policies and issues, and together with ABAG, develops the Sustainable Communities Strategy, and proposes revisions to the Sustainable Communities Strategy/Regional Transportation Plan.

4. Operations Committee - establishes, oversees and evaluates transportation system management and operational activities sponsored by MTC, SAFE and others.

5. Executive Committee - considers matters of urgency brought before it by the Chair between Commission meetings and other matters assigned to it by the Commission or the Chair.

B. Special Committees. Special committees are committees consisting of MTC commissioners and representatives of other organizations. Special committees are established, modified or disbanded by separate Commission action. By action of the Commission on August 26, 2020 a special Joint MTC ABAG Legislation Committee was hereby established to advise the Commission and ABAG in the legislative process and public information and citizen participation programs. Examples of additional current committees include, but are not limited to, the following:

1. Regional Airport Planning Committee - reorganized pursuant to MTC Resolution No. 3123 and is responsible for recommendations relating to the Regional Airport Element of the Regional Transportation Plan and the update of revisions relating to this element.

2. MTC/Bay Conservation and Development Commission (BCDC) Seaport Planning Advisory Committee - was established pursuant to a Memorandum of Understanding between BCDC and MTC (MTC Resolution No. 516) and is responsible for developing the legislatively-mandated Seaport Element to the Regional Transportation Plan and recommendations for revision of the Seaport Element of the BCDC Bay Plan

3. Mega-Region Working Group – was established in 2015 through Resolution 4209 to identify issues of common interest and recommend joint activities among metropolitan planning organizations in the Northern California mega-region.

C. Advisory Committees. Advisory committees consist of members of the public and/or staff from public agencies or private organizations. Advisory committees are established, modified or disbanded by separate Commission action. When appropriate, all upcoming vacancies on MTC advisory committees shall be posted on the Commission website. Prior to making appointments to such committees, thirty days shall be allowed to receive responses from citizens who are interested in appointment. Examples of current advisory committees include, but are not limited to, the following:

1. Policy Advisory Council – This advisory committee was established in November 2009 pursuant to MTC Resolution No. 3931 to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. Its 27 members are appointed by the Commission, including 9 members, one from each Bay Area county, selected to represent interests related to the communities of color, environmental justice and low-income issues; 9 members, one from each Bay Area county, selected to represent the interests of disabled persons and seniors; and 9 members selected to represent interests related to the economy and the environment.

2. The Bay Area Partnership (The Partnership) - The Partnership is a consortium of local, state and federal agencies, including the top managers from agencies for transportation and protecting the region's environmental quality; intended to foster consensus in the

implementation of TEA 21 and its successor statutes, develop agreed-upon funding and planning priorities, and implement plans and programs to better manage and operate the metropolitan transportation system.

3. Regional Transit Coordinating Council (RTCC) - Pursuant to Public Utilities Code § 29142.4, the Commission has established the RTCC to advise MTC with respect to its state and federal programs, to focus attention on transit coordination, and to encourage participation of transit operators' top management in MTC's deliberations. MTC Resolution No. 2467 establishes the RTCC.

4. Paratransit Coordinating Councils (PCCs) - established by MTC Resolution No. 468 in 1977 to require participation by counties in promoting the efficient use of limited paratransit services. Membership composition is established in MTC Resolution No. 1209.

NOTE: Special and advisory committees usually forward their recommendations to the Programming and Allocations Committee. Special issues can be referred to the appropriate MTC standing committee. The Joint MTC ABAG Legislation Committee forwards its recommendations directly to the Commission.



Appendix D  
Resolution No. 1058

**Travel Reimbursement Rate for  
Members of the Policy Advisory Council**

PROCEDURES FOR PROCESSING TRAVEL REIMBURSEMENT CLAIMS  
FROM CITIZENS APPOINTED TO  
CERTAIN MTC ADVISORY COMMITTEES

These procedures supersede those previously established by MTC Resolution No. 348. The travel reimbursement rates set forth herein supersede those previously established by MTC Resolution No. 291.

1. Individual members of the public appointed by the Commission serving on the Policy Advisory Council or other advisory committees shall each be eligible to receive a stipend of \$50 per meeting, as defined below, with a maximum of three meetings per month per committee to which they are appointed, not to exceed a combined total of five such meetings in any one calendar month. Advisors who are appointed to two committees may receive a stipend for a combined total of five meetings per month. Meetings are defined as publicly noticed meetings or subcommittee meetings of the advisory committee to which the individual has been appointed; noticed MTC Commission or committee meetings; attendance at meetings of working groups with MTC staff formed at the direction of the Commission to provide input into the Commission's decisions; or attendance at a community meeting in conjunction with MTC staff. This includes initiatives undertaken by MTC that require outreach assistance from citizen advisors (i.e., when the advisor attends a community meeting with MTC staff, or provides an introduction to a particular community and attends the meeting with staff).
2. Members of the Policy Advisory Council ("advisors") may be reimbursed for actual travel expenses, as defined below, for a maximum of three meetings per month per committee to which they are appointed, not to exceed a combined total of five such meetings in any one calendar month. Advisors who are appointed to two committees may receive travel

reimbursement for a combined total of five meetings per month. Meetings shall include: publicly noticed meetings or subcommittee meetings of the Policy Advisory Council to which the individual has been appointed; noticed MTC Commission or committee meetings; or attendance at a community meeting in conjunction with MTC staff. This includes initiatives undertaken by MTC that require outreach assistance from advisors (i.e., when the advisor attends a community meeting with MTC staff, or provides an introduction to a particular community and attends the meeting with staff).

3. The mileage reimbursement rate is the rate allowable by the Internal Revenue Service when a personal vehicle is used. Related bridge tolls, parking fees and actual expenses for use of public transit will be reimbursed.

All requests for stipend and reimbursement of expenses shall be submitted monthly to the Policy Advisory Council staff liaison and processed according to the procedures established by MTC's Executive Director.

The MTC Deputy Executive Director, Policy shall administer this resolution. Any questions regarding its application shall be decided by the Deputy Executive Director, Policy whose decision shall be final.

PROTOCOL GOVERNING AMENDMENTS TO COMMISSION PROCEDURE  
DURING DECLARED EMERGENCIES

- a) Should the Governor impose any emergency order related to a natural or man-made disaster (e.g. earthquake, terrorist attack, pandemic or other health related event), that would impact the Bay Area Region, and by extension impact the ability to conduct the regular business of the Commission, the Executive Committee extends to the Chair the ability to accommodate remote enabled Commissioner participation in Committee and Commission meetings:
  - Only on an interim basis;
  - Only for purposes to accommodate the declared emergency order; and
  - Only for limited and essential actions, as deemed by the Chair.
- b) Any subsequent directives or guidance issued by the Governor related to the declared emergency will be considered, implemented into process and procedures covered in paragraph a) above, and responded to accordingly.
- c) Under such circumstances the Executive Director is directed to work with staff to put procedural steps in place, as soon as possible, to accommodate the Chair's directive, if and when that may occur, consistent with this protocol.

**Metropolitan Transportation Commission and Association of Bay Area Governments  
Joint MTC ABAG Legislation Committee**

**November 12, 2021**

**Agenda Item 4a**

**Draft 2022 Joint Advocacy Program**

---

**Subject:**

Draft 2022 Joint Advocacy Program for MTC and ABAG, expressing the agencies' state and federal legislative priorities.

**Discussion:**

Attachment A is the first draft of the Joint Advocacy Program for 2022, the second year of the 2021-22 state legislative session. This draft program contains many provisions that were also contained in 2021, with some exceptions. Notably, we are not seeking a General Fund earmark to launch the Bay Area Housing Finance Authority since we succeeded in that effort this year, having secured \$20 million to launch five pilot programs across the 3Ps of protection, preservation and production. We also propose to stop pursuing clean-up legislation related to toll agencies and the handling of personally identifiable information that we had sought to stem litigation challenging BATA's ability to perform basic toll collection functions such as issuing toll violation notices. While clearly meritorious, this effort has proven unsuccessful several years in a row due to the challenge of enacting legislation related to pending litigation. We are in alignment with the toll agencies in Southern California on preferring not to pursue legislation on this item at this time. After the litigation is resolved, we may recommend we revisit the issue. Lastly some provisions of the program may become moot or need revision if Congress reaches agreement on the long-awaited infrastructure and reconciliation deal over the next month!

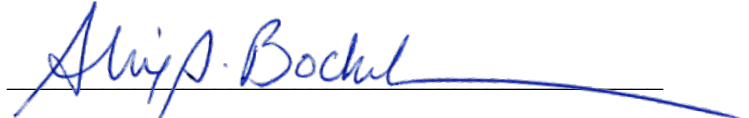
**Next Steps:**

Staff will seek additional feedback from Bay Area stakeholders and partner agencies over the next month. We are also sharing this draft with MTC's Policy Advisory Council on November 10, 2021. Based on discussion at your meeting and additional feedback received over the next month, staff will prepare a final 2022 Joint Advocacy Program for your consideration in December, prior to forwarding the document for final approval by the Commission and Executive Board.

We look forward to hearing the Committee's feedback and answering any questions you may have.

**Attachments:**

- Attachment A: 2022 Draft Advocacy Program



Alix A. Bockelman



## 2022 DRAFT ADVOCACY PROGRAM

**Note:** New or substantially changed items or wording shown in *italics*.



State Advocacy Goals and Objectives	
<b>1. Transportation Funding:</b> <i>Maximize funding to the Bay Area from new revenues that may be authorized through the federal infrastructure bill as well as through the State Budget.</i>	
<p><i>A. Maximize the Bay Area's share of any General Fund surplus revenues invested in local/regional transportation</i></p>	<p><i>Pursue a unified Bay Area advocacy strategy for General Fund support of transportation through the state budget in partnership with the region's transit operators, county transportation agencies, as well as transportation, business and other advocacy organizations. Advocate for policy provisions that maximize the chances that the Bay Area's public transit priorities will be competitive for receiving funding and pursue the use of regional targets (instead of earmarks) to help ensure the region receives funding commensurate with its needs. Oppose use of the State Transportation Improvement Program (STIP) formula as the mechanism for funding public transit.</i></p>
<p><i>B. High Speed Rail Funding</i></p>	<p><i>Support the Newsom Administration's budget request for the California High-Speed Rail Authority to fund the current phase of the project from Bakersfield to Merced. Oppose legislative efforts to divert Prop 1A funds to local rail priorities in Los Angeles or elsewhere. However, if the Legislature pursues redirection of funds to local priorities, ensure the region's needs are addressed and that any Bay Area transit projects included in a final agreement assist with bringing the High-Speed Rail project to the Bay Area, are consistent with Plan Bay Area 2050 and are eligible for Prop 1A funding.</i></p>
<p><i>C. Maximize Bay Area funding from any new programs established by a future federal surface transportation bill</i></p>	<p><i>Assuming enactment of a new federal surface transportation bill, partner with Bay Area and statewide partners on implementing legislation with the aim of maximizing funding to the Bay Area and in a manner that supports implementation of Plan Bay Area 2050, enabling continued flexibility.</i></p>

D. Transit operating funding	<i>Explore potential sources of supplemental, ongoing state funding for transit operations to address long-term structural deficits forecast as a result of ridership changes due to COVID-19 and the shift to remote work.</i>
E. Regional revenue ballot measure	<i>Convene key Bay Area stakeholders and engage with the public regarding a regional revenue ballot measure in 2024. Central to the discussion will be determining whether there is broad support for a regional transportation measure in 2024, including consensus around the purpose/goals of the measure, expenditure plan priorities and the source of new revenue. Any voter-approved transportation funding measure would require state authorizing legislation to be approved by the Legislature. A key topic of discussion will be the interplay between a regional transportation measure and a potential regional housing measure—which could be pursued by the Bay Area Housing Finance Authority (BAHFA) and ABAG pursuant to AB 1487 (Chiu, 2019)—as well as the option to develop a combined “quality of life” measure to address both affordable housing and transportation, as well as climate resilience and potentially other regional priorities.</i>
F. State Route 37 improvements	Pursue legislation to authorize tolls on State Route 37 to help fund interim congestion relief and the long-term multi-modal reconstruction and resilience of the roadway.
G. Reduce Caltrans Administrative Overhead Charges to MTC and the BATA	Expand to MTC and the Bay Area Toll Authority (BATA) cost-savings provisions associated with Caltrans administrative overhead charges that have been approved for local agencies and the High Speed Rail Authority in order to reduce BATA administrative costs and free up more toll revenues for critical bridge maintenance and other BATA priorities.
H. Zero-emission bus mandate and ferry regulations	Building on <a href="#">Executive Order N-79-20</a> , support additional funding to help transit operators convert their bus fleets and ferries to zero-emission in order to meet the state’s Innovative Clean Transit rule and ferry regulations and accelerate the decarbonization of the transportation system.



I. Equitable access to transportation and supporting infrastructure/Disadvantaged Communities	Support broadening eligibility requirements in existing and/or new transportation funding streams to enable their use as a subsidy for low-income transportation system users (e.g., discounted fares for public transportation or shared mobility services). Ensure that legislation aimed at benefiting disadvantaged communities use a definition that includes low-income communities and does not rely exclusively on communities defined by the state's CalEnviroScreen method, which disproportionately excludes the Bay Area low-income communities relative to other parts of the state.
J. Active Transportation: Regional trails and bicycle/pedestrian infrastructure improvements	Monitor and support opportunities for additional funding for active transportation, including enhanced active transportation access and safety improvements on existing roadways (i.e., "complete streets") as well as funding for regional trails, such as the San Francisco Bay Trail, the Bay Area Ridge Trail, and the Great California Delta Trail.
<b>2. Public Transit:</b> Support policies aimed at ensuring public transit is an affordable, reliable and convenient transportation option.	
A. <i>Transit Transformation Action Plan Implementation</i>	<i>Pursue legislation to help ensure timely implementation of the Transit Transformation Action Plan adopted by the Blue Ribbon Transit Recovery Task Force and MTC. Prioritize inclusion of provisions to help accelerate the early action items, namely transit fare integration, mapping and wayfinding, and transit priority.</i>
B. <i>Get Buses Out of Traffic</i>	<i>Consistent with the recommendations of the Transit Transformation Action Plan, support part-time transit lanes (on shoulders) and other transit priority improvements. Support an extension of Senate Bill 288 (Wiener, 2020) exempting transit priority lanes (as well as active transportation projects) from the California Environmental Quality Act (CEQA).</i>
C. Transportation Development Act (TDA) performance standards update	Monitor legislation related to any updates to the TDA's (Transportation Development Act) eligibility requirements. While the Legislature has enacted legislation to waive minimum farebox requirements in the short-term (next two years), a new approach to performance measures is needed over the long run that is focused on incentivizing transit agencies to pursue actions aimed at increasing ridership versus measures focused on efficiency. Ensure discount

	fares aimed at boosting ridership and improving social equity do not negatively impact an operator's share of state transit funding.
<b>3. Housing:</b> Improve access to opportunity by supporting policies aimed at increasing production of housing and increasing funding to produce and preserve affordable housing and associated infrastructure to help build complete communities. Protect tenants and low-income communities from unjust evictions and displacement.	
<p>A. <i>Statewide ballot measure to lower vote threshold for affordable housing bonds/new regional revenue measure</i></p>	<p><i>Engage in regional and statewide efforts to pursue a statewide ballot measure in November 2024 to amend California's State Constitution to enable local and regional affordable housing bonds to be approved by less than 2/3 vote, similar to Proposition 39 (2000), which authorized local school bonds to approved by 55 percent. MTC/ABAG's role would be to provide technical assistance to the proponents crafting the measure and to provide public information on the measure's potential benefits should it qualify for the ballot. The most direct benefit to MTC/ABAG would be to increase the likelihood of passage for a future regional housing bond pursuant to AB 1487 (Chiu, 2019), as well as local affordable housing bonds.</i></p> <p><i>As noted in 1E, MTC/ABAG will facilitate conversations during 2022 regarding the relationship and sequencing of a regional housing measure with a regional transportation measure (or a broader "quality of life" measure), which would require legislative authorization in 2023 in order to be placed on the ballot in November 2024.</i></p>
<p>B. Increase funding available for affordable housing, homelessness prevention, and other supportive infrastructure while also reducing the cost of housing production.</p>	<p>Support efforts to provide additional state resources for housing, homelessness prevention, housing-supportive infrastructure, planning and services to ensure housing investments can be made in conjunction with improvements to parks/open space, and other resources to improve Bay Area resident's quality of life. Support proposals to drive down the cost of affordable housing production.</p>
<p>C. Pursue a range of strategies to increase housing production and preservation to help meet the Bay Area's Regional Housing Needs Allocation (RHNA) across all income levels</p>	<p>Support legislation to boost housing density and accelerate the production of housing near jobs-rich, high-quality transit, and high-resource areas with reasonable local flexibility provided. Support proposals to authorize housing as a permitted use in certain commercial zones, such as shopping malls, office parks and major commercial corridors, subject to local approval, but without requiring zoning changes. Advocate for the inclusion of anti-displacement provisions in bills aimed at incentivizing new construction and prioritize the construction of affordable housing.</p>

<p><b>4. Project Delivery:</b> Support strategies to speed up the delivery of transportation and housing projects with the goal of delivering improvements faster and at a lower cost.</p>	
<p>A. Flexibility in Contracting &amp; Public-Private Partnerships</p>	<p>Support legislation aimed at expediting project delivery, including by increasing flexibility in the Caltrans design review process and providing broad authorization of the use of design-build and public-private partnerships by Caltrans and regional transportation agencies. Support policies that would authorize public agencies to partner with the private sector on public right of way to accelerate deployment of technology, such as fiber optic cable, necessary for connected vehicle deployment.</p>
<p>B. California Environmental Quality Act (CEQA)</p>	<p>Support an extension of SB 288 (Wiener, 2020) which provides CEQA exemption for active transportation and certain transit projects and explore opportunities to broaden its provisions to include additional bus transit priority projects. Monitor and engage on other CEQA-related legislation with the goal of accelerating transportation and housing development projects that are consistent with Plan Bay Area 2050 goals as well as local and regional plans while maintaining an opportunity for public review and environmental safeguards.</p>
<p><b>5. Congestion Relief:</b> Support policies aimed at reducing vehicle miles traveled and associated traffic congestion, including, but not limited to, pricing strategies and employer-based programs to help reduce the share of commuting by single-occupant vehicles. Keep equity impacts in mind when evaluating any such pricing strategies.</p>	
<p><b>6. System Effectiveness:</b> Advocate for policies that improve the effectiveness and service delivery of the Bay Area’s transportation system, including improved compliance with traffic laws while protecting user’s privacy. Expand the ability of transportation agencies to communicate with their customers to provide relevant transportation-related information and quality service while following industry best practices with regard to enabling customers to opt-in to receive non-essential communications.</p>	
<p>A. Toll bridge and toll road operations</p>	<p>Monitor legislation related to toll operations to protect the independence of toll agency operations. Seek opportunities to expand the ability of toll agencies to communicate with their customers about mobility options in the corridor,</p>

	including public transit (e.g., allow communication about Clipper START in FasTrak® communications as strategy to encourage mode shift to transit.)
B. High-Occupancy Vehicle Lanes (HOV) and Express Lanes Performance	Oppose legislation that could impede the operation and/or performance of HOV- or express lanes. Support legislation that could authorize the piloting of technology to enforce vehicle passenger occupancy requirements and other strategies to improve performance of the lanes.
<p><b>7. Mobility on Demand:</b> Engage in regulatory and legislative efforts to facilitate the deployment of new mobility technologies with the goal of accelerating their safety, accessibility, mobility, environmental, equity, economic and workforce benefits, including opportunities to increase access to transit and reduce the share of single-occupancy vehicle (SOV) trips. Advocate for increased access to critical travel pattern data by local, regional and state agencies for transportation and land use planning and operational purposes while ensuring privacy is protected.</p>	
<p><b>8. Climate Change, Energy Efficiency, Resilience &amp; Estuary Health:</b> Support funding and policy strategies to help achieve and better coordinate state and regional climate goals, advance energy efficiency and improve the Bay Area's resilience to natural hazards and the impacts of climate change, including earthquakes, sea level rise and fire. Support proposals for increased funding to improve the health of the San Francisco Estuary.</p>	
A. SB 375 implementation and reform	<p><i>While continuing to support ambitious regional GHG reduction targets, continue to engage in legislative activity related to revisions to the now 12-year old law, SB 375 (Steinberg, 2008), including SB 475 (Cortese) and SB 261 (Allen), both of which were made two-year bills in 2021.</i></p> <p><i>Pursue changes to incentivize near-term, real-world progress on GHG emission reduction over the current approach, which places too great an emphasis on long-term modeling, and seek changes to provide greater alignment, rather than competition between regional and state GHG reduction strategies.</i></p> <p><i>Explore an expansion of the scope of the Sustainable Communities Strategy (SCS) to incorporate climate resilience and social equity goals to better harmonize policy directives from the state and provide regions with greater flexibility to balance these multiple, important goals.</i></p>

<p><i>B. Climate adaptation</i></p>	<p><i>Pursue funding for regional and local climate adaptation funding in the FY 2022-23 State Budget, including at least \$125 million for the new regional climate resilience planning and implementation grant program established in the FY 2021-22 State Budget and consistent with the FY 2022-23 funding level specified in SB 155 (2021), the multi-year climate adaptation trailer bill.</i></p> <p><i>Engage in the development of guidelines by the Strategic Growth Council and Office of Planning and Research established in the FY 2021-22.</i></p> <p><i>Advocate for a new transportation climate adaptation funding grant program from the General Fund. This would build on the inclusion of \$300 million for this purpose in this year's budget bill, AB 128, which divided the funds 50/50 for state and local needs. Unfortunately, the funds reverted to the General Fund in October 2021 due to the collapse of negotiations over high-speed rail.</i></p>
<p><b>9. Safety:</b> Improve transportation system safety for all users</p>	
<p>A. Zero traffic fatalities goal (Vision Zero)</p>	<p>Building on the <a href="#">recommendations of the Zero Traffic Fatalities Task Force</a>, support legislation aimed at achieving the Vision Zero goals of no roadway-related deaths or serious injuries by improving safety for all road users, including non-motorists. Continue to support authorization of automated speed enforcement technology to enforce speed limits.</p>
<p><b>10. Governance:</b> Brown Act Reforms</p>	<p><i>Support legislative clean-up of AB 361 (Rivas) to provide greater flexibility to local and regional agencies to hold meetings virtually without the requirement to renew findings every 30 days. Monitor and support legislation to provide long-term flexibility for regional agencies to conduct their business remotely outside of emergency conditions as a means of increasing board member and public participation while also reducing the time and expenses associated with travel, vehicle miles traveled and the greenhouse gas and other tailpipe emissions from driving.</i></p>

<b>Federal Advocacy Goals and Objectives</b>	
<b>1. Transportation and Housing Funding:</b> Support robust federal investment in Bay Area transportation and housing infrastructure	
<i>A. Infrastructure Investment and Jobs Act</i>	<i>If not enacted by January 1, 2022, continue partnering with local, state, and national partners to advocate for passage of the Infrastructure Investment and Jobs Act (IIJA), the \$1 trillion bipartisan physical infrastructure bill that would invest in transportation, water, broadband, energy, and resilience infrastructure. See 2 for more detail on surface transportation advocacy priorities within the IIJA.</i>
<i>B. Build Back Better climate and social spending budget reconciliation bill</i>	<i>Support the inclusion of affordable housing, vehicle electrification, and other sustainable transportation investments in the climate and social spending budget reconciliation package—also referred to as the Build Back Better plan—under consideration in Congress.</i>
C. Fiscal Year 2023 transportation and housing programmatic appropriations	Partner with local, regional and statewide transportation agencies as well as national stakeholders to ensure that Congress funds highway, transit and rail programs consistent with levels authorized by the surface transportation bill and to maintain continued flexibility of suballocated programs. Additionally, work to defend and expand federal affordable housing funds and programs, including Section 8 housing vouchers, the HOME Investment Partnership Program (HOME) and the Community Development Block Grant Program (CDBG).
<i>D. Advocate for discretionary transportation grant awards, including for priority projects consistent with Plan Bay Area 2050</i>	<p><i>In the case that the IIJA is signed into law, engage with the Biden Administration during discretionary grant development to advocate for program policies and funding eligibilities that enhance Bay Area competitiveness. Work with Bay Area transportation agencies to secure discretionary funding for projects consistent with Plan Bay Area 2050.</i></p> <p><i>With regard to Capital Investment Grants (CIG), support efforts to secure full funding grant agreements (FFGA) for the Bay Area's next generation of transit projects and sufficient annual appropriations to meet the funding needs of Bay Area projects with existing FFGAs.</i></p>

<p><i>E. Affordable housing tax incentives</i></p>	<p><i>Work with our regional and national partners to support provisions in the reconciliation bill referenced in 1B to expand federal housing production and preservation tax tools, including the Low-Income Housing Tax Credit Program, California's largest source of federal funding for affordable housing construction and rehabilitation. Prioritize policy changes to increase California's LIHTC financing capacity, including lowering to 25 percent from 50 percent the required state match of bond allocations and increasing California's tax credit allocation.</i></p>
<p><i>F. Increase funding to local governments to invest in housing and community development</i></p>	<p><i>Consistent with 1B, work with our partners to advocate for affordable housing spending to be a part of any final reconciliation bill. Support the inclusion of funding directed to local governments, including HOME and CBDG and new discretionary grants for which local governments can compete.</i></p>
<p><i>G. Bay Area Housing Finance Authority</i></p>	<p><i>Lead efforts to enable BAHFA to compete for Department of Housing and Urban Development discretionary grant funding to support BAHFA's ability to pursue affordable housing and/or homelessness prevention projects. Seek to include regional planning agencies as eligible recipients of new HUD discretionary grants proposed in the reconciliation bill and, in the case that the bill is enacted, work with HUD on grant development.</i></p>
<p><b>2. Surface Transportation Reauthorization:</b> <i>If not enacted by January 1, 2022, continue to work with our regional and national partners to support passage of Infrastructure Investment and Jobs Act (IIJA), which includes a long-term transportation authorization that reflects the following priorities:</i></p> <ul style="list-style-type: none"> <li><i>Increased formula funding to support Bay Area progress on national goals related to infrastructure condition, safety, mobility, and air quality.</i></li> <li><i>Continued discretion for MTC and the state to invest funds in ways that further our region's goals to improve equity, respond to a changing climate, and increase access to affordable, transit- and jobs-oriented housing.</i></li> <li><i>A performance-oriented approach to discretionary funding; new grant programs should support state of good repair, mobility, safety, and other national goals and to the extent practicable, be mode-neutral. Ensure discretionary grant eligibilities and criteria position Plan Bay Area 2050 projects to compete well.</i></li> <li><i>New resources to support climate adaptation and the deployment of new transportation technology to address the Bay Area's mobility challenges.</i></li> </ul> <p><i>In the case that the IIJA is enacted, work with the U.S. Department of Transportation to ensure the law is implemented consistent with MTC and ABAG reauthorization and Plan Bay Area 2050 priorities.</i></p>	

<b>3. Climate Protection, Adaptation, Environmental Justice:</b> Advocate for a strong federal partner in the Bay Area’s efforts to improve air quality, reduce greenhouse gas (GHG) emissions, and make our communities and transportation networks resilient to a changing climate, especially in communities of concern that are most vulnerable to the impacts of climate change. Advocate for passage of legislation to improve the health of the San Francisco Estuary.	
A. Climate change mitigation	Advocate for the federal government to take bold action to reduce greenhouse gas emissions and limit the magnitude of the climate crisis. Consistent with 1A and 1B, support investments in transit, rail, complete streets, and other sustainable transportation options in spending bills being debated in Congress. Additionally, support investments in charging infrastructure and tax incentives to accelerate the transition to a zero-emission transit, passenger, and commercial vehicle fleets.
B. Disaster mitigation and resilience	Seek to secure resources for the Bay Area to invest in disaster mitigation and resilience, including investing in strategically placed green and grey infrastructure to protect our communities and residents that are most vulnerable to the adverse effects of climate change. Support a strong regional role in disaster mitigation and resilience planning. Support policies to break down federal silos and encourage coordination of federal resources to support communities and regions in comprehensively addressing a climate threat.
C. San Francisco Estuary	Advocate for increased funding aimed at improving the health and resilience of the San Francisco Estuary.
<b>4. Transportation Innovation and Shared Mobility:</b> Support policies that enable technological innovations to improve mobility, including connected and automated vehicle (CV/AV) deployment and mobility on demand, while protecting the public’s interest. Additionally, support expanding the pre-tax transportation fringe benefit to restore bicycle commuting eligibility, including costs associated with commuting on shared bicycle systems.	





METROPOLITAN  
TRANSPORTATION  
COMMISSION

Bay Area Metro Center  
375 Beale Street  
San Francisco, CA 94105  
TEL 415.778.6700  
WEB [www.mtc.ca.gov](http://www.mtc.ca.gov)

## *Memorandum*

To: MTC Legislation Committee Date: November 11, 2021  
From: MTC Policy Advisory Council Work Item: 1114  
Regarding: 2022 Draft Advocacy Program: Brown Act Reforms

At its November 10, 2021, meeting, the Policy Advisory Council received a presentation on the 2022 Draft Advocacy Program. Among the priorities discussed for the 2021-22 state legislative session were Brown Act reforms.

Acknowledging that holding public meetings virtually has increased accessibility for both Council members and members of the public, the Council voted in support of the Brown Act reform element of the 2022 Draft Advocacy Program (Assembly Bill 361 - Rivas). In particular, the Council recommends that the Commission support Brown Act reforms and MTC policies to allow the following:

- Allow Council members to continue meeting virtually once hybrid meetings are implemented and/or in-person meetings resume;
- Allow virtual public participation once hybrid meetings are implemented and/or in-person meetings resume; and
- Continue exploring innovative meeting techniques, e.g., whether transparent and accessible breakout groups are possible during public meetings.

**Metropolitan Transportation Commission and Association of Bay Area Governments  
Joint MTC ABAG Legislation Committee**

**November 12, 2021**

**Agenda Item 4b**

**Bay Area Strategy for State Funding Opportunities**

---

**Subject:**

Update on the latest developments related to transportation receiving additional funding from the state's General Fund surplus and efforts to develop a coordinated Bay Area transportation funding advocacy strategy.

**Summary:**

**Background** The FY 2021-22 State Budget enacted in July included \$3.4 billion for public transit, active transportation, grade crossings and climate adaptation, however the appropriation was reversed in October and the funds reverted to the General Fund. This occurred because the appropriation included a provision requiring enactment of subsequent legislation by October 9. No legislation was approved to satisfy this requirement. These funds were part of the Newsom Administration's overall transportation package that included a request for funding for high-speed rail. Once it became clear no such agreement would be reached, there was no path to finalize the trailer bill legislation for the other General Fund appropriations for transportation.

**What's Ahead** Assembly Speaker Anthony Rendon and Assembly Transportation Committee Chair Laura Friedman have indicated their continued interest in including General Fund support for local public transit in an early action budget item in the context of further discussions over high-speed rail funding. MTC has an important role to play in developing a unified Bay Area advocacy strategy for this unique funding opportunity.

There are a number of key factors that will influence how much funding is ultimately appropriated to local transportation programs from the General Fund and the purposes and structure of the programs, including the following:

- **Size of the budget surplus:** The latest information from the Legislative Analyst's Office suggests the surplus could be in the range of \$12 billion - \$30 billion, with approximately 40% of that as net surplus after funding for education and rainy day funds.

- **Leadership Support:** Legislative leadership appears to continue to support including public transit, active transportation, climate adaptation and grade crossings in a General Fund augmentation (i.e., the programs that were initially funded in the FY 2021-22 State Budget). The amount of funding to be provided to the various categories, the policy provisions of those programs, and the categories to receive funding will depend on both the size of the budget surplus and the extent of support by key budget negotiators, including legislative leadership, budget committee chairs, and the Administration.
- **Organized Advocacy:** The Bay Area will be most successful if we can speak with one voice. Staff have been collecting information from our local transportation partners, including the large transit operators and county transportation agencies to demonstrate the scale of the need in the region and to help inform potential program changes that could be attached to the appropriation to ensure that our top priorities are well positioned to receive funding from competitive programs. While it will be helpful to have some degree of specificity in any Bay Area regional request, we will need to be nimble and structure it in a way that we can quickly respond to changing circumstances as budget negotiations evolve.

**Next Steps:**

Staff will present a Bay Area budget strategy to unify the region's transportation agencies and key stakeholders around a joint advocacy message at your meeting. We look forward to hearing the Committee's feedback and answering any questions you may have.



Alix A. Bockelman

**Draft Sign on Letter for MTC & Other Bay Area Transportation Stakeholders**

---

**November 17, 2021**

**Dear Governor Newsom,**

As you prepare your proposed State Budget for FY 2022-23, the undersigned San Francisco Bay Area organizations urge you to maintain your strong commitment to public transit, active transportation and climate adaptation for transportation infrastructure. As negotiations on high-speed rail funding and an accompanying transportation funding package resume from the last session when those monies reverted to the General Fund, we call upon you to champion these programs even more prominently and stand ready to assist with a unified Bay Area transportation advocacy agenda built on three key points:

- Support High Speed Rail
- Direct General Fund surplus revenues to transportation commensurate with its extraordinary needs
- Prioritize public transit, active transportation and climate adaptation and use proven approaches to ensure geographic balance and consideration of regional priorities.

**We Support High Speed Rail**

We support an appropriation of Proposition 1A funds to continue construction of the High-Speed Rail segment from Bakersfield to Merced, vital to the statewide system that will ultimately connect to the Bay Area. Critically, many of our region's major transit expansion projects that have been supported by the voters as well as prior state and federal funds, including Diridon Station, the Caltrain Downtown Rail Extension, and Caltrain Electrification are integrally linked to High Speed Rail. Some still require significant additional investment and will only realize their full potential when high-speed rail connects to the Bay Area. Additionally, the state's unwavering commitment to high-speed rail is essential to compete for \$46 billion in new competitive grants in the recently-passed federal Infrastructure Investment and Jobs Act (IIJA).

### **Transportation Needs Warrant Significant GF Surplus Investment**

Assuming a budget surplus in the \$30 billion-\$40 billion range, we support a \$10 billion General Fund commitment to transportation that provides at least \$5 billion for public transit, at least \$1.5 billion for active transportation, and at least \$500 million for transportation-related climate adaptation—all investments advanced in last year’s budget negotiations. For the remainder, other important underfunded needs include local road and bridge preservation, green goods movement projects, railroad grade crossings, and highway mobility improvements to help buses and carpools offer a more reliable trip than driving alone.

Why such a large investment in transportation now? Despite passage of the IIJA, our state’s transportation needs still greatly exceed available resources at the local/regional, state and federal levels and infrastructure is a wise investment of one-time funds. For a sense of the magnitude statewide, in the nine-county Bay Area alone, our six largest transit operators have identified \$10 billion in capital funding shortfalls (net of secured funds) over the next four years and \$17 billion over the next 5-10 years. This includes, for example, transit fleet replacement and expansion for AC Transit, BART, SFMTA and VTA to achieve the state’s ambitious zero emission transit rules and meet future ridership demand and transformational transit projects that can commence or complete construction with a final infusion of funding, like BART to San Jose, BART Core Capacity, and Caltrain Electrification.

Likewise, active transportation and investing in strengthening the resilience of our infrastructure pay dividends beyond “mobility.” Equity is lifted up particularly as our poorest, most vulnerable communities suffer disproportionate gaps in bike and pedestrian safety and bear the brunt of climate change-driven impacts on the economy writ large, and on their communities in particular.

### **Steer Transit Funding Where It’s Most Needed and Ensure Geographic Equity**

To build support for an augmentation of funds at this scale, it is essential to ensure that regions across the state will benefit and have some certainty about how much funding (at a minimum) they will receive. Specifically for transit, we recommend use of the well-established State Transit Assistance (STA) formula, with 75 percent of any General Fund transit augmentation allocated

to regional transportation planning agencies, such as MTC, for programming according to their region's priority transit needs (consistent with their state-mandated sustainable communities strategies (SCS) to reduce climate impacts associated with transportation) and 25 percent to the California State Transportation Agency (CalSTA) to augment the statewide competitive Transit and Intercity Rail Capital Program (TIRCP) program, which is heavily oversubscribed. Funding partnerships like this between the state, regional and local transit agencies can accelerate project delivery by streamlining the grant award process and are key to delivering benefits consistent with your office's vision and those of regions, such as Plan Bay Area 2050, the region's recently updated SCS.

### **Conclusion**

On the heels of the COP 26 United Nations Climate Change Conference, California has an opportunity to invest our budget surplus to greatly accelerate implementation of your Climate Action Plan for Transportation Infrastructure, which recognizes the need for significant mode shift away from single-occupant vehicle travel to sustainable modes like transit, active transportation and carpooling. The faster we secure the funding to build this sustainable future, the closer we'll reach our urgent climate goals and provide a more affordable and equitable transportation system for Bay Area residents and those of all regions statewide.

**Sincerely,**

Alfredo Pedroza, MTC Chair

**[Signatures of transit general managers, Executive Directors of partner organizations to follow...]**

**Metropolitan Transportation Commission and Association of Bay Area Governments  
Joint MTC ABAG Legislation Committee**

**November 12, 2021**

**Agenda Item 4c**

**2022 Washington D.C. Advocacy Trip Update**

---

**Subject:**

Update on preparations for MTC and ABAG's 2022 Washington D.C. advocacy trip.

**Summary:**

Preparations began this month for an in-person MTC and ABAG advocacy visit to Washington D.C. in mid-March 2022, following the lead of the American Public Transportation Association, the National Association of Counties, and our other national association partners who are planning for in-person conferences in Washington D.C. next spring. While national groups have already released their conference dates, we will wait to finalize a date until the Congressional Calendar is released—typically in early December, in time for our December Legislation Committee meeting—so we can be sure to schedule our visit while Congress is in session.

As in previous trips to Washington, D.C. we expect the trip would extend from Sunday evening to Wednesday afternoon and would include meetings with the Bay Area Congressional delegation, officials within the U.S. Department of Transportation and U.S. Department of Housing and Urban Development, partner organizations, and relevant committee staff.

**COVID-19 Contingency:**

In the event that a COVID-19 resurgence makes travel and in-person meeting unsafe, we would activate a contingency plan to transition to virtual meetings. We propose we plan for a California Transportation Reception indoors, as usual, with food and drink in the House Transportation & Infrastructure Committee (House T&I Committee) Room in the Rayburn House Office Building, but that we be prepared to substantially revise or cancel, based on conditions on the ground and local public health orders. As we engage with our southern California partner agencies who typically co-sponsor the event and get a better handle on the expected number of guests, we will explore whether it makes sense to consider a larger space for the reception since the House T&I Committee Room can get very crowded.

**Discussion:**

The transportation and housing packages under debate make a March 2022 trip to Washington D.C. well timed. In the case that a package has passed, the Administration will be gearing up to award discretionary grants at an unprecedented scale and it will a prime opportunity to communicate our priorities to Administration officials to help ensure Bay Area projects are well positioned to compete. Alternatively, if a package has not yet been solidified, demonstrating our support to Congress would be timely. While the persistence of COVID-19 could make travel to Washington, D.C. less attractive than usual, the spending packages under consideration also make it an especially important time for MTC/ABAG to make our voices heard and build relationships with members of Congress and the Administration.

Regarding the California Transportation Reception, MTC has credits from our unexpected 2020 cancellation with our long-time caterer and event planner—which together represent the bulk of the reception expenses. It's our understanding that in-person gatherings are again occurring within Congressional circles in D.C. and that the House rules will very likely allow for in-person receptions again by March 2022. Assuming COVID transmission rates are low in the Bay Area and Washington, D.C., we recommend we proceed with a reception, recognizing that we may need to pivot as circumstances dictate.

We look forward to hearing the Committee's feedback and answering any questions you may have.



Alix A. Bockelman



**Metropolitan Transportation Commission and Association of Bay Area Governments**  
**Joint MTC ABAG Legislation Committee**

**November 12, 2021**

**Agenda Item 4d**

**Washington D.C. Legislative Update**

---

**Subject:**

November 2021 Report from Washington, D.C. advocate.

**Issues:**

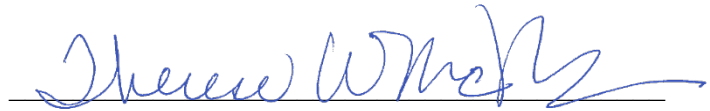
None identified.

**Recommendations:**

Information

**Attachments:**

- Attachment A: Summit Strategies Team Report – November 2021



Therese W. McMillan



SUMMIT  
STRATEGIES

440 1st Street, NW, Suite 440  
Washington, DC 20001  
(202) 638-3307 main  
(202) 595-9192 fax  
[www.summitstrategies.us](http://www.summitstrategies.us)

---

**Summit Strategies Team Report – November 2021**

---

**From: Summit Strategies Team**

**To: Therese McMillan, Executive Director**

**Date: November 10, 2021**

**Subject: November Federal Policy Monthly Report**

---

- **Democrats Pass Infrastructure, Scramble to Finalize Reconciliation**
  - **Senate Appropriations Bills Released**
  - **Agency Actions and Competitive Grant Update**
  - **National Transportation News Roundup**
- 

Below is a status update on issues of interest to MTC and the actions that we have taken to date.

---

### **Democrats Pass Infrastructure, Scramble to Finalize Reconciliation**

On November 5, House lawmakers approved the Senate-passed Infrastructure Investment and Jobs Act (IIJA) on a 228-to-206 vote. All but six Democrats voted yes, as well as 13 Republicans. The Democrats who voted no argued that passing the IIJA relinquished leverage over ongoing negotiations to finalize the Build Back Better bill (the reconciliation proposal). IIJA provides \$550 billion in new infrastructure spending and approximately \$1 trillion in total outlays.

Despite passing the bipartisan infrastructure package, Congress still faces pressure to address outstanding legislation before the end of the year. These priorities include passing the reconciliation measure, crafting annual appropriations bills, and avoiding the looming debt ceiling. On November 3, the House released an updated version of their Build Back Better bill (the reconciliation proposal), which expands upon the White House's \$1.75 trillion framework. While negotiations continue and the final package is likely to include adjustments, the outline provides valuable information. Notable provisions include:

- \$150 billion for housing investments, including:
  - \$25 billion for the Section 8 Housing Choice Voucher program
  - \$15 billion for the national Housing Trust Fund
  - \$10 billion for the HOME Investment Partnership grant program
  - \$10 billion to support down payments for first time home buyers
  - \$3 billion for the Community Development Block Grant program
  - Low Income Housing Tax Credit provisions to temporarily lift the ceiling on tax credit financing in California and other states that have hit their financing cap.
  - New housing tax credit to incentivize the rehabilitation of deteriorated homes in distressed neighborhoods.
- Surface transportation and resilience investments, including:
  - \$10 billion for High Speed Rail
  - \$10 billion for transit grants via a new Affordable Housing Access Program
  - \$4 billion for sustainable transportation grants via a new Community Climate Incentive Program

- \$4 billion for neighborhood access and equity grants, including funds to reconnect communities divided by highways
- \$4 billion to reduce air pollution at ports, port infrastructure and supply chain resilience
- \$20 billion for climate & resilience-focused civilian corps and workforce development
- Wildfire management grants, tax incentives, and other investments
- Investments in zero emission technology deployment, including:
  - \$12,500 electric vehicle (EV) tax credit and \$4,000 tax credit for purchases of used EVs
  - Alternative fuel charging tax credit
  - \$29 billion to support states and locals in rapid deployment of zero emission vehicles, clean buildings, and other zero emission technologies

While negotiators are working to bridge remaining divisions within the Democratic caucus, several issues remain outstanding. State and local tax deductions, prescription drug price reductions, paid leave, immigration, and revenue sources are among the provisions under negotiation. Despite these challenges, lawmakers, including pivotal moderate Senator Joe Manchin (D-WV), have indicated that they hope to pass a bill before the end of the month. However, uncertainty surrounding the release of a complete Congressional Budget Office (CBO) score further complicates these efforts.

### **Senate Appropriations Bills Released**

On Monday, October 18th, Senate Appropriations Committee Chair Patrick Leahy (D-VT) released the nine remaining fiscal year 2022 appropriations bills, including Transportation, Housing, and Urban Development (THUD). Ranking Member Richard Shelby (R-AL) issued a statement criticizing spending measures he characterizes as lacking bipartisan support. The move sets the stage for another omnibus package at the end of the year. Additionally, the White House reportedly contacted senior appropriators to facilitate cooperation.

The Senate version of the THUD bill would provide \$144 billion in total, compared to \$162 in the House-passed measure. The Senate proposal includes \$90.5 billion for the Department of

Transportation (DOT), while the House companion proposes \$105.7 billion. The House-passed bill would provide \$56.5 billion for the Department of Housing and Urban Development (HUD), relative to \$53.4 billion in the Senate proposal. All these figures are higher than the levels provided last fiscal year.

In the Senate bill, DOT would receive \$29.3 billion in discretionary spending. FTA would receive \$10.2 billion through the Highway Trust Fund (HTF) and \$757 million from the general fund. The Capital Investment Grant (CIG) program would get \$2.3 billion, including:

- \$1.4 billion for the New Starts program
- \$450 million for Core Capacity
- \$252.5 million for Small Starts
- \$100 million for expedited project delivery

Additionally, the legislation includes the following relevant provisions:

- FHWA would receive \$49.9 billion, including \$47.1 billion from the Highway Trust Fund. The bill would also provide \$2.8 billion from the general fund, \$839 million more than last year
- The bill would provide \$1.1 billion for the Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) grant program, a \$90 million increase.
- FAA would receive Airport Improvement program would get \$603 million, a \$203 million boost
- The bill would give \$240 million to the Port Infrastructure Development program, \$10 million more than last year
- The legislation would invest more in transportation safety efforts, including \$50 million for a new program for local safety planning
- The Senate bill also earmarks \$953.2 million for projects requested by Senators

The report accompanying the FY 2022 THUD bill includes language instructing FTA to reevaluate the current calculation for determining railcar capacity under the Core Capacity program. The adjustment could make it easier for transit agencies to compete for funding through the program. The THUD report also contains 599 congressionally directed spending projects.

The Senate bill would provide \$3.3 billion for Homeless Assistance Grants, including:

- \$2.8 billion for renewal of 6,500 Continuum of Care (CoC) projects
- \$290 million for the Emergency Solutions Grants program
- \$107 million is for new targeted projects serving youth experiencing homelessness, including \$25 million for local capacity building to assist communities in improving their youth homelessness systems
- \$52 million for new CoC projects serving survivors fleeing domestic violence
- \$50 million for new CoC projects to provide new permanent supportive housing for individuals experiencing chronic or unsheltered homelessness

The measure would also provide \$1.45 billion for the HOME Investment Partnership program to increase affordable housing stock through increased development.

It would also provide \$51 billion for HUD rental assistance programs, including:

- \$27.7 billion for tenant-based Section 8 vouchers
- \$8.8 billion for public housing, including a historic \$851 million increase for capital funds to address accrued maintenance needs and priority capital improvements, including remediation of housing-related health hazards and energy efficiency and resiliency improvements to make sure tenants live in safe and sanitary conditions
- \$14 billion for project-based Section 8 rental assistance
- \$1.2 billion for Housing for the Elderly and Housing for Persons with Disabilities program

The legislation would also provide significant funding for programs to support marginalized groups to support equity.

Earlier this week, House Appropriations Chair Rosa DeLauro (D-CT) organized a meeting with Ranking Member Kay Granger (R-TX) and their Senate counterparts Chair Patrick Leahy (D-VT) and Ranking Member Richard Shelby (R-AL). The discussion sought to jump-start negotiations on annual spending bills ahead of the December 3 short-term government funding deadline. While Democrats are optimistic that they can strike an agreement, Republicans express skepticism around legislation they consider overly partisan. Senator Shelby has described the Senate proposals as only serving Democratic priorities and eschewing the traditional bipartisan process.

### **Agency Actions and Competitive Grant Update**

#### **California and DOT Announce Partnership on Supply Chain Infrastructure Program**

On Thursday, October 28, the USDOT announced a strategic partnership to help facilitate innovative projects and financing opportunities for multi-billion infrastructure improvements in California. This agreement allows California to expedite work on a network of related projects that collectively will help grow the economy, protect the environment, facilitate the movement of imports and exports, and bring supply chain processes into the 21st century to create resilience throughout the critical trade corridors of California and the U.S., including around San Pedro Bay and the Inland Empire.

#### **FTA Announces Path Forward for BART Phase 2 Project under the Expedited Project Delivery Program**

On Monday, October 25, the U.S. Department of Transportation's Federal Transit Administration (FTA) announced the first Expedited Project Delivery Pilot (EPD) Program to Santa Clara Valley Transportation Authority Bay Area Rapid Transit Silicon Valley Phase II Project. FTA issued a Letter of Intent to VTA announcing the intention to obligate funds for the project and laying out several conditions that VTA must meet within two years to allow the project to be considered for a Full Funding Grant Agreement.

### **DOT Announces Newly Released Biden Administration Climate Adaptation and Reliance Plan**

On Thursday, October 7, the U.S. Department of Transportation released its climate adaptation and resilience plan. The plan is focused on ensuring that federally supported transportation infrastructure—as well as USDOT programs, policies, and operations— both consider climate change impacts and incorporate adaptation and resilience solutions whenever possible. Among the priorities included in the USDOT Climate Adaptation and Resilience Plan:

- Incorporate resilience into USDOT grantmaking programs
- Enhance resilience through the project planning and development process
- Ensure resiliency of USDOT facilities and thousands of operational assets
- Ensure climate-ready services and supplies
- Improve climate education and research on resilience

[The entire plan can be found in this hyperlink.](#)

### **FTA Announces \$3.5 million Funding Opportunity for Innovative Coordinated Access and Mobility Grants**

On Thursday, October 7, the U.S. Department of Transportation's Federal Transit Administration (FTA) announced the availability of \$3.5 million in Fiscal Year 2021 competitive grant funding for projects that improve access to vital services for older adults and people with disabilities, and in low-income communities. [The announcement can be found in this hyperlink.](#) The Innovative Coordinated Access and Mobility (ICAM) pilot program supports public transportation projects that improve state and regional coordination and will help advance the goals of the President's Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. Applications for Fiscal Year 2021 funding will be evaluated based on criteria outlined in the Notice of Funding Opportunity (NOFO) in the Federal Register, including how the project will enhance access and mobility to vital community services for older adults, people with disabilities, and people of low income. [The Federal Register's NOFO can be found in this hyperlink.](#) Applications are due on December 6, 2021



### **HUD Releases Agency Climate Adaptation and Resilience Plan**

On Thursday, October 7, the U.S. Department of Housing and Urban Development (HUD) released its climate adaptation and resilience plan to ensure its facilities and operations adapt and are increasingly resilient to climate change impacts. Some of the key points of the plan include:

- Updating climate risk data and research: HUD will update its policies and operations to create a more climate-resilient system. HUD's Office of Policy Development and Research will work to assess the effectiveness of current building efficiency codes and recovery programs and identify resilience best practices that the agency can adopt to promote investments in climate resilience.
- Reducing climate-related financial risks in mortgage financing: HUD is also exploring market strategies to incentivize both energy and water efficiency and climate-resilient building practices.
- Strengthening disaster recovery and resilience: HUD will update Disaster Recovery and Mitigation grant requirements to promote resilience and environmental justice, ensuring that communities recovering from disasters are more resilient in the future. HUD will also strengthen its floodplain management regulations to focus on increasing flood resilience, promoting environmental justice, improving fiscal security, and minimizing adverse impacts to the beneficial functions of floodplains and wetlands.

### **National Transportation News Roundup (links to articles)**

- [Build Back Bill contains nearly \\$20 billion for better transit and high-speed rail \(Mass Transit\)](#)
- [MTA checks subway fleet by manufacturer of faulty DC Metro trains \(AM NY\)](#)
- [U.S. Asks Transit Agencies to Conduct Inspections After Washington Subway Derailment \(USA Today\)](#)
- [Construction Firms, States Fret as Highway Patch Nears Lapse \(Bloomberg\)](#)
- [With negotiations ongoing, Congress moves to avert furloughs for thousands of federal transportation workers \(Washington Post\)](#)
- [Lawmakers split on next steps to secure transportation sectors against hackers \(The Hill\)](#)

**Infrastructure Investment and Jobs Act Summary  
November 12, 2021**

On November 5, Congress passed the *Infrastructure Investment and Jobs Act*, or IIJA (H.R. 3684), a roughly \$1 trillion transportation, water, broadband and electric grid infrastructure bill that is intended to deliver on a portion of President Biden’s jobs, climate and equity agenda. It is widely anticipated that the IIJA will be supplemented by a “Build Back Better” spending package, expected to be slightly less than \$2 trillion. A summary of the infrastructure bill follows.

The IIJA would invest nearly \$1 trillion in transportation, water, broadband, and power infrastructure as well as resilience investments. Of this amount, approximately \$550 billion would be *new* spending (the nearly \$1 trillion dollar amount reflects the cost to also maintain existing spending levels for certain infrastructure, including surface transportation and water). Total spending amounts by infrastructure category are detailed in the chart below.

**Infrastructure Investment and Jobs Act Spending Categories**  
(\$ in Billions)

<b>Infrastructure Category</b>	<b>Funding<sup>1</sup> Amount</b>
Surface Transportation	\$639
<i>FAST Act Reauthorization<sup>2</sup></i>	<i>\$477</i>
<i>IIJ Act Stimulus (supplemental spending)</i>	<i>\$157</i>
<i>Electric &amp; Low Emission School Buses</i>	<i>\$5</i>
Airports	\$25
Ports and Waterways	\$17
Water Infrastructure	\$91
Broadband	\$65
Power Infrastructure	\$65
Resilience, Western Water Storage and Environmental Remediation	\$71
<b>Transportation Total</b>	<b>\$681</b>
<b>Other Infrastructure Total</b>	<b>\$292</b>
<b>Total</b>	<b>\$973</b>

Source: MTC analysis of H.R. 3684, Eno Transportation Weekly and White House Fact Sheet

---

<sup>1</sup>Amounts for the non-surface transportation spending categories are reflective of "new" spending (above baseline) only, whereas the FAST Act reauthorization amounts reflect baseline plus new spending.

### **Transportation - \$681 billion**

Transportation infrastructure is by far the largest component of the infrastructure bill. Regarding surface transportation, the bill combines a roughly \$477 billion five-year surface transportation reauthorization—a 56 percent increase above Congress’s last five-year transportation bill, the Fixing America’s Surface Transportation (FAST) Act—with approximately \$157 billion in supplemental one-time stimulus funding to be distributed to more than two dozen grant programs over five years.<sup>3</sup> We estimate that the bill would provide about \$4.5 billion in “guaranteed” funding for the Bay Area via the highway and transit formula funds that MTC distributes. We also expect Bay Area projects to receive a share of the state’s \$4.2 billion in bridge repair funds and dedicated resources for zero emission vehicle charging and resilience projects. Attachment A provides a more detailed overview of the surface transportation provisions of the bill.

The most unprecedented element of the deal is in the scale of new discretionary grants that would be administered by the U.S. Department of Transportation (USDOT); the bill would authorize approximately \$140 billion in competitive grant funding that could help fund Bay Area surface transportation priorities). See page 3 of Attachment A for additional details on the discretionary grants.

The bill would also provide funding for airports, ports and waterways, as shown in the chart on Page 1.

### **Water Infrastructure**

Water infrastructure would be funded at approximately \$91 billion and—similar to surface transportation—includes a reauthorization of drinking and wastewater funding (\$36 billion) and provides supplemental one-time stimulus funding to targeted programs. Nearly \$53 billion would be distributed through the existing drinking water and clean water state revolving loan funds (\$26.4 billion each) which provide grants to states for loans supporting water infrastructure and water quality improvement projects. An additional \$15 billion would be available for lead pipe replacement (to be administered through drinking water state revolving loan funds) and \$10 billion to address emerging pollutants. The remaining funding would be distributed through various other programs.

---

<sup>3</sup> Of the \$477 billion in FAST Act reauthorization funds, only \$383 billion in funding is tied to contract authority, which is a mandatory form of budget authority. This provides a degree of certainty that authorized funding will be available each fiscal year. There is much less certainty that the remaining \$94 billion will ultimately be funded by Congress. Intercity and freight rail comprises 38 percent of this "uncertain" funding, multimodal grant programs account for 24 percent, Capital Investment Grants (which fund transit expansion and modernization) and Federal Highway Administration discretionary grants each account for roughly 16 percent and the remaining funds are directed to research, motor carrier safety and other areas. The full \$477 billion is reflected in this summary to demonstrate the full scope of authorized funding in the IJA.

### **Broadband/High-Speed Internet**

The IIJA provides \$65 billion to help build out broadband infrastructure, assist states with developing and implementing digital equity plans, and to subsidize the cost of Internet service for low-income households. Of the funding, \$42.5 billion would be reserved for a U.S. Department of Commerce broadband buildout grant program for states. Each state would receive a minimum of \$100 million; remaining grant funding would be determined via a formula based on each state's proportionate number of underserved and high-cost locations. Another significant component of the broadband proposal is a \$30/month voucher that low-income families may use for Internet service (\$14.2 billion cost). This subsidy builds on the existing Emergency Broadband Benefit established during the pandemic, removing any sunset date for the benefit and expanding eligibility to more low-income households. An estimated 10.6 million Californians would be eligible for the benefit, according to a [White House fact sheet](#).

### **Power Infrastructure and Clean Energy**

The IIJA includes \$65 billion to upgrade power infrastructure and increase energy efficiency, creates a new Grid Deployment Authority, and invests in clean energy research and technology. Investments of interest include: \$5 billion in grants to states, grid operators, and other entities to harden the electric grid against extreme weather events, \$5 billion for demonstration projects aimed at hardening and enhancing grid resilience, \$3 billion for the [Smart Grid Investment Matching Grant Program](#) with expanded eligibilities to include improvements that increase flexibility in responding to natural disasters and fluctuating demand, \$8 billion to establish at least four regional clean hydrogen hubs, \$550 million for the [Energy Efficiency and Conservation Block Grant Program](#) to support state and local governments in investing in energy efficiency and conservation projects and \$225 million for a Department of Energy competitive grant program for states or regional partnerships to update their building energy codes.

### **Resilience, Western Water Storage, Environmental Remediation**

The bill would provide about \$71 billion for resilience, western water storage and remediation, including funding for wildfire resilience, flood mitigation, and ecosystem restoration. Regarding wildfires, the bill includes \$3.3 billion for wildfire risk reduction efforts, including controlled burns, community wildfire defense grants, and funds to boost federal firefighter salaries. The bill would additionally provide \$2 billion for federal ecological restoration projects to support fuel reduction. Other investments of interest:

- \$3.5 billion to supplement the [Weatherization Assistance Program](#) that reduces energy costs for low-income households<sup>4</sup>

---

<sup>4</sup> Weatherization funding could also be categorized under “power infrastructure and clean energy” funding.

- \$1 billion is provided for the Federal Emergency Management Administration (FEMA)’s Building Resilient Infrastructure and Communities (BRIC) grants
- \$1 billion for a new grant program for states and local governments to develop and implement cybersecurity plans
- \$24 million for San Francisco Bay restoration (funds will go to EPA) and \$132 million for the National Estuary Program, of which **an *estimated* \$4.5 million would come directly to the San Francisco Estuary Partnership** over five years (\$900,000/year). This would more than double the Partnership’s current annual federal funding of approximately \$700,000.
- \$17 billion for Army Corps of Engineers flood mitigation and waterways management planning and projects, including \$11.6 billion for construction (intended to support both unfunded projects in the Army Corps pipeline and new construction).<sup>5</sup>
- More than \$8 billion for water storage, recycling, and ecosystem restoration intended to help make California and other western states more resilient to drought
- \$1.2 billion over five years for brownfield remediation
- \$3.5 billion for superfund remediation

---

<sup>5</sup> Based on external infrastructure bill analyses, staff attributed Army Corps funding to the “resilience” category, though a portion of the \$17 billion most likely accounts for a significant amount of the “ports and waterways” funding listed in the chart on Page 1.

**Summary of Surface Transportation Provisions  
of the Infrastructure Investment and Jobs Act  
November 12, 2021**

This writeup provides highlights of the surface transportation aspects of the Infrastructure Investment and Jobs Act (IIJA), with a focus on Bay Area impacts. As shown in the chart below, the IIJA combines a roughly \$477 billion five-year surface transportation reauthorization—a 56 percent increase above Congress’s last five-year transportation bill, the Fixing America’s Surface Transportation (FAST) Act—with approximately \$157 billion in supplemental one-time stimulus funding to be distributed to more than two dozen grant programs over five years.<sup>1</sup>

**Investment and Jobs Act vs. FAST Act Comparison Chart**

	<b>FAST Act (FY 2016-2020)</b>	<b>IIJ Act (FY 2022-2026)</b>	<b>% Increase</b>
Surface Transportation Authorization	\$ 305 billion	\$ 477 billion	56%
One-time General Fund advance appropriation) <sup>1</sup>	-	\$ 157 billion	N/A
<b>Total Authorized Funding</b>	<b>\$ 305 billion</b>	<b>\$ 634 billion</b>	<b>108%</b>

1. Chart does not yet reflect the fiscal year (FY) 2018 through FY 2020 Highway Improvement Program and Transit Infrastructure Grants, which supplemented highway and transit funding.

**Bay Area Highway and Transit Formula Funding Increase**

The IIJA would substantially boost the Bay Area transit formula resources that MTC distributes, and the Bay Area would receive a lesser but not insignificant boost in flexible highway funds. Initial estimates are below and are subject to change.

---

<sup>1</sup> Transportation authorization bill funding reflects both Highway Trust Fund (HTF) amounts—which are essentially “guaranteed”—in addition to those funding amounts authorized but subject to the uncertainty of the annual appropriations process. The FAST Act’s \$305 billion price tag reflected \$282 in HTF proceeds and only \$23 billion in general funds while the IIJA would provide \$383 billion in HTF funding, with \$94 billion in general funds subject to annual appropriations. Congress would need to take additional action each year to meet the full authorized levels for Capital Investment Grants (which fund transit capital and modernization projects) and the many other important IIJA programs. See pages 3-5 for more on funding certainty for grants of interest.

*Bay Area Transit*

The IIJA would provide the Bay Area \$3.4 billion in transit formula funds over five years vs. the \$2.3 billion in Federal Transit Administration (FTA) formula funds over the FAST Act period, as shown below.

**Bay Area Transit Formula Fund Estimate**

	<b>FAST Act (FY 2016-2020)<sup>1</sup></b>	<b>IIJA (FY 2022-2026)<sup>2</sup></b>	<b>5-Year Funding Increase</b>
<b>State of Good Repair</b>	\$1.1 billion	\$1.7 billion	\$0.7 billion
<b>Urbanized Area</b>	\$1.1 billion	\$1.5 billion	\$0.4 billion
<b>Other</b>	\$0.1 billion	\$0.2 billion	\$0.1 billion
<b>Total</b>	<b>\$2.3 billion</b>	<b>\$3.4 billion</b>	<b>\$1.1 billion</b>

Sums may not total due to rounding. FAST Act and IIJA amounts include funding from supplemental appropriations.

This funding increase would be a result of both a big boost in the federal transit formula funding from the Highway Trust Fund (HTF)—a big win for the long-term as it would be very unusual for HTF-funded federal transit (and highway) program funding levels to fall below this new baseline after five years at this funding level—and because of additional one-time supplemental stimulus funding to the Section 5337 State of Good Repair program, which we advocated for along with our large transit system partners across the country.

*Bay Area Flexible Highway, Climate and Bike/Ped Formula Funding*

The IIJA would increase five-year funding totals for flexible highway program funding in the Bay Area from approximately \$880 million to \$1.1 billion. Note that much of this increase is due to the new, highly flexible Carbon Reduction formula program, which the Senate funded at the expense of increasing the Congestion Mitigation and Air Quality Improvement (CMAQ) Program. Like CMAQ, the Carbon Reduction Program has broad eligibilities including public transit, high occupancy vehicle projects and congestion pricing. See chart below:

**Bay Area Highway Formula Fund Estimate**

	<b>FAST Act (FY 2016-2020)*</b>	<b>IIJ Act (FY 2022-2026)</b>	<b>5-Year Funding Increase</b>
Surface Transportation Program	\$473 million	\$603 million	\$130 million
CMAQ	\$367 million	\$368 million	\$1 million
Transportation Alternatives Program <sup>1</sup>	\$38 million	\$70 million	\$32 million
Carbon Reduction Program ( <i>new</i> )	-	\$71 million	\$71 million
<b>Total</b>	<b>\$878 million</b>	<b>\$1.1 billion</b>	<b>\$234 million</b>

1. Amount reflects only those program funds suballocated to the Bay Area for the regional Active Transportation Program; does not include the Bay Area's share of the states "any area" funds

Encouragingly, metropolitan planning resources that come directly to MTC would increase as well, with the Metropolitan Planning program increasing by about 30 percent overall compared to FAST Act levels (FAST Act FY 2016-2020 vs. proposed FY 2022-2026 funding).

### **California Funding for Bridges, Resilience and Electric Vehicle Charging Infrastructure**

The State of California would receive a **much larger** increase in formula funds (proportionately and dollar amount) compared to the suballocated formula programs, including five-year totals of approximately \$4.2 billion from a flexible new bridge repair formula program (\$27.5 billion nationwide) and approximately \$380 million for electric vehicle charging infrastructure. Additionally, California would receive over the five-year timeframe roughly \$2.6 billion in funding that could be used for resilience-focused investments, \$630 million from a new resilience-focused formula program for states and up to \$1.9 billion of the state’s anticipated \$12.8 billion in National Highway Performance Program (NHPP) highway funding (highway and bridge resilience would be newly eligible for up to 15 percent of NHPP funding). We expect there will be legislation at the state level to implement these new programs, providing an opportunity to advocate for an approach that maximizes funding for the Bay Area.

Additionally, California’s Trade Corridors Enhancements Program and “any area” Active Transportation Program would both be expected grow in accordance with the funding increases proposed for the federal freight formula program and federal Transportation Alternatives Program since state law directs these federal funds to these programs.

### **Opportunity for Bay Area Projects to Compete for more than \$100 billion in Discretionary Grants**

Bay Area projects (large and small) could also receive substantial direct federal investment via funding for existing and new discretionary grant programs. In addition to huge dollar amounts, the focus of the grant programs reflects many of the Plan Bay Area 2050 priorities and in general the selection criteria are Bay Area/large metro-friendly (ex: points for national and regional economic benefits). Grant programs of interest are listed below.

We have identified approximately \$140 billion in grant funding that could fund Bay Area priority projects. Of this, roughly \$100 billion is “guaranteed” funding—i.e., grants are either funded from the Highway Trust Fund (HTF) or one-time supplemental general fund stimulus (upfront stimulus)—while the approximately \$40 billion in non-stimulus general fund authorizations (GF) are much less certain as they are subject to annual appropriations. Of note, the IIJA authorizes tens of billions of dollars for additional grants for programs that are either targeted to non-Bay Area geographies or target projects that typically fall outside the scope of Plan Bay Area 2050 investment priorities (such as wildlife crossings).



**Transit, Bridge, Climate, Rail, Safety, and Priority Project Discretionary Grant Programs**

(Note: National five-year totals. Fund sources listed to provide indication as to level of certainty that the funding will be made available.)

***Highway and Bridge***

- Bridge Investment Program - \$15.8 billion for a new bridge program
  - \$9.2 billion in upfront stimulus funding, plus \$3.3 billion guaranteed from the reauthorization (HTF) and \$3.3 billion in general funds subject to annual appropriations
  - Program would provide multi-year grants for major bridge improvements, like full funding grant agreements for bridges. BATA bridges and Golden Gate Bridge could apply. Smaller projects could be funded too.
- Charging and Fueling Infrastructure Grants (alternative fuel vehicles) - \$2.5 billion (HTF)
- Rural Surface Transportation Grant Program - \$2 billion (HTF)
  - Grants for highway and bridge improvement, freight and safety projects in urbanized areas less than 200,000 in population. Travel demand management projects are also eligible.
  - States, regional transportation planning organizations, local governments, and multijurisdictional groups may apply.

***Transit and Intercity Passenger Rail***

- Capital Investment Grants - \$23 billion
  - \$8 billion in one-time upfront stimulus funding plus \$15 billion subject to appropriation (vs. \$12 billion in the FAST Act).
  - Program funds transit modernization and expansion projects
- Federal-State Partnership for Intercity Passenger Rail – \$43.5 billion total; Up to \$19.5 billion eligible to be spent outside of the Northeast Corridor.
  - \$36 billion in upfront funding, of which at least \$12 billion may be spent outside the Northeast Corridor; \$7.5 billion in additional funds subject to annual appropriations, of which not less than \$3.4 billion must be spent outside the Northeast Corridor)
  - Expanded eligibilities to allow program to fund new and expanded intercity rail (e.g., California High Speed Rail), in addition to the program's historic focus on Amtrak and other intercity rail service's state of good repair
- Consolidated Rail Infrastructure and Safety Improvements (CRISI) - \$10 billion
  - \$5 billion in upfront stimulus funding and \$5 billion subject to annual appropriations
  - Program funds rail safety, efficiency and reliability improvements. Examples of eligible projects include capital projects to reduce congestion and facilitate ridership growth and highway-rail grade crossing improvements.

- Railroad Crossing Elimination Program - \$5.5 billion
  - New program funded at \$3 billion in upfront stimulus funding and \$2.5 billion subject to annual appropriations
  - Supplements the longstanding Rail-Highway Grade Crossing program funding that is distributed to states via formula, funded through the HTF at \$1.2 billion (FAST Act funded the program at \$1.1 billion).
- Low- and Zero-Emission Bus Program (transit) – \$5.6 billion
  - \$375 million guaranteed from the reauthorization (HTF) and \$5.25 billion in upfront stimulus
- ADA Accessibility Improvements for Legacy Rail Systems - \$1.75 billion (upfront stimulus) (*new program*)
- Competitive Grants for Rail Vehicle Replacement - \$1.5 billion (HTF)
- Electric or Low-Emission Ferry Program - \$500 million
  - \$250 million in upfront stimulus funding, plus \$250 million subject to annual appropriations

***Multimodal Mobility, Economy, Safety, and Climate Programs***

- National Infrastructure Project Assistance - \$15 billion
  - \$5 billion in upfront stimulus funding and \$10 billion subject to annual appropriations
  - Program would provide multiyear grant agreements for large projects
  - Multimodal eligibility, including for integrated intercity and commuter rail projects, as advocated by MTC and national partners
- Local and Regional Project Assistance - \$15 billion
  - \$7.5 billion in upfront stimulus funding plus \$7.5 billion subject to annual appropriations
  - Authorizes RAISE (BUILD/TIGER)
- INFRA (multimodal freight program) - \$8 billion
  - \$4.8 billion from the HTF and \$3.2 billion in upfront stimulus appropriations
- Safe Streets and Roads for All - \$6 billion
  - \$5 billion in one-time upfront stimulus funding, \$1 billion subject to annual appropriations
  - Grants for local jurisdictions and metropolitan planning organizations to develop and implement Vision Zero safety plans
- Port Infrastructure Development Program - \$2.25 billion in upfront stimulus
  - Existing program to fund projects that improve safety, efficiency, or reliability of goods moving into and out of ports. IIJA funds may also be used for port resiliency, greenhouse gas emissions reductions, and air quality improvements.
- PROTECT resilience grants - \$1.4 billion (HTF)
  - States, locals, metropolitan planning organizations, and other transportation authorities may apply.

***Multimodal Mobility, Economy, Safety, and Climate Programs, cont.***

- Reconnecting Communities - \$1 billion
  - \$500 million from the HTF, \$500 million in upfront stimulus
  - Grants may fund planning and construction to remove or retrofit highways and restore community connectivity
- SMART (Strengthening Mobility and Revolutionizing Transportation Grant Program) - \$1 billion
  - \$500 million in upfront stimulus; \$500 million subject to annual appropriations
  - Eligible projects include automated and connected vehicle infrastructure deployment, transit signal prioritization, and other technology-related transportation system improvements
- Intelligent Transportation Systems Program - \$550 million (HTF)
  - Existing grant program funded at 10 percent more per year than under the FAST Act.
- Reduce Truck Emissions at Port Facilities - \$400 million
  - \$250 million from the HTF; \$150 million in upfront stimulus
  - New grant program to fund projects that reduce idling and emissions from port facilities, including port electrification projects.
- Congestion Relief Program - \$250 million (HTF)
  - New flexible major metro congestion reduction program. Eligibilities are broad and allow for congestion pricing on existing Interstate highways

Notes: FTA ferry program could receive an additional \$1.25 billion over five years, subject to inclusion in a technical corrections bill, and Capital Corridor projects could benefit from IJIA's historic investments in Amtrak.