METROPOLITAN TRANSPORTATION COMMISSION

Meeting Transcript

METROPOLITAN TRANSPORTATION COMMISSION

ADMINISTRATION COMMITTEE

WEDNESDAY, JANUARY 11, 2023 9:40 AM

CINDY CHAVEZ, V. CHAIR: KIMBERLY, THANK YOU. EXCELLENT. WELL, WELCOME TO THE ADMINISTRATION COMMITTEE. I'M VICE CHAIR, AND FEDERAL OUR CHAIR IS NOT WITH US TODAY. I'M GOING TO CALL OUR MEETING TO ORDER AND ASK THAT WE BEGIN BY ROLLING THE ANNOUNCEMENT. [RECORDED MEETING PROCEDURES ANNOUNCEMENT] DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED AS A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS MEETING IS BEING WEBCAST ON THE MTC WEBSITE. THE CHAIR WILL CALL UPON COMMISSIONERS, PRESENTERS, STAFF, AND OTHER SPEAKERS, BY NAME, AND ASK THAT THEY SPEAK CLEARLY AND STATE THEIR NAMES BEFORE GIVING COMMENTS OR REMARKS. PERSONS PARTICIPATING VIA WEBCAST AND ZOOM, WITH THEIR CAMERAS ENABLED, ARE REMINDED THAT THEIR ACTIVITIES ARE VISIBLE TO VIEWERS. COMMISSIONERS AND MEMBERS OF THE PUBLIC PARTICIPATION BY ZOOM, WISHING TO SPEAK, SHOULD USE THE RAISE HAND FEATURE OR DIAL STAR 9, AND THE CHAIR WILL CALL UPON THEM AT THE APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. IT IS REQUESTED THAT PUBLIC SPEAKERS STATE THEIR NAMES AND ORGANIZATION, BUT, PROVIDING SUCH INFORMATION IS VOLUNTARY. WRITTEN PUBLIC COMMENTS RECEIVED AT

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INFOATBAYAREAMETRO.GOV BY 5 P.M., YESTERDAY, WILL BE POSTED TO THE ONLINE AGENDA AND ENTERED INTO THE RECORD, BUT WILL NOT BE READ OUT LOUD. IF AUTHORS OF THE WRITTEN CORRESPONDENCE WOULD LIKE TO SPEAK, THEY ARE FREE TO DO SO. THEY SHOULD RAISE THEIR HAND AND THE CHAIR WILL CALL UPON THEM AT THE APPROPRIATE TIME. A ROLL CALL VOTE WILL BE TAKEN FOR ALL ACTION ITEMS. PANELISTS AND ATTENDEES SHOULD NOTE THAT THE CHAT FEATURE IS NOT ACTIVE. IN ORDER TO GET THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP TO DATE.

CINDY CHAVEZ, V. CHAIR: EXCELLENT. THANK YOU SO MUCH. I'M NOW GOING TO ASK FOR A ROLL CALL VOTE, AND THEN I'LL DO THE NOTES. IS THAT OKAY, KIMBERLY? THAT WAY WE CAN CONFIRM A QUORUM, AND THEN WE'LL GO ON.

CLERK OF THE BOARD: ABSOLUTELY. NO PROBLEM. SO, ROLL CALL. CHAIR GLOVER IS ABSENT. VICE CHAIR CHAVEZ?

CINDY CHAVEZ, V. CHAIR: YES. HERE.

CLERK OF THE BOARD: COMMISSIONER ABE-KOGA?

MARGARET ABE-KOGA: HERE.

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CLERK OF THE BOARD: COMMISSIONER EL-TAWANSY? IS ABSENT. COMMISSIONER MILEY?

NATHAN MILEY: HERE.

CLERK OF THE BOARD: COMMISSIONER PAPAN?

GINA PAPAN: HERE.

CLERK OF THE BOARD: COMMISSIONER RABBITT?

DAVID RABBITT: HERE.

CLERK OF THE BOARD: COMMISSIONER RONEN?

HILLARY RONEN: HERE.

CLERK OF THE BOARD: THANK YOU. QUORUM IS PRESENT.

CINDY CHAVEZ, V. CHAIR: THANK YOU ALL VERY MUCH. ALL RIGHT. SO, FOR THE RECORD, THE GOVERNOR'S EMERGENCY COVID PROTOCOLS WILL BE SUNSETTING FEBRUARY 28TH, 2023, WHICH MEANS THE ADMINISTRATION COMMITTEE WILL RETURN TO IN-PERSON MEETINGS AS WAS THE PRACTICE BEFORE THE PANDEMIC STARTING WITH THE MARCH 8TH, 2023 MEETING. ADMINISTRATION COMMITTEE MEETINGS WILL BE

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IN-PERSON. AS WAS THE CASE BEFORE COMMISSIONERS WILL BE COMPENSATED FOR TRAVEL COSTS AND REFRESHMENTS WILL BE PROVIDED. FOR THOSE OF YOU WHO ARE CONSIDERING A.B. 2449, THE LIMITATIONS ARE AS FOLLOWS. AT LEAST A QUORUM OF THE MEMBERS OF THE LEGISLATIVE BODY MUST PARTICIPATE IN PERSON FROM A SINGULAR PHYSICAL LOCATION IDENTIFIED ON THE AGENDA, WHICH LOCATION WILL BE OPEN TO THE PUBLIC AND WITHIN THE BOUNDARIES OF THE LOCAL AGENCY. NUMBER TWO, A MEMBER MAY TELECONFERENCE FOR PUBLICLY FOR PUBLICLY DISCLOSED JUST CAUSE OR ANN EMERGENCY CIRCUMSTANCE APPROVED BY THE LEGISLATIVE BODY. A MEMBER MAY ONLY TELECONFERENCE FOR A LIMITED NUMBER OF MEETINGS. JUST CAUSE IS LIMITED TO ONE OR MORE OF THE FOLLOWING: A CHILD CARE OR CARE GIVING NEED, PARENT, OR GRANDPARENT, GRANDCHILD SPOUSE OR DOMESTIC PARTNER THAT REQUIRES PARTICIPATION REMOTELY, A CONTAGIOUS ILLNESS THAT PREVENTS THE MEMBER FROM ATTENDING IN-PERSON, AND IN THE CASE OF RELATED PHYSICAL OR MENTAL DISABILITY DEFINED BY STATUTE OR DURING TRAVEL WHILE ON OFFICIAL BUSINESS OF THE LEGISLATIVE BODY OR ANOTHER STATE OR LOCAL AGENCY. EMERGENCY CIRCUMSTANCES MEANS A PHYSICAL OR FAMILY MISDEMEANOR EMERGENCY THAT PREVENTS A MEMBER FROM ATTENDING IN-PERSON KIMBERLY, THE KEY POINTS, AS WELL?

CLERK OF THE BOARD: YES PLEASE.

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CINDY CHAVEZ, V. CHAIR: ALL RIGHT. THE PUBLIC CAN STILL PARTICIPATE REMOTELY -- WHICH I THINK IS GREAT BY THE WAY, AS WE WILL KEEP THE HYBRID FORMAT. IT'S CLEAR THE PUBLIC PARTICIPATION HAS INCREASED DURING VIRTUAL FORMAT THEREBY MAKING MEETINGS MORE ACCESSIBLE TRANSPARENT AND OPEN THE PUBLIC WILL STILL BE ABLE TO SUBMIT WRITTEN PUBLIC COMMENT BY 5:00 P.M. THE DAY BEFORE THE MEETING TO THE ADDRESS E-MAIL PROVIDED ON THE WEB SITE AT INFO@BAYAREAMETRO.GOV. 375 BEALE IS OUR HEADQUARTERS WE CURRENTLY DO NOT OFFER ANY ALTERNATIVE LOCATIONS AND WE CAN PROVIDE IN GUIDANCE ON THIS POINT AT OUR NEXT SCHEDULED MEETING. THANK YOU IN ADVANCE FOR MAKING ADDITIONAL EFFORT TO SERVE ON THIS COMMITTEE AS WE COMPLY WITH THE PUBLIC TRANSPARENCY RULES AND WE LOOK FORWARD TO SEEING YOU IN-PERSON. EMPLOYEES AND VISITORS TO THE SAN FRANCISCO HEADQUARTERS. NOW MOVING TO BUSINESS.

CINDY CHAVEZ, V. CHAIR: KIMBERLY, MAY I ASK FOR COMMENTS OR QUESTIONS? I SEE DOREEN.

CLERK OF THE BOARD: YES.

CINDY CHAVEZ, V. CHAIR: DOREEN?

DORENE M. GIACOPINI: I WAS WONDERING. I'M LOOKING AT SOME OF THE RULES REGARDING THIS, AND ONE OF THEM IS THAT THE

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LEGISLATIVE BODY MUST IMPLEMENT A PROCEDURE FOR RECEIVING RESOLVING A REQUEST FOR REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES AND MUST GIVE NOTICE OF THESE PROCEDURES. I'M WONDERING IF THAT'S SOMETHING THAT WE HAVE CREATED? I ASSUME BY LEGISLATIVE BODY, THEY MEAN US, AND I'M WONDERING IF THAT'S SOMETHING WE HAVE CREATED. AND, I GUESS, IN GENERAL, I'M ALSO WONDERING IF WHAT THIS MEANS IS THAT FOR PEOPLE WHO CANNOT EVER PHYSICALLY ATTEND A MEETING BECAUSE OF A DISABILITY, DOES THAT MEAN THAT THOSE PEOPLE ARE NO LONGER EVER ALLOWED TO SERVE ON THE COMMISSION? OR, IT SOUNDS LIKE ANY OTHER COMMISSION.

CINDY CHAVEZ, V. CHAIR: KIMBERLY, MAY I TURN TO COUNSEL ON THAT.

CLERK OF THE BOARD: YES, PLEASE.

CINDY CHAVEZ, V. CHAIR: KATHLEEN?

KATHLEEN KANE: SO, WE DO NOT HAVE FORMAL ADOPTED RULES YET. WE'LL BE WORKING ON THOSE IN THE SPACE BETWEEN NOW AND MARCH TO GET THOSE SET UP FOR PEOPLE. A.B. 2449 HAS A LOT OF LIMITATIONS AS NOTICED SO IT'S NOT THE BEST VEHICLE FOR ADDRESSING THINGS LIKE DISABILITY ACCOMMODATIONS WHICH WE WANT TO DO. SO WE WILL BE ISSUING GUIDANCE ON ALL OF THAT. AND

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THERE WERE MECHANISMS YOU WERE THE BROWN ACT BEFORE THE PANDEMIC THAT ALLOWED ALTERNATIVE MEANS OF PARTICIPATION. SO WE WOULD WORK THROUGH THOSE AND MAKE SURE PEOPLE CAN PARTICIPATE. SO WE CAN TALK OFFLINE ABOUT DETAILS. BUT, WE'LL BE COMING BACK WITH MORE INFORMATION ONCE THE LEADERSHIP HAS HAD A CHANCE TO WEIGH IN AND HAVE A CHANCE OF DISCUSSION WITH THE GROUP WHEN WE COME BACK IN FEBRUARY.

CINDY CHAVEZ, V. CHAIR: THANK YOU. AND I'M PRESUMING, KATHLEEN, AND THERESE, THAT OUR CHAIR AND VICE CHAIR ARE ENGAGED IN THESE DISCUSSIONS BUT I WOULD ALSO RECOMMEND DOREEN OTHER AND WHO IS MAY HAVE A PARTICULAR PERSPECTIVE BE ENGAGE IMMEDIATE THOSE CONVERSATIONS PRIOR TO ANY FURTHER PRESENTATIONS TO THE BOARD. IS THAT SOMETHING THAT CAN BE DONE, THERESE?

THERESE MCMILLAN: YES. AND YOU ARE SPEAKING, VICE CHAIR CHAVEZ, IN TERMS OF THE ADDITIONAL DETAILS AND THE FINAL ROLL OUT OF WHAT WE'RE GOING TO BE DOING IN TERMS OF PROTOCOLS?

CINDY CHAVEZ, V. CHAIR: YES.

THERESE MCMILLAN: THE FOLLOW UP.

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CINDY CHAVEZ, V. CHAIR: WE IN OUR COUNTY HAVE BEEN WORKING WITH A GROUP CALLED THE WORLDWIDE -- UH -- THEY'RE HELPING US WITH OUR DISABILITY WORK, AND I'M HAPPY TO GET THAT INFORMATION OVER, THERESE, TO YOUR STAFF. BECAUSE IT'S SOMETHING THAT WE'RE STRUGGLING WITH RIGHT NOW. I KNOW A LOT OF ENTITY ARE. BUT THEY JUST SENT THOROUGH OUTREACH TO THE COMMUNITY AND IT MIGHT BE OF BENEFIT TO YOU ALL.

THERESE MCMILLAN: THANK YOU.

CINDY CHAVEZ, V. CHAIR: GREAT. THANK YOU ALL. WE'RE GOING TO MOVE ON TO OUR AGENDA AND WE HAVE OUR CONSENT CALENDAR. THESE ARE ITEMS 2A THROUGH 2H. OUR FIRST TURN TO SEE IF THERE ARE ANY CHANGES TO THE CONSENT CALENDAR FROM ANY OF MY COLLEAGUES, EITHER RECUSALS OR ANYTHING THAT YOU WOULD LIKE TO REMOVE? I SEE NONE. I SEE NO PUBLIC SPEAKERS. I'M GOING TO CLOSE THE PUBLIC HEARING COME TO THE BOARD FOR COMMENTS OR QUESTIONS? I'LL MAKE ONE. I NEED TO RECUSE FROM ITEM 2G AND MY RECUSAL IS BASED ON 84308 GOVERNMENT CODE. AND, SO, I'LL NEED SOMEBODY TO MAKE A MOTION AND A SECOND.

MARGARET ABE-KOGA: MOTION TO APPROVE, ABE-KOGA.

CINDY CHAVEZ, V. CHAIR: THANK YOU. MAY I HAVE A SECOND?

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DAVID RABBITT: SECT, RABBITT.

CINDY CHAVEZ, V. CHAIR: THANK YOU. WE HAVE A MOTION AND SECOND. AND I'LL ASK KIMBERLY TO CALL THE ROLL WITH MY RECUSAL BEING PART OF THE MOTION FOR 2G. THANK YOU.

CLERK OF THE BOARD: YES. YOU'RE WELCOME. CHAIR GLOVER IS ABSENT. VICE CHAIR CHAVEZ?

CINDY CHAVEZ, V. CHAIR: YES.

CLERK OF THE BOARD: YES WITH RECUSAL ON ITEM 2G. COMMISSIONER ABE-KOGA?

MARGARET ABE-KOGA: AYE.

CLERK OF THE BOARD: COMMISSIONER MILEY?

NATHAN MILEY: YES.

CLERK OF THE BOARD: COMMISSIONER PAPAN?

GINA PAPAN: YES.

CLERK OF THE BOARD: COMMISSIONER RABBITT?

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DAVID RABBITT: AYE.

CLERK OF THE BOARD: COMMISSIONER RONEN?

HILLARY RONEN: AYE.

CLERK OF THE BOARD: THANK YOU. MOTION PASSES WITH ONE ABSENT, ONE RECUSAL FOR ITEM 2G, AND SIX AYES FOR THE REMAINDER OF THE AGENDA -- OR CONSENT CALENDAR. THANK YOU.

CINDY CHAVEZ, V. CHAIR: THANK YOU. [LAUGHTER] THANK YOU SO MUCH. WE'LL MOVE TO ITEM THREE, PUBLIC COMMENT AND I'LL ASK ANY MEMBER OF THE PUBLIC WHO WOULD LIKE TO SPEAK ON AN ITEM NOT ON OUR AGENDA BUT WITHIN THE PURVIEW OF THE COMMITTEE. KIMBERLY I'LL CONFIRM WITH YOU. I SEE NO HAND RAISED. AND I'LL CLOSE THE PUBLIC HEARING

CLERK OF THE BOARD: THAT IS CORRECT. THERE ARE NO MEMBERS OF THE PUBLIC WITH THEIR HAND RAISED, AND THERE WAS NO PUBLIC COMMENT SUBMITTED ON THIS ITEM.

CINDY CHAVEZ, V. CHAIR: EXCELLENT. ITEM FOUR, ADJOURNMENT OF OUR MEETING. THE NEXT MEETING ADMINISTRATION COMMITTEE IS SCHEDULED TO BE HELD WEDNESDAY FEBRUARY 8TH AND ANY CHANGES TO

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THE SCHEDULE WILL BE DULY NOTED TO MY COLLEAGUES AND THE PUBLIC. WE ARE ADJOURNED. [ADJOURNED]

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