

**METROPOLITAN
TRANSPORTATION
COMMISSION**
Meeting Transcript



November 17, 2021

1 **METROPOLITAN TRANSPORTATION COMMISSION**
2 **BAY AREA TOLL AUTHORITY**
3 **WEDNESDAY, NOVEMBER 17, 2021, 9:40 A.M.**

4
5 **ALFREDO PEDROZA, CHAIR:** GOOD MORNING, EVERYONE. MY NAME IS
6 ALFREDO PEDROZA, CHAIR OF THE BATA AUTHORITY. WITH VICE CHAIR.
7 I'M GOING TO CALL THE ITEM FOR NOVEMBER 17TH. IF WE COULD
8 PLEASE PLAY THE BROADCASTING ANNOUNCEMENT.

9
10 **ANNOUNCEMENT:** DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED
11 AS A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL
12 361 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS
13 MEETING IS BEING WEBCAST ON THE MTC WEBSITE. THE CHAIR WILL
14 CALL UPON COMMISSIONERS, PRESENTERS, STAFF, AND OTHER
15 SPEAKERS, BY NAME, AND ASK THAT THEY SPEAK CLEARLY AND STATE
16 THEIR NAMES BEFORE GIVING COMMENTS OR REMARKS. PERSONS
17 PARTICIPATING VIA WEBCAST AND ZOOM, WITH THEIR CAMERAS
18 ENABLED, ARE REMINDED THAT THEIR ACTIVITIES ARE VISIBLE TO
19 VIEWERS. COMMISSIONERS AND MEMBERS OF THE PUBLIC PARTICIPATING
20 BY ZOOM, WISHING TO SPEAK, SHOULD USE THE RAISE HAND FEATURE
21 OR DIAL STAR 9, AND THE CHAIR WILL CALL UPON THEM AT THE
22 APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON
23 BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. IT IS REQUESTED
24 THAT PUBLIC SPEAKERS STATE THEIR NAMES AND ORGANIZATION, BUT
25 PROVIDING SUCH INFORMATION IS VOLUNTARY. WRITTEN PUBLIC



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

11

12 **ALFREDO PEDROZA, CHAIR:** THANK YOU ALEX. WE'LL MOVE ON TO ITEM
13 1, IF WE CAN DO ROLL CALL

14

15 **KIMBERLY WARD, CLERK:** PEDROZA

16

17 **ALFREDO PEDROZA, CHAIR:** HERE

18

19 **KIMBERLY WARD, CLERK:** JOSEFOWITZ

20

21 **NICK JOSEFOWITZ, VICE CHAIR:** YUP

22

23 **KIMBERLY WARD, CLERK:** ABE-KOGA?

24

25 **MARGARET ABE-KOGA:** HERE



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1

2 **KIMBERLY WARD, CLERK:** CANEPA IS ABSENT. CHAVEZ IS ABSENT.

3 CONNOLLY IS ABSENT. DUTRA-VERNACI

4

5 **CAROL DUTRA-VERNACI:** HERE. SORRY

6

7 **KIMBERLY WARD, CLERK:** EL-TAWANSY IS ABSENT. FLEMING?

8

9 **VICTORIA FLEMING:** HERE LICCARDO IS ABSENT. PAPAN? RONEN?

10

11 **SPEAKER:** HERE

12

13 **KIMBERLY WARD, CLERK:** SCHAAF?

14

15 **SPEAKER:** HERE

16

17 **KIMBERLY WARD, CLERK:** SPERING?

18

19 **SPEAKER:** PRESENT

20

21 **KIMBERLY WARD, CLERK:** WORTH?

22

23 **SPEAKER:** HERE.

24

25 **KIMBERLY WARD, CLERK:** THANK YOU, QUORUM IS PRESENT



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1

2 **SPEAKER:** KIM, I THINK COMMISSIONER CONNOLLY IS HERE AS WELL

3

4 **KIMBERLY WARD, CLERK:** THANK YOU SO MUCH. I APPRECIATE THAT

5

6 **SPEAKER:** PRESENT, THANK YOU

7

8 **KIMBERLY WARD, CLERK:** THANK YOU BOTH

9

10 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. THANK YOU ALL. LET'S MOVE
11 ON TO ITEM 2, CHAIR PERSON'S REPORT. I HAVE NOTHING TO REPORT
12 AT THIS TIME. SO WE'RE GOING TO MOVE ON TO 3A THE CLOSED
13 SESSION PUBLIC COMMENT. I ASK THE CLERK TO LIST ANY ITEMS
14 ASSOCIATED WITH THIS ITEM AND ALSO IF THERE'S ANY MEMBER OF
15 THE PUBLIC THAT WISHES TO MAKE PUBLIC COMMENT ON THE CLOSED
16 SESSION PLEASE DO STAR 9 TO RAISE YOUR HAND NOW

17

18 **KIMBERLY WARD, CLERK:** I'VE RECEIVED NOTHING IN WRITING AND I
19 SEE NO MEMBER OF THE PUBLIC WITH THEIR HAND RAISED AT THIS
20 TIME

21

22 **ALFREDO PEDROZA, CHAIR:** WE'LL PROCEED WITH AGENDA ITEM 3B THE
23 AUTHORITY WILL MEET CLOSED SESSION PURSUANT TO GOVERNMENT CODE
24 SECTION 54956.9A AND PARAGRAPH 1 OF SUBDIVISION D OF THE
25 GOVERNMENT CODE SECTION 54956.9 TO CONFER WITH COUNSEL



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1 REGARDING HOWARD JARVIS TAX PAYERS ASSOCIATION, S263835
2 CALIFORNIA COURT OF APPEALS FIRST APPELLATE DISTRICT COURT
3 CASE A157598 CONSOLIDATED WITH RANDALL WHITNEY AND THE
4 METROPOLITAN TRANSPORTATION COMMISSION, CALIFORNIA COURT OF
5 APPEALS FIRST APPELLATE DISTRICT COURT CASE NUMBER A157972.
6 COMMISSIONERS PLEASE USE THE NEWEST LINK. THE MOST RECENT
7 LINK, THE SAME AS THE PREVIOUS ONE, BUT TO MAKE IT EASIER,
8 KIMBERLY SENT IT OUT AGAIN. AT THIS POINT WE'LL GO INTO CLOSED
9 SESSION. THANK YOU ALL. [CLOSED SESSION STARTED AT 1:38 P.M.
10 EST]

11

12 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT ALEX, I'LL WAIT FOR GO TO
13 RESUME

14

15 **SPEAKER:** STAND BY. WE'RE BACK TO THE MEETING

16

17 **ALFREDO PEDROZA, CHAIR:** THANK YOU, ALEX. WE'RE BACK IN OPEN
18 SESSION ITEM 3C. COUNCIL, DO WE HAVE ANY REPORTABLE ACTION

19

20 **SPEAKER:** NO, CHAIR. DIRECTION GIVEN BUT NO REPORTABLE ACTION
21 TODAY

22

23 **ALFREDO PEDROZA, CHAIR:** THANK YOU, COUNSEL. WE'RE MOVING ON TO
24 ITEM 4. FOR BATA, OUR CONSENT CALENDAR. LOOKING FOR MOTION TO
25 APPROVE THE CONSENT CALENDAR



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1

2 **SPEAKER:** MOTION FOR APPROVAL

3

4 **ALFREDO PEDROZA, CHAIR:** FIRST BY GLOVER. SOMEONE DESIGNATE A
5 SECONDS

6

7 **SPEAKER:** I'LL SECOND

8

9 **ALFREDO PEDROZA, CHAIR:** SECRETARY BY COMMISSIONER SCHAAF.
10 KIMBERLY, HAVE YOU RECEIVED ANY PUBLIC COMMENTS REGARD INCOME
11 ITEM

12

13 **KIMBERLY WARD, CLERK:** I HAVE RECEIVED NOTHING IN WRITING AND
14 NO MEMBER OF THE PUBLIC WITH THEIR HAND RAISED

15

16 **ALFREDO PEDROZA, CHAIR:** FIRST AND SECOND. ROLL CALL VOTE,
17 PLEASE

18

19 **KIMBERLY WARD, CLERK:** FIRST BY GLOVER AND A SECOND BY STAFF,
20 PEDROZA?

21

22 **ALFREDO PEDROZA, CHAIR:** YES

23

24 **KIMBERLY WARD, CLERK:** JOSEFOWITZ?

25



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1 **NICK JOSEFOWITZ, VICE CHAIR:** YES

2

3 **KIMBERLY WARD, CLERK:** ABE-KOGA?

4

5 **MARGARET ABE-KOGA:** AYE

6

7 **KIMBERLY WARD, CLERK:** AHN?

8

9 **EDDIE AHN:** AYE

10

11 **KIMBERLY WARD, CLERK:** CANEPA IS ABSENT. CHAVEZ IS ABSENT.

12 CONNOLLY?

13

14 **DAMON CONNOLLY:** AYE

15

16 **KIMBERLY WARD, CLERK:** DUTRA-VERNACI?

17

18 **CAROL DUTRA-VERNACI:** AYE

19

20 **KIMBERLY WARD, CLERK:** FLEMING? IS ABSENT. GLOVER? GLOVER FIRST

21 LADY MELANIA TRUMP AYE

22

23 **KIMBERLY WARD, CLERK:** LICCARDO IS ABSENT. MILEY?

24

25 **NATE MILEY:** AYE



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1

2 **KIMBERLY WARD, CLERK:** PAPAN.

3

4 **GINA PAPAN:** AYE

5

6 **KIMBERLY WARD, CLERK:** RABBITT?

7

8 **DAVID RABBITT:** AYE

9

10 **KIMBERLY WARD, CLERK:** RONEN?

11

12 **SPEAKER:** AYE

13

14 **KIMBERLY WARD, CLERK:** SCHAAF?

15

16 **SPEAKER:** AYE

17

18 **SPEAKER:** SPERING?

19

20 **SPEAKER:** AYE

21

22 **KIMBERLY WARD, CLERK:** THANK YOU, THE MOTION PASSES BY ALL

23 MEMBERS PRESENT

24



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1 **ALFREDO PEDROZA, CHAIR:** ITEM 5, BATA OVERSIGHT COMMITTEE
2 REPORT. COMMISSIONER WORTH TAKE IT AWAY

3

4 **AMY WORTH:** THANK YOU COMMISSIONER CHAIR. I'M JOINED BY VICE
5 CHAIR ABE-KOGA. AGENDA ITEM 5, THE BATA OVERSIGHT COMMITTEE
6 MET ON NOVEMBER 10TH, 2021 AND REFERS THE FOLLOWING TO THE
7 AUTHORITY FOR APPROVAL. AND I REALLY WANT TO THANK EVERYONE
8 WHO WORKED SO HARD ON THIS DISCUSSION AND STAFF WHO BROUGHT
9 THESE OPPORTUNITIES AND DECISIONS FORWARD TO US. AND ALSO
10 THANK EXECUTIVE DIRECTOR MCMILLAN FOR THE EARLIER COMMENTS
11 TODAY WHICH I THINK PUT OUR DISCUSSION IN GREAT CONTEXT AND
12 ANTICIPATING NEXT STEPS. I THINK IT HAS REALLY BEEN A
13 TREMENDOUS PROCESS. AND THANK YOU TO EVERYONE. SO THE
14 COMMITTEE PRESENTS TO YOU THE FOLLOWING MOTION, WHILE THE
15 MATERIALS POST HIS ON THIS ITEM INCLUDE THE EQUITY ACTION
16 UPDATE IS PRESENTED TO THE BATA OVERSIGHT COMMITTEE, THE
17 ACTION BEFORE YOU TODAY IS FOR THE BATA RESOLUTION NUMBER 52
18 REVISED, WHICH APPROVES THE REGIONAL CUSTOMER SERVICE CENTER
19 POLICY REVISIONS TO REDUCE THE TOLL TAG DEPOSITS AND THE
20 PREPAID BALANCE TO OPEN A FAST TRACK ACCOUNT AND ELIMINATE
21 CASH PAYMENT NETWORK FEES TO SUPPORT AFFORDABILITY AND
22 ACCESSIBILITY OF FAST TRACK. SO I MOVE APPROVAL OF MTC
23 RESOLUTION NUMBER 52 REVISED.

24



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1 **ALFREDO PEDROZA, CHAIR:** THANK YOU. COMMISSIONER WORTH. LOOK
2 FOR A SECOND

3

4 **SPEAKER:** I'LL SECOND

5

6 **ALFREDO PEDROZA, CHAIR:** SECOND BY VICE CHAIR JOSEFOWITZ.
7 KIMBERLY ANY PUBLIC COMMENTS ASSOCIATED WITH THIS ITEM

8

9 **KIMBERLY WARD, CLERK:** WE HAVE RECEIVED NOTHING IN WRITING. I
10 DO SEE ONE MEMBER OF THE PUBLIC WITH THEIR HAND RAISED. AND -
11 - OKAY. THAT IS ALITO DUPREE. UNMUTE YOURSELF AND YOU HAVE TWO
12 MINUTES, MR. DUPREE

13

14 **SPEAKER:** THANK YOU. CHAIR, FOR THE RECORD, THIS IS VERY
15 IMPORTANT. I'LL NOT REPEAT EVERYTHING I SAID AT THE OVERSIGHT
16 COMMITTEE. AND THANK YOU FOR INCLUDING MY LETTER FROM THE
17 OVERSIGHT COMMITTEE IN THIS REPORT TODAY. THIS IS JUST ABOUT
18 MAKING THINGS EASIER AND MORE EQUITABLE IN THE MOST BASIC
19 SENSE. AND THIS IS WHERE THE ACTION WILL BECOME EFFECTIVE
20 BECAUSE THIS IS A MULTISTEP PROCESS WE'VE BEEN GOING OVER LIKE
21 THE LAST TWO MONTHS, WHERE IT WILL MAKE THINGS EASIER FOR
22 PEOPLE. ALWAYS HAVE TO REMEMBER THAT THINGS DON'T HAPPEN IN A
23 VACUUM. CHANGE IS INEVITABLE. AND PEOPLE WILL ASK QUESTIONS
24 AND LEARN NEW THINGS. AND FAST TRACK IS THE IDEAL. AND JUST AS
25 PEOPLE ARE SAVING MONEY WITHOUT THINKING ABOUT IT, WHEN THEY



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1 GO FILL UP THEIR CARS WITH GASOLINE, BECAUSE I DON'T KNOW
2 ANYONE WHO DOES IT ON A DAILY BASIS, THEY CAN DO THE SAME HERE
3 AT BATA WITH THE MULTIPLE METHODS THAT WE HAVE. WHILE WE'VE
4 GOTTEN RID OF 7 TOLL PLAZAS, THERE ARE HUNDREDS OF CASH
5 PAYMENT LOCATIONS AROUND THE STATE. THERE WILL BE NO MORE
6 FEES. SO I THINK THIS IS WORTHY OF PASSAGE. YOU HAVE TO KEEP
7 GOING. I ASK FOR YOUR YES VOTE. HOPEFULLY UNANIMOUS. THANK
8 YOU.

9

10 **KIMBERLY WARD, CLERK:** NO ADDITIONAL HANDS ARE RAISED,
11 MR. CHAIR.

12

13 **ALFREDO PEDROZA, CHAIR:** THANK YOU KIMBERLY. SO FIRST BY
14 COMMISSIONER WORTH AND SECOND BY WORTH. AND I WANT TO ECHO THE
15 COMMENTS BY COMMISSIONER WORTH I THINK THEY WERE SO
16 APPROPRIATE. AND YOU KNOW, THIS COMMISSION IS NOT -- HAS
17 CONTINUED TO TALK ABOUT THINGS. WE'RE CREATING OUTCOMES. AND I
18 THINK THAT IS SO APPROPRIATE GIVEN WHAT WE'RE EXPERIENCING IN
19 OUR REGION. AGAIN I WANT TO THANK OUR COMMISSIONERS FOR BEING
20 BOLD IN THIS AREA. SO ROLL CALL VOTE, PLEASE.

21

22 **KIMBERLY WARD, CLERK:** PEDROZA?

23

24 **ALFREDO PEDROZA, CHAIR:** YES.

25



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1 **KIMBERLY WARD, CLERK:** JOSEFOWITZ?

2

3 **NICK JOSEFOWITZ, VICE CHAIR:** YES

4

5 **KIMBERLY WARD, CLERK:** ABE BEE KOGA?

6

7 **MARGARET ABE-KOGA:** AYE

8

9 **KIMBERLY WARD, CLERK:** AHN?

10

11 **EDDIE AHN:** AYE

12

13 **KIMBERLY WARD, CLERK:** CANEPA IS AMOUNT. CHAVEZ IS ABSENT.

14 CONNOLLY

15

16 **DAMON CONNOLLY:** AYE

17

18 **KIMBERLY WARD, CLERK:** DUTRA-VERNACI?

19

20 **CAROL DUTRA-VERNACI:** AYE

21

22 **KIMBERLY WARD, CLERK:** FLEMING IS ABSENT. GLOVER?

23

24 **FEDERAL GLOVER:** YES

25



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1 **KIMBERLY WARD, CLERK:** THANK YOU. LICCARDO IS ABSENT. MILEY?

2

3 **NATE MILEY:** AYE

4

5 **KIMBERLY WARD, CLERK:** PAPAN?

6

7 **GINA PAPAN:** AYE

8

9 **KIMBERLY WARD, CLERK:** RABBITT?

10

11 **DAVID RABBITT:** AYE

12

13 **KIMBERLY WARD, CLERK:** RONEN?

14

15 **HILLARY RONEN:** AYE

16

17 **KIMBERLY WARD, CLERK:** SCHAAF?

18

19 **LIBBY SCHAFF:** AYE

20

21 **KIMBERLY WARD, CLERK:** SPERING?

22

23 **JAMES SPERING:** AYE

24

25 **KIMBERLY WARD, CLERK:** WORTH?



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1

2 **AMY WORTH:** AYE

3

4 **KIMBERLY WARD, CLERK:** THANK YOU, THE MOTION PASSES UNANIMOUSLY
5 BY ALL MEMBERS PRESENT.

6

7 **ALFREDO PEDROZA, CHAIR:** MOVING ON TO ITEM 6 PUBLIC COMMENT.
8 ANY ITEMS RECEIVED IN PUBLIC COMMENT ASSOCIATED WITH THIS ITEM
9 AT INFO BY 5:00 P.M. INTO THE RECORD. ALSO ANY MEMBER WISHES
10 TO SUBMIT PUBLIC COMMENT RAISE YOUR HAND OR STAR 9

11

12 **KIMBERLY WARD, CLERK:** THANK YOU, I'VE RECEIVED NOTHING IN
13 WRITING. AND I DO SEE ALITO DUPREE WITH HER HAND RAISED.
14 PLEASE UNMUTE YOURSELF MS. DUPREE, YOU HAVE TWO MINUTES

15

16 **SPEAKER:** THANK YOU. CHAIR ALFREDO PEDROZA. ALITO DUPREE FOR
17 THE RECORD SHE AND HER. GOOD MEETING WE'RE REALLY GETTING OUR
18 WORK DONE. I LIKE THINGS EFFICIENTLY. AND WE'RE SHOWING THAT
19 TODAY. IT IS POSSIBLE IN THE PUBLIC SECTOR. WE'RE DOING IT. SO
20 IN GENERAL SENSE, I FEEL THAT WE MUST CONTINUE TO SHOW OUR
21 LEADERSHIP BECAUSE I STILL SEE OTHER TOLL AGENCIES AROUND THE
22 COUNTRY THAT HAVE TEPID ADDITION IN TAKING THE -- TEPID
23 ADDITION IN THE FORWARD WORK WE'RE DOING. THE WORK IS GOING TO
24 BE HARD. AND IT IS WORTH IT. AND I THINK THE HISTORY SHOW IT
25 IS POSSIBLE TO COLLECT TOLL MONEY IN A TIMELY MANNER USING ALL



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1 ELECTRIC SYSTEMS. HAVING MONEY OUT THERE IS AN ACCIDENT
2 WAITING TO HAPPEN. BOTH LITERALLY AND FIGURATIVELY. I'M -- I
3 DON'T NEED TO GO INTO DETAIL ABOUT THAT, I'M SURE YOU KNOW.
4 SOME STILL ARE NOT SEEING THE CHANGE WITH THE TIMES OUT THERE
5 IN THE WORLD. BUT EQUITY IS ABOUT EMBRACING CHANGE AND
6 EMPOWERING PEOPLE TO TAKE ADVANTAGE OF THE POSSIBILITIES THAT
7 THE FUTURE HAS TO OFFER RATHER THAN FORECLOSING THAT BECAUSE
8 ASSUMPTIONS ARE MADE THAT EQUITY PRIORITIES, COMMUNITIES CAN'T
9 DO NEW THINGS. WELL, THEY CAN. BECAUSE I AM ONE. I AM IN THE
10 EQUITY PRIORITY COMMUNITY. AND I'M DOING THESE THINGS. AND
11 THANK YOU FOR MAKING IT EASY. AND THAT IS IMPORTANT FOR ME.
12 BECAUSE I RIDE THE BUS OVER THE BRIDGE. SO THERE'S A LOT GOING
13 ON IN THE WORLD. WE HAVE TO SHOW THE WORLD WHAT WE'RE DOING,
14 SO OTHERS CAN SEE IT WILL BE DONE. THANK YOU.

15

16 **KIMBERLY WARD, CLERK:** THANK YOU. THERE ARE NO ADDITIONAL HANDS
17 RAISED, MR. CHAIR.

18

19 **ALFREDO PEDROZA, CHAIR:** THANK YOU KIMBERLY. THAT CONCLUDES
20 PUBLIC COMMENT. WE'RE GOING TO MOVE ON TO ITEM 7, ADJOURNMENT.
21 THE NEXT BAY AREA MEETING SCHEDULED TO BE HELD THE THIRD
22 WEDNESDAY, DECEMBER 15TH, DUE TO THE CHRISTMAS HOLIDAY
23 REMOTELY BY WEB CAST. ANY CHANGES WILL BE DULY NOTED. MEETING
24 IS ADJOURNED. STAY TUNED FOR BAHA, PLEASE.

25



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