

Meeting Agenda - Final

Joint ABAG MTC Governance Committee

ABAG Committee Members
President Jesse Arreguin
Cindy Chavez, Rich Garbarino, Julie Pierce,
Belia Ramos, and Dennis Rodoni

MTC Committee Members
Commission Chair Scott Haggerty
Dave Cortese, Nick Josefowitz, Alfredo Pedroza,
James P. Spering, and Amy Worth

Wednesday, June 24, 2020

12:30 PM

Board Room - 1st Floor (Remote)

Joint ABAG MTC Governance Committee

The Joint ABAG MTC Governance Committee will be meeting on June 24, 2020, 12:30 p.m., in the Bay Area Metro Center (Remotely). In light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with Executive Order N-29-20 issued by Governor Newsom on March 17, 2020 and the Guidance for Gatherings issued by the California Department of Public Health, the meeting will be conducted via webcast, teleconference, and Zoom for committee, commission, or board members who will participate in the meeting from individual remote locations.

A Zoom panelist link for meeting participants will be sent separately to committee, commission, or board members.

The meeting webcast will be available at: <https://abag.ca.gov/meetings-events/live-webcasts>
and at: <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>

Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

Attendee Link: <https://bayareametro.zoom.us/j/97146320867>
Join by Telephone: 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)
Webinar ID: 971 4632 0867

Detailed instructions on participating via Zoom are available at:
<https://abag.ca.gov/zoom-information> and at:
<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>

Committee members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial "*9".

In order to get the full Zoom experience, please make sure your application is up to date.

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name 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.

The Joint ABAG MTC Governance Committee may act on any item on the agenda.

The meeting is scheduled to begin at 12:30 p.m.

Agenda, roster and webcast available at <https://mtc.ca.gov> and <https://abag.ca.gov>

For information, contact Clerk of the Board at (415) 820-7913.

1. Call to Order / Roll Call / Confirm Quorum

2. Consent Calendar

- 2.a. [20-0864](#) Approval of Joint ABAG MTC Governance Committee Minutes of May 27, 2020

Action: Approval

Presenter: Clerk of the Board

Attachments: [Item 02a Minutes 20200527.pdf](#)

3 ABAG MTC Committee Work Integration

- 3.a. [20-0865](#) Update on Committee Consolidation Plan Phase 2

Action: Information

Presenter: Therese McMillan

Attachments: [Item 03a 1 Summary Sheet Legislation.pdf](#)
[Item 03a 2 Attachment Memo Legislation Committee.pdf](#)

4. Public Comment / Other Business

Information

5. Adjournment / Next Meeting

The next meeting of the Joint ABAG MTC Governance Committee is on July 22, 2020.

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) 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.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 20-0864 **Version:** 1 **Name:**

Type: Minutes **Status:** Consent

File created: 5/22/2020 **In control:** Joint ABAG MTC Governance Committee

On agenda: 6/24/2020 **Final action:**

Title: Approval of Joint ABAG MTC Governance Committee Minutes of May 27, 2020

Sponsors:

Indexes:

Code sections:

Attachments: [Item 02a Minutes 20200527.pdf](#)

Date	Ver.	Action By	Action	Result
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Approval of Joint ABAG MTC Governance Committee Minutes of May 27, 2020

Clerk of the Board

Approval

Meeting Minutes - Draft

Joint ABAG MTC Governance Committee

ABAG Committee Members

President Jesse Arreguin

*Cindy Chavez, Rich Garbarino, Julie Pierce,
Belia Ramos, and Dennis Rodoni*

MTC Committee Members

Commission Chair Scott Haggerty

*Dave Cortese, Nick Josefowitz, Alfredo Pedroza,
James P. Spering, and Amy Worth*

Wednesday, May 27, 2020

9:20 AM

Board Room - 1st Floor (Remote)

Joint ABAG MTC Governance Committee

1. Call to Order / Roll Call / Confirm Quorum

Chair Haggerty called the meeting to order at about 12:18 p.m. Quorum was present.

Present: 8 - President Arreguin, Committee Member Chavez, Commission Chair Haggerty, Commission Vice Chair Pedroza, Committee Member Pierce, Committee Member Rodoni, Committee Member Spering and Committee Member Worth

Absent: 4 - Committee Member Cortese, Committee Member Garbarino, Committee Member Josefowitz and Vice President Ramos

2. Consent Calendar

Upon the motion by Arreguin and second by Pedroza, the Consent Calendar was approved. The motion passed unanimously by the following vote:

Aye: 8 - President Arreguin, Committee Member Chavez, Commission Chair Haggerty, Commission Vice Chair Pedroza, Committee Member Pierce, Committee Member Rodoni, Committee Member Spering and Committee Member Worth

Absent: 4 - Committee Member Cortese, Committee Member Garbarino, Committee Member Josefowitz and Vice President Ramos

2.a. [20-0775](#) Approval of Joint ABAG MTC Governance Committee minutes of April 10, 2020.

3. ABAG MTC Committee Work Integration

3.a. [20-0776](#) Game Plan and Timeline for Phase 2 of Committee Consolidation Plan

Brad Paul gave the report.

The following gave public comment: Rich Hedges, Ken Bukowski, Randi Kidman.

4. Public Comment / Other Business

The following gave public comment: Ken Bukowski.

5. Adjournment / Next Meeting

Chair Haggerty adjourned the meeting at about 1:11 p.m. The next meeting of the Joint ABAG MTC Governance Committee is on June 24, 2020.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 20-0865 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 5/22/2020 **In control:** Joint ABAG MTC Governance Committee

On agenda: 6/24/2020 **Final action:**

Title: Update on Committee Consolidation Plan Phase 2

Sponsors:

Indexes:

Code sections:

Attachments: [Item 03a 1 Summary Sheet Legislation.pdf](#)
[Item 03a 2 Attachment Memo Legislation Committee.pdf](#)

Date	Ver.	Action By	Action	Result
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Update on Committee Consolidation Plan Phase 2

Therese McMillan

Information

Joint ABAG MTC Governance Committee

June 24, 2020

Agenda Item 3.a.

ABAG MTC Committee Work Integration

Subject: Report on Consolidated Legislation Committee

Background: In May, the Metropolitan Transportation Commission and ABAG Executive Board took initial steps to consolidate several ABAG and MTC committees, starting with the Legislation Committees, and asked staff to prepare a memo describing the administrative and procedural changes necessary before consolidation can take place.

Staff requests guidance on the questions outlined in the attached memo to inform recommendations for the consolidated Legislation Committee that will be brought back in July.

Issues: None

Recommendation: Information

Attachments: Memo, Major Questions Related to Creating a New Consolidated Legislation Committee

Reviewed:


Therese W. McMillan



Date: June 18, 2020

To: Joint ABAG MTC Governance Committee

Fr: Therese W. McMillan, Executive Director

Re: **Major Questions Related to Creating a New Consolidated Legislation Committee**

In May, the Commission and Executive Board took initial steps to consolidate several ABAG and MTC committees, starting with the Legislation Committees, and asked staff to prepare a memo describing the administrative and procedural changes necessary before consolidation can take place. Staff asks for your guidance on the following questions to inform our recommendations for the consolidated Legislation Committee that we will be bringing back to you in July.

How will a single consolidated Legislation Committee report up to two governing boards?

Key Fact: A consolidated committee with members from two separate governing boards cannot direct via recommendation or otherwise act on behalf of those governing boards independently. They can advise actions of the governing boards, but those are not binding in any fashion.

That notwithstanding, the advisory function of a consolidated committee has inherent value to the separate governing boards receiving that advice. As an example, if the committees were combined and had 18 members (9 ABAG/9 MTC) and voted on a bill as follows, ABAG members 8-1 to Oppose/MTC members 7-2 to Support, then the committee as a whole would *oppose* the bill by 10-8 vote.

Consequences: The advisory vote would be forwarded to the ABAG Executive Board and the MTC Commission as the formal action taken. The Legislation Committee members on each body could explain their perspective, if it differed from the advisory vote. Following discussion, the Commission and ABAG Executive Board would make its own *de novo* decision. This would be informed by the advisory recommendation of the consolidated Legislation Committee and any subsequent discussion at the full board meetings.

Could the new Consolidated Committee take action on very short notice prior to action by its full governing bodies? How might it take positions on bills that significantly impact one agency but the other agency has no interest in?

Currently, both agencies have procedures for taking emergency action on bills when necessary. MTC's Legislation Committee can take a position on a bill, convey it to the state legislature and then inform the Commission at its next meeting and seek validation. Similarly, ABAG's President and Legislation Committee Chair can take positions on a bill, inform Sacramento and ask the Executive Board to validate their position after the fact. In addition, of the many bills the legislature takes up each year, some are of interest to both MTC and ABAG while others are of interest to only one (e.g. TDA Reform to the Commission).

Major Questions Related to Creating a New Consolidated Legislation Committee

June 18, 2020

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Consequences: If the Commission and ABAG Executive Board wish to retain the authority to act quickly in advance of action by their full bodies and/or take up bills of interest to only one agency but not the other, subcommittees comprised of ONLY the MTC members or ONLY the ABAG Executive Board members of the consolidated Legislation Committee may need to be appointed and vested with these specific authorities for limited circumstances. If established, staff may need to calendar all three committees/subcommittees concurrently in those months when specific discrete actions by all three are required.

How will Chair and Vice Chair of the Consolidated Committee be selected?

While ABAG's President has sole authority to appoint ABAG committees, once a committee is appointed the committee members themselves choose their Chair and Vice Chair. Under MTC procedures, the Chair appoints the Chairs and Vice Chairs of all committees but those appointments must be ratified by a vote of the Commission. *Staff recommends* that the consolidated committee have two Co-Chairs and Vice Chairs, one each from ABAG and MTC

Consequences: Where necessary to amend MTC's Commission Procedures Manual, amendments go to the MTC Administration Committee first, then to the Commission. Any changes to ABAG's procedures go straight to the Executive Board. To stay on schedule, this all needs to happen in July and August.

How will Committee membership be determined?

Factors: In addition to each agency appointing an equal number of members, ABAG and MTC will need to agree on what the right balance is between city and county representation as well as geographic representation by sub-region—North Bay, East Bay, West Bay, South Bay.

Total #: X	ABAG-city	ABAG-county	MTC-city	MTC-county
North Bay				
South Bay				
East Bay				
West Bay				

Open vs. Closed Membership: We will need to reconcile rules around who can attend meetings. ABAG has designated, closed membership and doesn't deputize to address quorum issues. MTC can deputize members to achieve quorum but also lets Commissioners attend all committee meetings as non-voting members with the same speaking privileges as voting members.

Consequences: Following MTC's protocol would mean all 21 Commissioners and 35 Executive Board members could sit at the dais and speak as members of the committee. To better manage the size of the group and length of meetings, *staff recommends* using ABAG's defined membership model and addressing quorum issues through some form of deputizing if possible. The MTC Commissioners that aren't members of Legislation Committee but wish to speak would do so during public comment.

Major Questions Related to Creating a New Consolidated Legislation Committee

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How will staff support the consolidated Legislation Committee meetings?

Scheduling: Currently, Joint MTC and ABAG Legislation Committee meetings are on Fridays when the MTC committees meet. *Staff recommends* keeping meetings on those days.

Clerk Support: Open question: not for Board level consideration, but internal resolution.

Currently Martha Silver is clerk for MTC's Legislation Committee and Fred Castro is Clerk for ABAG's Legislation Committee. Staff will determine appropriate assignments, including the anticipated, limited cases where subcommittees as suggested above need to convene.