



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

Meeting Minutes

Metropolitan Transportation Commission

Jake Mackenzie, Chair Scott Haggerty, Vice Chair

Wednesday, April 25, 2018

9:40 AM

Board Room - 1st Floor

Call Meeting to Order

1. Roll Call / Confirm Quorum

Present: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccado, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering, and Commissioner Worth

Absent: 1 - Commissioner Kim

Non-Voting Commissioners Present: Azumbrado, Davis, and Giacomini

18-0354 Appointment of James E. Davis to the Administration Committee, BATA Oversight Committee, Programming and Allocations Committee, and the Bay Area Infrastructure Financing Authority.

Upon the motion by Commission Chair Mackenzie and the second by Commission Vice Chair Haggerty, the Commission unanimously approved the appointment of Commissioner James E. Davis to the BATA Oversight, Administration, and Programming and Allocations Committee, and the Bay Area Infrastructure Financing Authority. The motion carried by the following vote:

Aye: 16 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commissioner Kim and Commissioner Liccado

2. Chair's Report – Mackenzie

3. Policy Advisory Council Report – Randi Kinman

4. Executive Director's Report – Heminger

5. Commissioner Comments

6. Consent Calendar:

Approval of the Consent Calendar

Upon the motion by Commissioner Bruins and the second by Commissioner Halsted, the Consent Calendar was unanimously approved by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Kim

6a. [18-0240](#) Minutes of the March 28, 2018 meeting

Action: Commission Approval

Administration Committee

6b. [18-0138](#) MTC Resolution No. 1198, Revised - Revisions to MTC's Conflict of Interest Code to Update List of Designated Positions

Action: Commission Approval

Programming and Allocations Committee

6c. [18-0219](#) MTC Resolution No. 4275, Revised. 2017 Transportation Improvement Program (TIP) Amendment 2017-32.

Action: Commission Approval

6d. [18-0124](#) MTC Resolution No. 4202, Revised. OBAG 2 Revisions and updates on OBAG 1 and OBAG 2 PCA Program of Projects.

Action: Commission Approval

6e. [18-0237](#) MTC Resolution No. 4278, Revised. Update FY2017-18 Regional Measure 2 (RM2) Operating and Marketing Program to redirect \$440,000 in marketing funds.

Action: Commission Approval

6f. [18-0220](#) MTC Resolution No. 4308, Revised. Revisions of MTC's 2018 Regional Transportation Improvement Program (RTIP) Program of Projects.

Action: Commission Approval

Committee Reports

7. Administration Committee – Glover

- 7a. [18-0215](#) MTC Resolution No. 4329 - FY 2018-19 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreements for Federal and State Planning Grants

A request for approval of the FY 2018-19 OWP, which guides the collaborative metropolitan transportation planning process involving MTC, ABAG, Caltrans, and other local transportation partners and for authorization to enter into agreements for transportation planning funds.

Action: Commission Approval

Upon the motion by Commissioner Glover and the second by Commissioner Pedroza, the Commission unanimously adopted MTC Resolution No. 4329. The motion carried by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperring and Commissioner Worth

Absent: 1 - Commissioner Kim

8. Legislation Committee – Aguirre

- 8a. [18-0184](#) Senate Bill 957 (Lara): High-Occupancy Vehicle (HOV) Lanes- Clean Air Vehicle Access for Low-Income Registered Owners

Clean Air Vehicle Decal Program: Exception from time limit.

Action: Oppose / Commission Approval

Upon the motion by Commissioner Aguirre and the second by Commissioner Pierce, the Commission unanimously adopted an Oppose position on Senate Bill 957. The motion carried by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperring and Commissioner Worth

Absent: 1 - Commissioner Kim

- 8b. [18-0228](#) Senate Bill 1014 (Skinner): Transportation Network Companies and Electric Vehicles - Support and Seek Amendments

Electric Vehicle Target for Transportation Network Companies.

Action: Support and Seek Amendments / Commission Approval

Upon the motion by Commissioner Aguirre and the second by Commissioner Pierce, the Commission adopted a Support and Seek Amendments position on Senate Bill 1014. The motion carried by the following vote with Commissioner Josefowitz being recused from the vote:

Aye: 16 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Kim

- 8c. [18-0183](#) Senate Bill 1119 (Newman): Low Carbon Transit Operations Program

Modifies the requirements applicable to the use of Low Carbon Transit Operations Program funds.

Action: Support and Seek Amendments / Commission Approval

Upon the motion by Commissioner Aguirre and the second by Commissioner Dutra-Vernaci, the Commission unanimously adopted a Support and Seek position on Senate Bill 1119. The motion carried by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Kim

9. Planning Committee – Sperling

- 9a. [18-0224](#) MTC Resolution No. 4202, Revised: Approval of \$9.8 million in Priority Development Area (PDA) Planning, Staffing and Technical Assistance Grants and PDA Implementation

Refer MTC Resolution No. 4202, Revised, to distribute \$7.3 million in PDA Planning, Technical, and Staffing Assistance grants, and regional PDA implementation, to the Commission for approval, \$2 million for PDA Planning, Staffing and Technical assistance administration, and \$500,000 for supportive regional PDA implementation studies.

Action: MTC Commission Approval

Tyra Hays and Christina Love, City of Vacaville were called to speak.

Upon the motion by Commissioner Sperling and the second by Commission Vice Chair Haggerty, the Commission unanimously adopted MTC Resolution No. 4202, Revised. The motion carried by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 1 - Commissioner Kim

10. Programming and Allocations Committee – Josefowitz

- 10a. [17-3058](#) MTC Resolution No. 3925, Revised. Revision to the Cycle 1 Surface Transportation Block Grant Program/Congestion Mitigation and Air Quality Improvement (STP/CMAQ) program.

Programming of \$15 million in Surface Transportation Block Grant Program (STP) apportionment for the Doyle Drive/Presidio Parkway landscaping project in San Francisco.

Action: Commission Approval

Upon the motion by Commissioner Josefowitz and the second by Commissioner Halsted, the Commission unanimously adopted MTC Resolution No. 3925, Revised. The motion carried by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 1 - Commissioner Kim

- 10b.** [18-0226](#) MTC Resolution Nos. 4202, Revised and 4328. Revision to the One Bay Area Grant (OBAG 2) program and implementation of a funding exchange agreement with the Sonoma County Transportation Authority (SCTA) for the US-101 Marin-Sonoma Narrows (MSN) project.

Programming of \$3.4 million in Surface Transportation Block Grant Program (STP) funds available now in exchange for \$3.4 million in Regional Transportation Improvement Program (RTIP) funds later, to cover a cost increase in order to award the US-101 Marin-Sonoma Narrows project in Sonoma County.

Action: Commission Approval

Upon the motion by Commissioner Josefowitz and the second by Commissioner Dutra-Vernaci the Commission unanimously adopted MTC Resolution No. 4202, Revised and 4328. The motion carried by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Kim

- 10c.** [18-0221](#) MTC Resolution No. 4324. Adoption of the 2019 Regional Active Transportation Program (ATP) Cycle 4 Guidelines.

The 2019 Regional ATP Cycle 4 will provide about \$37 million in new programming, covering the years FY 2019-20 through FY 2022-23. The Regional ATP Guidelines lay out policies and project selection criteria for the regional share of ATP Cycle 4 funds.

Action: Commission Approval

Upon the motion by Commissioner Josefowitz and the second by Commissioner Glover, the Commission unanimously adopted MTC Resolution No. 4324. The motion carried by the following vote:

Aye: 17 - Commission Chair Mackenzie, Commission Vice Chair Haggerty, Commissioner Aguirre, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Pedroza, Commissioner Pierce, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 1 - Commissioner Kim

11. Approval

11a. [18-0332](#) Closed Session - CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION

The Commission met in closed session to confer with legal counsel pursuant to Government Code Section 54956.9 (d)(2) and (d)(4) (two potential cases), the facts and circumstances of which concern monetary issues related to the Commission's terminated contract with a counterparty.

Meeting went into Recess

Meeting Reconvened

11b. [18-0333](#) Open Session

The Commission reconvened in open session. Adrienne Weil, General Counsel, reported that the Commission met in closed session pursuant to Government Code Section 54956.9 (d)(2) and (d)(4) (two potential cases) to discuss the above litigation and reported that counsel was instructed to proceed in accordance with directions given in closed session.

Action: Commission Approval

12. Public Comment / Other Business

Ken Bukowski was called to speak.

13. Adjournment / Next Meetings:

The next meeting of the Commission will be held on May 23, 2018 at 9:45 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.

Jake Mackenzie, Chair