



# Metropolitan Transportation Commission

Bay Area Metro Center  
375 Beale Street  
San Francisco, CA 94105

## Meeting Agenda

### Administration Committee

#### *Committee Members:*

*Federal D. Glover, Chair      Jeannie Bruins, Vice Chair*

*Carol Dutra-Vernaci, Nick Josefowitz, Gina Papan,  
Hillary Ronen, Libby Schaaf, Amy R. Worth*

*Non-Voting Member: Tony Tavares*

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Wednesday, August 12, 2020

9:05 AM

Board Room - 1st Floor

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**\*\*\* PLEASE NOTE MEETING START TIME \*\*\***

The Administration Committee is scheduled to meet on Wednesday, August 12, 2020 at 9:05 a.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://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/94751833423>  
Join by Telephone: 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)  
Webinar ID: 947 5183 3423

Detailed instructions on participating via Zoom are available 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](mailto: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.

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

*Quorum: A quorum of this committee shall be a majority of its regular non-ex-officio voting members (5).*

**2. Pledge of Allegiance****3. Compensation Announcement (Clerk)****4. Consent Calendar**

- 4a. [20-1098](#) Minutes of the July 8, 2020 meeting

Action: Committee Approval

Attachments: [4a 20-1098 July 8 Admin Draft Meeting Minutes.pdf](#)

**5. Committee Approval**

- 5a. [20-1085](#) Contract - Plan Bay Area 2050 Environmental Impact Report: Ascent Environmental, Inc. (\$397,373.52)

Staff are seeking approval of a contract in an amount not-to-exceed \$397,373.52 with Ascent Environmental, Inc. to provide environmental analysis services and prepare the Environmental Impact Report (EIR) for Plan Bay Area 2050.

Action: Committee Approval

Presenter: Chirag Rabari

Attachments: [5a 20-1085 Contract Ascent PBA50 EIR Consultant.pdf](#)

- 5b. [20-1123](#) MTC Resolution No. 1058, Revised - Commission Procedures Manual Update

An update to the Commission Procedures Manual to implement the Legislative Committee Consolidation as recommended by the Joint ABAG MTC Governance Committee.

Action: Commission Approval

Presenter: Therese McMillan

Attachments: [5b 20-1123 Reso-1058 Commission Procedures Manual Updatex.pdf](#)

**6. Public Comment / Other Business**

**7. Adjournment / Next Meeting:**

The next meeting of the Administration Committee is scheduled to be held on September 9, 2020 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.

**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.

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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.

MTC's Chair and Vice-Chair are ex-officio voting members of all standing Committees.



# Metropolitan Transportation Commission

375 Beale Street, Suite 800  
San Francisco, CA 94105

## Legislation Details (With Text)

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**File #:** 20-1098      **Version:** 1      **Name:**  
**Type:** Minutes      **Status:** Consent  
**File created:** 7/1/2020      **In control:** Administration Committee  
**On agenda:** 8/12/2020      **Final action:**  
**Title:** Minutes of the July 8, 2020 meeting  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [4a 20-1098 July 8 Admin Draft Meeting Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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**Subject:**  
Minutes of the July 8, 2020 meeting

**Recommended Action:**  
Committee Approval



# Metropolitan Transportation Commission Meeting Minutes

Bay Area Metro Center  
375 Beale Street  
San Francisco, CA 94105

## Administration Committee

### *Committee Members:*

*Federal D. Glover, Chair      Jeannie Bruins, Vice Chair*

*Carol Dutra-Vernaci, Nick Josefowitz, Gina Papan,  
Hillary Ronen, Libby Schaaf, Amy R. Worth  
Non-Voting Member: Tony Tavares*

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Wednesday, July 8, 2020

9:40 AM

Board Room - 1st Floor (REMOTE)

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### Call Remote Meeting to Order

#### 1. Roll Call / Confirm Quorum

**Present:** 7 - Commissioner Bruins, Commissioner Dutra-Vernaci, Chair Glover, Commissioner Josefowitz, Commissioner Papan, Commissioner Ronen and Commissioner Worth  
**Absent:** 1 - Commissioner Schaaf

Non-Voting Member Absent: Commissioner Tavares

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

Ad Hoc Non-Voting Members Present: Commissioner Ahn, Commissioner Cortese, Commissioner Giacomini, Commissioner Mackenzie, and Commissioner Spering

#### 2. Consent Calendar

**Upon the motion by Commissioner Bruins and the second by Commissioner Dutra-Vernaci, the Consent Calendar was unanimously approved by the following vote:**

**Aye:** 7 - Commissioner Bruins, Commissioner Dutra-Vernaci, Chair Glover, Commissioner Josefowitz, Commissioner Papan, Commissioner Ronen and Commissioner Worth

**Absent:** 1 - Commissioner Schaaf

**2a.**      [20-0871](#)      Minutes of the June 10, 2020 meeting

**Action:** Committee Approval

**2b.**      [20-0872](#)      Investment Report for April 2020

**Action:** Information

**Presenter:** Catherine Cam

2c. [20-0895](#) Monthly Travel Report

**Action:** Information

**Presenter:** Raymond Woo

2d. [20-0914](#) Funding Agreement Amendment - Regional Planning Coordination, Adapting to Rising Tides Program and Resilience Planning: Bay Conservation and Development Commission (\$227,052)

**Action:** Committee Approval

**Presenter:** Michael Germeraad

### 3. Approval

3a. [20-0897](#) Partnership Agreement - Database Development and Training: Bay Area Air Quality Management District (\$300,000)

Accept \$300,000 in funding from the Air District for the Data and Visualization Unit of the Regional Planning Program to provide it with ongoing technical assistance and training on AB 617 projects and the Climate Program. Funding from the Air District will support one employee position for one year within the Data and Visualization Unit.

**Action:** Committee Approval

**Presenter:** Kearey Smith and Phil Martien

**Upon the motion by Commissioner Papan and the second by Commissioner Worth, the Committee unanimously approved the partnership agreement with the Bay Area Air Quality Management District. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Bruins, Commissioner Dutra-Vernaci, Chair Glover, Commissioner Josefowitz, Commissioner Papan, Commissioner Ronen and Commissioner Worth

**Absent:** 1 - Commissioner Schaaf

### 4. Public Comment / Other Business

### 5. Adjournment / Next Meeting:

**The next meeting of the Administration Committee is scheduled to be held on August 12, 2020 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.**



# Metropolitan Transportation Commission

375 Beale Street, Suite 800  
San Francisco, CA 94105

## Legislation Details (With Text)

**File #:** 20-1085      **Version:** 1      **Name:**  
**Type:** Contract      **Status:** Committee Approval  
**File created:** 6/29/2020      **In control:** Administration Committee  
**On agenda:** 8/12/2020      **Final action:**  
**Title:** Contract - Plan Bay Area 2050 Environmental Impact Report: Ascent Environmental, Inc.  
(\$397,373.52)

Staff are seeking approval of a contract in an amount not-to-exceed \$397,373.52 with Ascent Environmental, Inc. to provide environmental analysis services and prepare the Environmental Impact Report (EIR) for Plan Bay Area 2050.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [5a 20-1085 Contract Ascent PBA50 EIR Consultant.pdf](#)

Date	Ver.	Action By	Action	Result
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**Subject:**

Contract - Plan Bay Area 2050 Environmental Impact Report: Ascent Environmental, Inc.  
(\$397,373.52)

Staff are seeking approval of a contract in an amount not-to-exceed \$397,373.52 with Ascent Environmental, Inc. to provide environmental analysis services and prepare the Environmental Impact Report (EIR) for Plan Bay Area 2050.

**Presenter:**

Chirag Rabari

**Recommended Action:**

Committee Approval



## **Metropolitan Transportation Commission Administration Committee**

**August 12, 2020**

**Agenda Item 5a - 20-1085**

### **Contract – Plan Bay Area 2050 Environmental Impact Report: Ascent Environmental, Inc. (\$397,373.52)**

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**Subject:** Staff are seeking approval of a contract in an amount not-to-exceed \$397,373.52 with Ascent Environmental, Inc. to provide environmental analysis services and prepare the Environmental Impact Report (EIR) for Plan Bay Area 2050.

**Background:** The purpose of the EIR for Plan Bay Area 2050 – the long-range regional plan for transportation, housing, the economy, and the environment for the nine-county San Francisco Bay Area – is to comply with the requirements of the California Environmental Quality Act (CEQA), as well as applicable provisions in the FAST Act (Title 23 CFR Parts 450 and 500), Senate Bill (SB) 375 and other relevant state and federal environmental laws. The EIR will be designed to inform decision-makers, responsible and trustee agencies, and the general public of the proposed actions and range of potential environmental effects of implementing the transportation, housing, economic, and environmental strategies proposed in Plan Bay Area 2050. The EIR will also identify feasible mitigation measures and evaluate a range of plan alternatives to minimize the significant adverse impacts that are identified.

As a programmatic EIR, it will also be prepared at a sufficient level of detail to facilitate effective tiering from this document by lead agencies of future transportation and development projects, particularly those projects that can benefit from SB 375 CEQA streamlining provisions.

#### **Procurement Process**

MTC issued a Request for Proposals (RFP) on May 28, 2020 for consultant technical support to provide environmental analysis services. The RFP was posted on MTC's website and an e-mail advertising the opportunity was sent to 2,965 individuals and firms. The RFP materials were downloaded from MTC's online procurement portal by 70 firms. On June 4, 2020 MTC hosted a Pre-Proposal Conference which was attended by seven firms.

MTC received two qualified proposals, led by Rincon Consultants and Ascent Environmental, Inc. Each of these firms' proposals was supported by a team of subconsultants. A panel of three members comprised of staff from MTC performed an initial evaluation of the proposals and held interviews. The panel scored the final proposals based on the evaluation criteria as listed in the table on the following page:

Evaluation Criteria	Ascent Environmental	Rincon
Individual and Team Experience – 25 points	24.00	21.67
Approach to Completing the Project – 25 points	23.33	20.33
Cost Effectiveness – 15 points	13.00	12.00
Price – 20 points	18.00	20.00
Written and Oral Communications Skills - 15 points	14.33	12.67
<b>Total</b>	<b>92.67</b>	<b>86.67</b>

Based on its evaluation, the panel recommends the team led by Ascent Environmental, Inc. based on a number of identified strengths, including:

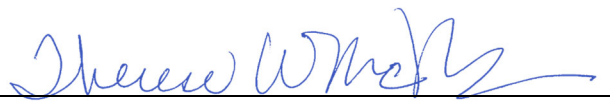
- A highly qualified team with demonstrated experience working on EIRs of similar size and scope;
- A team with a significant knowledge and staff expertise about key regional planning and environmental issues in the Bay Area;
- A clear understanding of the potential EIR implications of changes in the Plan's growth framework compared to past efforts; and
- A highly detailed and compelling approach to the project, which anticipated and proposed solutions to potential challenge areas.

Funds for this contract are available in the approved FY 2020-21 Agency Budget. Per the requirements of the RFP, the proposal from Ascent Environmental, Inc. included several optional subtasks focused primarily on technical assistance in key project areas. Funds for these optional subtasks, if needed, are available in the approved FY 2020-21 Agency Budget. The work under this contract is anticipated to commence on or before August 19, 2020, and to be complete by September 30, 2021. Attachment A includes a summary of Ascent Environmental, Inc. and its project team's small business and disadvantaged business enterprise status.

**Issues:** None identified

**Recommendation:** Staff recommends that the Committee authorize the Executive Director or designee to negotiate and enter into a contract with Ascent Environmental, Inc. in an amount not to exceed \$397,373.52 to prepare the EIR for Plan Bay Area 2050.

**Attachments:** Attachment A: Contractor DBE and SBE Status  
Request for Committee Approval – Summary of Proposed Contract

  
Therese W. McMillan

## Attachment A

### Small Business and Disadvantaged Business Enterprise Status

			DBE* Firm			SBE** Firm		
	Firm Name	Role on Project	Yes	If Yes, List #	No	Yes	If Yes, List #	No
Prime Contractor	Ascent Environmental, Inc.	Project management, environmental analysis			X	X	1208561	
Subcontractor	Kittelson & Associates, Inc.	Transportation analysis			X			X

\*Denotes certification by the California Unified Certification Program (CUCP).

\*\*Denotes certification by the State of California.

## REQUEST FOR COMMITTEE APPROVAL

### Summary of Proposed Contract

Work Item No.: 1121

Consultant: Ascent Environmental, Inc. (Sacramento, CA)

Work Project Title: Plan Bay Area 2050 Environmental Impact Report (EIR)

Purpose of Project: To prepare the EIR for Plan Bay Area 2050

Brief Scope of Work: The purpose of the EIR is to inform decision-makers, responsible and trustee agencies, and the public of the potential environmental impacts of implementing the transportation, housing, economic and environmental strategies proposed in Plan Bay Area 2050. The EIR will also identify feasible mitigation measures and evaluate a range of plan alternatives to minimize the significant adverse impacts that are identified.

Project Cost Not to Exceed: \$397,373.52

Funding Source: General Fund

Fiscal Impact: \$397,373.52 is available in the FY 2020-21 Agency Budget.

Motion by Committee: That the Executive Director or designee is authorized to negotiate and enter into a contract with Ascent Environmental, Inc. to prepare the EIR for Plan Bay Area 2050 as described above and in the Administration Committee Summary Sheet dated August 12, 2020 and the Chief Financial Officer is authorized to set aside \$397,373.52 for such contract.

Administration Committee:

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Federal D. Glover, Chair

Approved: August 12, 2020



# Metropolitan Transportation Commission

375 Beale Street, Suite 800  
San Francisco, CA 94105

## Legislation Details (With Text)

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**File #:** 20-1123      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Commission Approval  
**File created:** 7/8/2020      **In control:** Administration Committee  
**On agenda:** 8/12/2020      **Final action:**  
**Title:** MTC Resolution No. 1058, Revised - Commission Procedures Manual Update

An update to the Commission Procedures Manual to implement the Legislative Committee Consolidation as recommended by the Joint ABAG MTC Governance Committee.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [5b 20-1123 Reso-1058 Commission Procedures Manual Updatex.pdf](#)

Date	Ver.	Action By	Action	Result
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**Subject:**

MTC Resolution No. 1058, Revised - Commission Procedures Manual Update

An update to the Commission Procedures Manual to implement the Legislative Committee Consolidation as recommended by the Joint ABAG MTC Governance Committee.

**Presenter:**

Therese McMillan

**Recommended Action:**

Commission Approval

# Metropolitan Transportation Commission Administration Committee

August 12, 2020

Agenda Item 5b - 20-1123

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## MTC Resolution No. 1058, Revised - Commission Procedures Manual Update

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**Subject:** An update to the Commission Procedures Manual to implement the Legislative Committee Consolidation as recommended by the Joint ABAG MTC Governance Committee.

**Background:** In May 2020, the Commission and Executive Board took initial steps to consolidate several ABAG and MTC committees, starting with the Legislation Committees, and asked staff to identify procedural issues that must be resolved for that to take place. The issues outlined by staff were presented at the Governance Committee's June 24, 2020 meeting and generated extensive discussion. Committee members suggested Chair Haggerty and President Arreguin meet prior to the next Governance Committee meeting to further discuss and resolve outstanding issues.

Their refined recommendations were presented for discussion at the July 22, 2020 Joint Governance Committee meeting. Committee members quickly ratified recommendations 1-5 below before debating and modifying recommendation 6. Committee members then voted unanimously to recommend that MTC and ABAG take the necessary actions to implement the Joint ABAG MTC Governance Committee's recommendation to consolidate the Legislative Committees.

### **1. How will the consolidated Joint MTC ABAG Legislation Committee report decisions up to the two governing boards?**

After the Joint MTC ABAG Legislation Committee makes recommendations, when each board takes up a bill, individual Legislation Committee members can explain why they and the Joint MTC ABAG Legislation Committee took the positions that they did. Each board will then make its own final decision considering the consolidated Legislation Committee recommendations, public comment, and board discussion.

### **2. How will the Joint MTC ABAG Legislation Committee's recommendations be addressed on short notice when governing boards don't have time to act?**

The Commission and Executive Board will each adopt procedures that allow ABAG's President and MTC's Chair, in consultation with the Chair of the consolidated Legislation Committee, to take timely action

on legislative matters of interest. This mirrors the legislative ‘urgency procedures’ currently employed by MTC and ABAG.

**3. How will the consolidated Legislation Committee act on bills of interest to one agency but not the other?**

The consolidated Legislation Committee members will consider all bills, including bills that may not directly be of interest to or impact their agency, and when votes occur, members will reserve the right to abstain on bills where they believe they lack the expertise or interest to thoughtfully take action.

**4. What should the membership of the new consolidated Legislation Committee be?**

Chair Haggerty and President Arreguin will meet and discuss appointments to the Committee before formalizing recommendations to their respective boards, with an emphasis on striking an appropriate balance (e.g. city vs. county representation, jurisdiction size, and geographic distribution). Recommendations for appointments will be forthcoming.

**5. How will the Chair and Vice Chair of the consolidated Legislation Committee be selected?**

The Chair and Vice Chair will be appointed by the Committee at its first meeting, with the Chair being either an ABAG member or an MTC member and the Vice Chair being from the other agency. The appointments would rotate every two years such that, if the existing Chair is from the MTC Board and the existing Vice Chair is from the ABAG Board, the next Chair would be from the ABAG Board and the next Vice Chair would be from the MTC Board.

**6. How should the issue of open vs. closed membership, and maintaining a quorum be addressed?**

MTC Commissioners not appointed to the consolidated Committee are already considered ad hoc nonvoting members under current MTC procedures. ABAG Executive Board members not appointed to the consolidated Committee will now also be considered ad hoc nonvoting members of the Committee. The ad hoc nonvoting members may be deputized to vote as necessary to create or maintain a quorum.

After voting to recommend consolidation of the two agencies' legislative committees into a Joint MTC ABAG Legislative Committee, the Governance Committee discussed the following timeline:


- **MTC Administration Committee [8/12]:** discuss and recommend amendments to the Commission Procedures Manual to replace the MTC Legislation Committee with a new Joint MTC ABAG Legislation Committee.
- **ABAG Executive Board special meeting [8/20]:** consider adoption of a resolution to disband the ABAG Legislation Committee and fold it into a new Joint MTC ABAG Legislation Committee.
- **MTC Commission [8/26]:** consider approval of MTC Administration Committee recommendation to amend the Commission Procedures Manual to replace the MTC Legislation Committee with the new Joint MTC ABAG Legislation Committee.
- **First Joint MTC ABAG Legislation Committee** meeting in September.

The proposed update to the Commission Procedures Manual also includes housekeeping items such as providing for inclusion of the Bay Area Housing Finance Authority (BAHFA).

**Recommendation:** Staff recommends that the Administration Committee forward MTC Resolution No. 1058, Revised, an update to the Commission Procedures Manual to implement the Legislative Committee Consolidation, as recommended by the Joint ABAG MTC Governance Committee, for Commission approval.

**Attachments:** Attachment A: MTC Resolution No. 1058, Revised – with proposed revisions shown in tracked changes

Attachment B: MTC Resolution No. 1058, Revised – proposed clean version

  
Therese W. McMillan



## ATTACHMENT A

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 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

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(Last revised 03/25/20)

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(Last revised 07/24/19)

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(Last revised 12/19/12)

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(Last revised ~~09/27/17~~08/26/20)

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### Appendix F

(Last revised 03/25/20)

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METROPOLITAN TRANSPORTATION COMMISSION SERVICE AUTHORITY FOR  
FREeways AND EXPRESSWAYS, BAY AREA TOLL 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 ~~three~~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 ~~Toll~~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, 2011. ~~Except as provided in the next sentence, the 2019. The~~ next appointment dates are February 10, ~~2015~~2023 and February 10, ~~2019. The~~ commissioners appointed by the Mayors of the Cities of Oakland and San Jose shall have an initial term of office commencing January 1, 2013 and ending in February ~~2015~~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 BATABAHFA; 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. In such capacity the Chair shall vote only when necessary to attain a quorum of voting members of a committee. 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. In addition, the Vice-Chair is a voting ex-officio member of all standing committees of the Commission. In such capacity the Vice-Chair shall vote only when necessary to attain a quorum of voting members of a committee.

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) 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. 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, 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.

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. ~~Legislation Committee - recommends Commission legislative policy, represents the Commission in the legislative process, and oversees the Commission's public information and citizen participation program.~~

~~6.~~ 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. ~~Examples of~~ 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.

## V. MISCELLANEOUS

5.01 Authority. The Metropolitan Transportation Commission finds that these procedures are necessary to carry out the purposes of the Metropolitan Transportation Commission Act. These procedures are adopted pursuant to the Commission's authority under Government Code § 66506.

5.02 Emergency Notice Provision. In the event a postal strike or other calamity makes it impossible to give notice of meetings by mail as required in these procedures, notice of meetings of the Commission and its committees shall be given to commissioners and committee members, respectively, with such time and by such means as may be practical, which may include, but not be limited to, personal service, facsimile, email and posting at MTC's website. In such event, the general public and those requesting notice of Commission and committee meetings shall be notified, if possible, by publication of notice in a newspaper or newspapers of general circulation in the region. The timing and content of such published notice shall conform, if possible, to the requirements pertaining to mailed notice set forth in these procedures.

5.03 Meeting Protocol in Declared Emergencies. In the event the Governor imposes an emergency order related to a natural or man-made disaster, the provisions of Appendix F shall apply.

5.04 Severability. Should any part, term, portion, or provision of these procedures be finally decided to be in conflict with any law of the United States or the State of California or otherwise be ineffectual or unenforceable, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, providing such remaining portions or provisions can be construed to stand as the Commission intended.

Appendix E  
Resolution No. 1058

**Standing Committees' Structure/Joint MTC ABAG Legislation  
Committee Structure**

**~~MTC STANDING COMMITTEES~~**

**STANDING COMMITTEE: Administration**

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Oversight of general operations and performance of agency.	Recommend to the Commission.
2. Review, adopt and oversee personnel policies.	Approval authority
3. Give policy guidance on meet and confer negotiations of staff salaries and benefits; recommend travel and per diem reimbursements of the Commission, standing committees and advisory committees and groups.	Recommend to the Commission
4. Review financial reports, audit reports, general stewardship of funds.	Approval authority
5. Review annual agency operating budget.	Recommend to the Commission
6. Authorize the execution of agency contracts, funding agreement and purchase orders not delegated to the Executive Director (except as otherwise delegated to the Operations Committee). Details of litigation-related contracts may be reviewed in closed session and approved in open session, with the provision that contract amounts may be withheld from disclosure until the conclusion of the litigation.	Approval authority
7. Review the Commission Procedures Manual and Conflict of Interest Code.	Recommend to the Commission

**COMPOSITION OF COMMITTEE MEMBERSHIP:**

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

The Administration Committee's regular meeting begins at 10:00 am on the second Wednesday of each month, following the regular meeting of the BATA Oversight Committee. The meeting date and time is subject to change by the Committee as its workload warrants. This shall not be deemed a postponement.

**~~MTC STANDING COMMITTEES~~**

**STANDING COMMITTEE: Programming and Allocations Committee**

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Review all applications for state or federal funds.	Recommend to the Commission
2. Review all projects consistent with MTC's responsibilities under the Intergovernmental Review process.	Recommend to the Commission
3. Develop the annual proposed distribution of discretionary funds among eligible claimants for operating assistance.	Recommend to the Commission
4. Develop the annual Program of Projects for FTA Sections 9 and 18 for areas within the MTC region.	Recommend to the Commission
5. Conduct public hearings on Unmet Transit Needs to make required findings regarding allocations of Transportation Development Act funds for streets and roads purposes.	Recommend to the Commission
6. Review and evaluate applications or commitments for allocations of funds, including but not limited to Transportation Development Act, State Transit Assistance, 25% of 1/2¢ sales tax, and toll bridge net revenues.	Recommend to the Commission
7. Review revisions to MTC-approved annual grant applications and allocations for funds.	Approval authority for revisions that do not include new projects or do not exceed \$5 million in cost. Recommend to the Commission all other revisions.
8. Review and approve grant applications to external funding sources for MTC-sponsored programs.	Recommend to the Commission
9. Review, conduct public hearings on (as appropriate), and establish priorities for capital programs of projects for the rehabilitation, management and/or improvement of the regional transportation system.-	Recommend to the Commission adoption of the Transportation Improvement Programs (RTIP & TIP) and Transit Capital Priorities.

**~~MTC STANDING COMMITTEES~~**

10. Review amendments to the Transit Capital Priorities and/or the Transportation Improvements Programs (RTIP and TIP).

Approval authority for revisions that do not include new projects or do not exceed \$5 million in cost. Recommend to the Commission all other revisions.

COMPOSITION OF COMMITTEE MEMBERSHIP:

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

Programming and Allocation Committee's regular meeting begins at 10:30 am on the second Wednesday of each month, following the regular meeting of the Administration Committee. The meeting date and time is subject to change by the Committee as its work load warrants. This shall not be deemed a postponement.

## **MTC STANDING COMMITTEES**

### **STANDING COMMITTEE: Legislation**

<b><u>FUNCTION</u></b>	<b><u>DELEGATED AUTHORITY</u></b>
1. Develop specific legislative proposals.	Recommend to the Commission
2. Develop MTC policy positions on major legislative and regulatory proposals initiated by others.	Recommend to the Commission
3. Represent the Commission in the legislative process.	Represent the Commission at legislative hearings and contacts with legislators.  In emergency situations where Commission action is not possible, the Chair of the Committee may, with the concurrence of the Commission Chair, respond to legislative matters of importance to the Commission.
4. Develop procedures for public information, press-relations and citizen participation.	Approval authority
5. Review, adopt and oversee public information, press-relations and citizen participation programs.	Approval authority within constraints of the annual work program and operating budget.  Recommend to the Planning and Operations Committee and Administration Committee for work program and operating budget changes, respectively.

### **COMPOSITION OF COMMITTEE MEMBERSHIP:**

**Membership:** Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

**Legislation Committee's regular meeting begins at 11:00 am on the second Friday of each month, following the regular meeting of the Operations Committee. The meeting date and time is subject to change by the Committee as its work load warrants. This shall not be deemed a postponement.**



**~~MTC STANDING COMMITTEES~~**

**STANDING COMMITTEE: Planning**

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Develop the annual work program and program budget.	Recommend to the Commission
2. Monitor, direct and update work program and program budget - including the scope of consultant contract.	Approval authority within constraints of operating budgets. Recommend to the Commission for substantive work program, and recommend to the Administration Committee for fund approval for these substantive changes.
3. Review planning and policy issues, review recommendations on evaluations of these issues from advisory and special committees, and examine planning issues against the SCS/RTP.	Recommend MTC policies related to the Sustainable Communities Strategy/Regional Transportation Plan to the Commission.
4. Develop revisions to the Sustainable Communities Strategy/Regional Transportation Plan, deliberate on substance of planning and conduct public hearings.	Recommend adoption of revisions to the Sustainable Communities Strategy/Regional Transportation Plan to the Commission.
5. Coordinate the SCS/RTP with other regional plans, including but not limited to: the Bay Area Air Quality Plan, the Bay Area Seaport Plan; the Regional Airport Plan, and BCDC's Bay Plan.	Recommend MTC policies to the Commission.

**COMPOSITION OF COMMITTEE MEMBERSHIP:**

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

Planning Committee's regular meeting begins at 9:30 am on the second Friday of each month. The meeting date and time is subject to change by the Committee as its work load warrants. This shall not be deemed a postponement.

**~~MTC STANDING COMMITTEES~~**

**STANDING COMMITTEE: Operations**

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Establish, oversee and evaluate transportation system management and operational activities sponsored by MTC and other agencies, including but not limited to: operational projects such as 511 and TransLink®, the highway and arterial operations programs, and the agency's SAFE responsibilities related to call boxes, the Freeway Service Patrol and incident management activities.	Recommend to the Commission for establishing new activities or major changes to existing activities. Approval authority for all other oversight and evaluation functions.
2. Authorize the execution of agency contracts, funding agreements and purchase orders not delegated to the Executive Director that are necessary to conduct the system management and operations activities of MTC and MTC/SAFE.	

**COMPOSITION OF COMMITTEE MEMBERSHIP**

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

Operations' regular meeting begins at 10:00 am on the second Friday of each month. The meeting date and time is subject to change by the Committee as its workload warrants. This shall not be deemed a postponement.

~~MTC STANDING COMMITTEES~~

STANDING COMMITTEE: Executive

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Acts on matters of urgency brought before it by the Chair between Commission meetings.	Recommend to the Commission
2. Acts on other matters assigned by Commission or Chair.	Recommend to the Commission

COMPOSITION OF COMMITTEE MEMBERSHIP:

Commission Chair, Commission Vice Chair, immediate past Chair, chairs of BATA Oversight, Administration, Planning, Operations, Legislation, and Programming and Allocations Committees, and the Association of Bay Area Governments (ABAG) Representative.

## **MTC STANDING COMMITTEES**

### **SPECIAL JOINT COMMITTEE WITH ABAG: Joint MTC ABAG Legislation Committee**

<b><u>FUNCTION</u></b>	<b><u>DELEGATED AUTHORITY</u></b>
1. <u>Develop specific legislative proposals.</u>	<u>Recommend to the Commission and the ABAG Executive Board, unless a proposal only impacts one agency, in which case the recommendation on that proposal will be referred only to the governing board of the agency impacted.</u>
2. <u>Develop MTC and ABAG policy positions on major legislative and regulatory proposals initiated by others.</u>	<u>Recommend to the Commission and the ABAG Executive Board, except as provided above.</u>
3. <u>Represent the Commission and ABAG in the legislative process.</u>	<u>Represent the Commission and ABAG at legislative hearings and contacts with legislators.</u>  <u>In emergency situations where Commission and ABAG Executive Board action is not possible, the Chair of the Committee may, with the concurrence of the Commission Chair and the ABAG President, respond to legislative matters of importance to the Commission and ABAG.</u>
4. <u>Develop procedures for public information, press relations and citizen participation.</u>	<u>Referral to the Commission and the ABAG Executive Board.</u>
5. <u>Review, adopt and oversee public information, press relations and citizen participation programs.</u>	<u>Referral to the Commission and the ABAG Executive Board</u>

### **COMPOSITION OF COMMITTEE MEMBERSHIP:**

Membership: Commencing August 26, 2020, 11 commissioners appointed by the Chair of the Commission, as confirmed by the Commission and 11 ABAG Executive Board members appointed by the ABAG President as confirmed by the ABAG Executive Board. All Commissioners not appointed to the Joint MTC ABAG Legislation Committee shall be ad hoc nonvoting members. The Chair and Vice Chair of the Commission shall be ad hoc voting members, authorized to vote if a quorum of the Joint MTC ABAG Legislation Committee is not present. (The ABAG President and Vice President shall, in accordance with ABAG procedures, be voting members. The total number of ABAG voting members shall be equal to the total number of MTC voting members.) The ad hoc nonvoting members may be deputized to vote as necessary to create or maintain a quorum. The Chair and Vice Chair of the Committee shall be appointed by the Committee at its first meeting, with the Chair being either an ABAG member or an MTC member and the Vice Chair being from the other agency. Every

**~~MTC STANDING COMMITTEES~~**

two years thereafter, the appointments of the Chair and Vice Chair of the Committee shall be appointed by the Committee, but shall be rotated such that, for example, if the existing Chair is from the MTC Board and the existing Vice Chair is from the ABAG Executive Board, the next Chair shall be from the ABAG Executive Board and the next Vice Chair shall be from the MTC Board.

The Joint MTC ABAG Legislation Committee's regular meeting begins at 11:00 am on the second Friday of each month, following the regular meeting of the Operations Committee. The meeting date and time is subject to change by the Committee as its work load warrants. This shall not be deemed a postponement.

## ATTACHMENT B

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 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

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(Last revised 03/25/20)

Conflict of Interest Code

### Appendix B

(Last revised 07/24/19)

Travel Reimbursement to Commissioners and MTC Staff

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(Adopted 05/23/79)

MTC Legal Counsel

### Appendix D

(Last revised 12/19/12)

Travel Reimbursement Rates for Citizens on Advisory Committees

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(Last revised 08/26/20)

Standing Committees' Structure/Joint MTC ABAG Legislation  
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### Appendix F

(Last revised 03/25/20)

Protocol Governing Amendments to Commission Procedure During  
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METROPOLITAN TRANSPORTATION COMMISSION SERVICE AUTHORITY FOR  
FREEWAYS AND EXPRESSWAYS, BAY AREA TOLL 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. In such capacity the Chair shall vote only when necessary to attain a quorum of voting members of a committee. 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. In addition, the Vice-Chair is a voting ex-officio member of all standing committees of the Commission. In such capacity the Vice-Chair shall vote only when necessary to attain a quorum of voting members of a committee.

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) 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. 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, 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.

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.

## V. MISCELLANEOUS

5.01 Authority. The Metropolitan Transportation Commission finds that these procedures are necessary to carry out the purposes of the Metropolitan Transportation Commission Act. These procedures are adopted pursuant to the Commission's authority under Government Code § 66506.

5.02 Emergency Notice Provision. In the event a postal strike or other calamity makes it impossible to give notice of meetings by mail as required in these procedures, notice of meetings of the Commission and its committees shall be given to commissioners and committee members, respectively, with such time and by such means as may be practical, which may include, but not be limited to, personal service, facsimile, email and posting at MTC's website. In such event, the general public and those requesting notice of Commission and committee meetings shall be notified, if possible, by publication of notice in a newspaper or newspapers of general circulation in the region. The timing and content of such published notice shall conform, if possible, to the requirements pertaining to mailed notice set forth in these procedures.

5.03 Meeting Protocol in Declared Emergencies. In the event the Governor imposes an emergency order related to a natural or man-made disaster, the provisions of Appendix F shall apply.

5.04 Severability. Should any part, term, portion, or provision of these procedures be finally decided to be in conflict with any law of the United States or the State of California or otherwise be ineffectual or unenforceable, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, providing such remaining portions or provisions can be construed to stand as the Commission intended.

Appendix E  
Resolution No. 1058

**Standing Committees' Structure/Joint MTC ABAG Legislation  
Committee Structure**



STANDING COMMITTEE: Administration

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Oversight of general operations and performance of agency.	Recommend to the Commission.
2. Review, adopt and oversee personnel policies.	Approval authority
3. Give policy guidance on meet and confer negotiations of staff salaries and benefits; recommend travel and per diem reimbursements of the Commission, standing committees and advisory committees and groups.	Recommend to the Commission
4. Review financial reports, audit reports, general stewardship of funds.	Approval authority
5. Review annual agency operating budget.	Recommend to the Commission
6. Authorize the execution of agency contracts, funding agreement and purchase orders not delegated to the Executive Director (except as otherwise delegated to the Operations Committee). Details of litigation-related contracts may be reviewed in closed session and approved in open session, with the provision that contract amounts may be withheld from disclosure until the conclusion of the litigation.	Approval authority
7. Review the Commission Procedures Manual and Conflict of Interest Code.	Recommend to the Commission

COMPOSITION OF COMMITTEE MEMBERSHIP:

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

The Administration Committee's regular meeting begins at 10:00 am on the second Wednesday of each month, following the regular meeting of the BATA Oversight Committee. The meeting date and time is subject to change by the Committee as its workload warrants. This shall not be deemed a postponement.

**STANDING COMMITTEE: Programming and Allocations Committee**

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Review all applications for state or federal funds.	Recommend to the Commission
2. Review all projects consistent with MTC's responsibilities under the Intergovernmental Review process.	Recommend to the Commission
3. Develop the annual proposed distribution of discretionary funds among eligible claimants for operating assistance.	Recommend to the Commission
4. Develop the annual Program of Projects for FTA Sections 9 and 18 for areas within the MTC region.	Recommend to the Commission
5. Conduct public hearings on Unmet Transit Needs to make required findings regarding allocations of Transportation Development Act funds for streets and roads purposes.	Recommend to the Commission
6. Review and evaluate applications or commitments for allocations of funds, including but not limited to Transportation Development Act, State Transit Assistance, 25% of 1/2¢ sales tax, and toll bridge net revenues.	Recommend to the Commission
7. Review revisions to MTC-approved annual grant applications and allocations for funds.	Approval authority for revisions that do not include new projects or do not exceed \$5 million in cost. Recommend to the Commission all other revisions.
8. Review and approve grant applications to external funding sources for MTC-sponsored programs.	Recommend to the Commission
9. Review, conduct public hearings on (as appropriate), and establish priorities for capital programs of projects for the rehabilitation, management and/or improvement of the regional transportation system.-	Recommend to the Commission adoption of the Transportation Improvement Programs (RTIP & TIP) and Transit Capital Priorities.

10. Review amendments to the Transit Capital Priorities and/or the Transportation Improvements Programs (RTIP and TIP).

Approval authority for revisions that do not include new projects or do not exceed \$5 million in cost. Recommend to the Commission all other revisions.

COMPOSITION OF COMMITTEE MEMBERSHIP:

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

Programming and Allocations Committee's regular meeting begins at 10:30 am on the second Wednesday of each month, following the regular meeting of the Administration Committee. The meeting date and time is subject to change by the Committee as its work load warrants. This shall not be deemed a postponement.

**STANDING COMMITTEE: Planning**

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Develop the annual work program and program budget.	Recommend to the Commission
2. Monitor, direct and update work program and program budget - including the scope of consultant contract.	Approval authority within constraints of operating budgets. Recommend to the Commission for substantive work program, and recommend to the Administration Committee for fund approval for these substantive changes.
3. Review planning and policy issues, review recommendations on evaluations of these issues from advisory and special committees, and examine planning issues against the SCS/RTP.	Recommend MTC policies related to the Sustainable Communities Strategy/Regional Transportation Plan to the Commission.
4. Develop revisions to the Sustainable Communities Strategy/Regional Transportation Plan, deliberate on substance of planning and conduct public hearings.	Recommend adoption of revisions to the Sustainable Communities Strategy/Regional Transportation Plan to the Commission.
5. Coordinate the SCS/RTP with other regional plans, including but not limited to: the Bay Area Air Quality Plan, the Bay Area Seaport Plan; the Regional Airport Plan, and BCDC's Bay Plan.	Recommend MTC policies to the Commission.

**COMPOSITION OF COMMITTEE MEMBERSHIP:**

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

Planning Committee's regular meeting begins at 9:30 am on the second Friday of each month. The meeting date and time is subject to change by the Committee as its work load warrants. This shall not be deemed a postponement.

**STANDING COMMITTEE: Operations**

**FUNCTION**

1. Establish, oversee and evaluate transportation system management and operational activities sponsored by MTC and other agencies, including but not limited to: operational projects such as 511 and TransLink®, the highway and arterial operations programs, and the agency's SAFE responsibilities related to call boxes, the Freeway Service Patrol and incident management activities.
2. Authorize the execution of agency contracts, funding agreements and purchase orders not delegated to the Executive Director that are necessary to conduct the system management and operations activities of MTC and MTC/SAFE.

**DELEGATED AUTHORITY**

Recommend to the Commission for establishing new activities or major changes to existing activities. Approval authority for all other oversight and evaluation functions.

**COMPOSITION OF COMMITTEE MEMBERSHIP**

Membership: Commencing January 1, 2013, unless otherwise approved by the Commission, 8 voting commissioners including the Chair of the Committee.

Operations' regular meeting begins at 10:00 am on the second Friday of each month. The meeting date and time is subject to change by the Committee as its workload warrants. This shall not be deemed a postponement.

STANDING COMMITTEE: Executive

<u>FUNCTION</u>	<u>DELEGATED AUTHORITY</u>
1. Acts on matters of urgency brought before it by the Chair between Commission meetings.	Recommend to the Commission
2. Acts on other matters assigned by Commission or Chair.	Recommend to the Commission

COMPOSITION OF COMMITTEE MEMBERSHIP:

Commission Chair, Commission Vice Chair, immediate past Chair, chairs of BATA Oversight, Administration, Planning, Operations, Legislation, and Programming and Allocations Committees, and the Association of Bay Area Governments (ABAG) Representative.

**SPECIAL JOINT COMMITTEE WITH ABAG: Joint MTC ABAG Legislation Committee**

<b><u>FUNCTION</u></b>	<b><u>DELEGATED AUTHORITY</u></b>
1. Develop specific legislative proposals.	Recommend to the Commission and the ABAG Executive Board, unless a proposal only impacts one agency, in which case the recommendation on that proposal will be referred only to the governing board of the agency impacted.
2. Develop MTC and ABAG policy positions on major legislative and regulatory proposals initiated-by others.	Recommend to the Commission and the ABAG Executive Board, except as provided above.
3. Represent the Commission and ABAG in the legislative process.	Represent the Commission and ABAG at legislative hearings and contacts with legislators.  In emergency situations where Commission and ABAG Executive Board action is not possible, the Chair of the Committee may, with the concurrence of the Commission Chair and the ABAG President, respond to legislative matters of importance to the Commission and ABAG.
4. Develop procedures for public information, press relations and citizen participation.	Referral to the Commission and the ABAG Executive Board.
5. Review, adopt and oversee public information, press relations and citizen participation programs.	Referral to the Commission and the ABAG Executive Board

**COMPOSITION OF COMMITTEE MEMBERSHIP:**

Membership: Commencing August 26, 2020, 11 commissioners appointed by the Chair of the Commission, as confirmed by the Commission and 11 ABAG Executive Board members appointed by the ABAG President as confirmed by the ABAG Executive Board. All Commissioners not appointed to the Joint MTC ABAG Legislation Committee shall be ad hoc nonvoting members. The Chair and Vice Chair of the Commission shall be ad hoc voting members, authorized to vote if a quorum of the Joint MTC ABAG Legislation Committee is not present. (The ABAG President and Vice President shall, in accordance with ABAG procedures, be voting members. The total number of ABAG voting members shall be equal to the total number of MTC voting members.) The ad hoc nonvoting members may be deputized to vote as necessary to create or maintain a quorum. The Chair and Vice Chair of the Committee shall be appointed by the Committee at its first meeting, with the Chair being either an ABAG member or an MTC member and the Vice Chair being from the other agency. Every two years thereafter, the appointments of the Chair and Vice Chair of the Committee shall be appointed by the

Committee, but shall be rotated such that, for example, if the existing Chair is from the MTC Board and the existing Vice Chair is from the ABAG Executive Board, the next Chair shall be from the ABAG Executive Board and the next Vice Chair shall be from the MTC Board.

The Joint MTC ABAG Legislation Committee's regular meeting begins at 11:00 am on the second Friday of each month, following the regular meeting of the Operations Committee. The meeting date and time is subject to change by the Committee as its work load warrants. This shall not be deemed a postponement.