



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

Meeting Minutes

Metropolitan Transportation Commission

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, July 22, 2020

9:45 AM

Board Room - 1st Floor (REMOTE)

Call Remote Meeting to Order

1. Roll Call / Confirm Quorum

Present: 16 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Ronen, Commissioner Slocum, Commissioner Spering, and Commissioner Worth

Absent: 2 - Commissioner Rabbitt, and Commissioner Schaaf

Non-Voting Commissioner Present: Commissioner Giacomini

Non-Voting Commissioners Absent: Commissioner Stracner and Commissioner Tavares

2. Chair's Report (Haggerty)

3. Policy Advisory Council Report (Randi Kinman)

4. Executive Director's Report (McMillan)

Vaughn was called to speak.

[20-1154](#) Executive Director's Report

5. Commissioner Comments

6. Consent Calendar:

Agenda items 6j and 6k were pulled from the Consent Calendar to be considered separately by the Commission. Upon the motion by Commissioner Bruins and the second by Commissioner Dutra-Vernaci, the Consent Calendar was unanimously approved by the following vote:

Aye: 16 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Ronen, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commissioner Rabbitt and Commissioner Schaaf

6a. [20-1044](#) Minutes of the June 24, 2020 meeting

Action: Commission Approval

Programming and Allocations Committee

6b. [20-0878](#) MTC Resolution Nos. 4169, Revised; 4262, Revised; and 4263, Revised. Revisions to the FY2016-17 through FY2019-20 AB 664 Net Bridge Toll Revenues and BATA Project Savings programming and allocations to reprogram funds for AC Transit and allocate \$38.4 million to SFMTA and AC Transit.

Action: Commission Approval

Presenter: Rob Jaques

6c. [20-0911](#) MTC Resolution No. 4202, Revised. Revisions to the One Bay Area Grant (OBAG 2) to incorporate \$7 million in Highway Infrastructure Program apportionment provided through the Department of Transportation Appropriations Act, 2020

Action: Commission Approval

Presenter: Mallory Atkinson

6d. [20-0746](#) MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-40.

Action: Commission Approval

Presenter: Adam Crenshaw

6e. [20-0741](#) MTC Resolution No. 4414, Revised. Programming for FY2020-21 and an allocation of approximately \$7.1 million in Five Percent Unrestricted State Fund Revenues and \$530,450 in Two Percent Bridge Toll Revenues for the Water Emergency Transportation Authority.

Action: Commission Approval

Presenter: Christina Hohorst

6f. [20-0976](#) FY 2019-20 Federal Earmark Repurposing. Potential projects to receive Federal Highway Administration (FHWA) repurposed earmark funds under the earmark repurposing provision of the Department of Transportation Appropriations Act, 2020.

Action: Commission Approval

Presenter: Mallory Atkinson

6g. [20-0879](#) MTC Resolution No. 4412, Revised. Regional Measure 3 (RM3) Letters of No Prejudice.

Recommendation of RM3 Letters of No Prejudice to the Solano Transportation Authority for the I-80/680/12 Interchange project, and to the Transportation Authority of Marin for the US-101/I-580 Direct Connector project.

Action: Commission Approval

Presenter: Kenneth Kao

- 6h. [20-0903](#) MTC Resolution Nos. 4402, Revised, 4430, Revised, 4431, Revised and 4434.

Revises the FY 2020-21 Fund Estimate and allocates \$30.3 million in FY 2020-21 Transportation Development Act (TDA) funds and State Transit Assistance (STA) funds, to several transit operators to support transit operations and capital projects in the region, and approves the FY 2020-21 State of Good Repair Program project list.

Action: Commission Approval

Presenter: William Bacon

- 6i. [20-0912](#) MTC Resolution No. 4202, Revised.

Revisions to the One Bay Area Grant 2 Program (OBAG 2), to program \$5 million to transportation projects in Marin, Napa, Solano, and Sonoma Counties as part of the Housing Incentive Pool (HIP) Sub-HIP pilot program; and \$1 million to the Napa Valley Forward Traffic Calming and Multi-modal Improvements project within the Regional Freeway Performance Program.

Action: Commission Approval

Presenter: Mallory Atkinson

Legislation Committee

- 6j. [20-1066](#) Senate Bill 995 (Atkins): Extension of California Environmental Quality Act (CEQA) Judicial Review Streamlining Authority

Action: Support / MTC Commission Approval

Presenter: Rebecca Long

Upon the motion by Commissioner Spering and the second by Commissioner Josefowitz, the Commission adopted a support position on Senate Bill 995 (Atkins). The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Ronen, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Nay: 1 - Commissioner Connolly

Absent: 2 - Commissioner Rabbitt and Commissioner Schaaf

6k. [20-1069](#) Senate Bill 288 (Wiener): Sustainable Transportation Acceleration

Action: Support / MTC Commission Approval

Presenter: Rebecca Long

Upon the motion by Commissioner Josefowitz and the second by Commissioner Spering, the Commission unanimously adopted a support position on Senate Bill 288 (Wiener). The motion carried by the following vote:

Aye: 16 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Ronen, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commissioner Rabbitt and Commissioner Schaaf

Committee Reports**7. Programming and Allocations Committee (Josefowitz)****7a. [20-0810](#) Diridon Station Cooperative Agreement.**

A request for approval to enter into a cooperative agreement with the City of San Jose, Peninsula Corridor Joint Powers Board (Caltrain), Santa Clara Valley Transportation Authority (VTA), and the California High Speed Rail Authority to support the development of the San Jose Diridon Station Program.

Action: Commission Approval

Presenter: Melanie Choy

Written public comment was received from Roland Lebrun.

Roland Lebrun, David Schonbrunn, Vaughn, and Aleta Dupree were called to speak.

Upon the motion by Commissioner Josefowitz and the second by Commissioner Bruins, the Commission approved the Diridon Station Cooperative Agreement and directed staff to reach out to the Diridon partners to establish if BART, Capitol Corridor, and ACE can be more fully included in the decision making structure and report back to the Commission. The motion carried by the following vote:

Aye: 16 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Ronen, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commissioner Rabbitt and Commissioner Schaaf

- 7b. [20-0933](#) MTC Resolution No. 4420, Revised. Coronavirus Aid, Relief, and Economic Security (CARES) Act (H.R. 748) - Emergency Transit Assistance Programming.

Programming of \$507.6 million of FTA formula funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act to support Bay Area transit operations in response to the COVID-19 pandemic.

Action: Commission Approval

Presenter: Theresa Romell

Written public comments were received from Amelia Chu, Richard Konda of Asian Law Alliance, Derek Imai of Associated Students University of CA, BART Transit Operators, Sharon Bouska, Bob Brownstein, Susan Butler-Graham, Dawn Hogh of Cancer CAREpoint, Thomas Gregory of Center for Independent Living, Terry Christensen, Shawn Fong of Program Manager City of Fremont, Cecilia Taylor Mayor City of Menlo Park, Diane Howard Mayor City of Redwood City, Maya Esparza of Councilmember City of San Jose, Lisa Gillmor Mayor City of Santa Clara, Phillip Vu of Community Health Partnership, Dream Corps Green for All, Ari Feinsmith, Jolene Smith of First 5 Santa Clara County, Tara Hamilton, Jenifer, Kevin Ma, Lila Lam, Alison Brunner of Law Foundation of Silicon Valley, Sylvia Leong, Aaron Morrow, Linda Hutchins-Knowles of Mothers Out Front South Bay, Olivia Chu, Christina Phan, Julianne Premo, Ryan Gallagher of Public Authority Services, Jennifer Ramoz, James Lee of Richmond Chamber of Commerce, Rosalinda Rodriguez, Connie Rogers, Dr. Mary Montaldo of Santa Clara Valley Medical Center, David Grady of State Council on Developmental Disabilities, Darrell Evora of Uplift Family Services, Vietnamese-American Professional Women's Assoc. of Silicon Valley, and Lorraine Zeller.

The following members of the public were called to speak: Michael Hursh of AC Transit, James Lindsay, Yvonne Williams, Chonita Chew of United, Seniors of Oakland and Alameda County, Shane Weinstein of ATU, Mary Lim-Lampe of Genesis, Aaron Morrow, Bonnie Lackhard, Marcia Lovelace of Genesis, Hayley Currier of TransForm, Radhika Goel, Jovanka Beckles, Richard Marcantonio of Public Advocates, Riya Behari, Emily Wheeler, Hoai-An Truon of Mothers of Outside of San Jose, Aurturo Aguilar of ATU, Michelle Gray of ATU, Robert Allen of Urban Habitat, Jesse Hunt of ATU, Rolan Lebrun, Monica Mallon, Sonial Patil, John Courtney of ATU, Terry Taplin, Miguel Navarro of ATU, Sal Cruz, Nicole Wong of Green for All, Seamus Murphy of San Mateo County Transit District, Aleta Dupree, Eugene Bradley of Silicon, Valley Transit Users, Victoria Fierce, Pamela Herhold of BART, Jeremy Taylor, Ken Bukowski, Jordan Grimes of Peninsula for Everyone, Alexis Tan, Kate Breen of Government Affairs.

Upon the motion by Commissioner Josefowitz and the second by Commissioner

Spering, the Commission unanimously adopted MTC Resolution No. 4420, Revised with an amendment conditioned upon a “true up” of any negative differential between projected and actual sales tax and/or fare revenues with any future allocation of federal dollars for pandemic/economic relief. Such calculation shall be based upon the actual receipts for the periods March - August and September – December 2020, or appropriate time period for actual available data. In the event any transit operator received less than their adjusted share of CARES Act funding due to the inaccurate forecasts, such differentials shall be compensated with a future federal allocation of emergency funding. If Congress fails to appropriate any such additional dollars for transit operators, then MTC staff shall identify other new or augmented sources of flexible new federal funding which can appropriately compensate operators for those shortfalls. In addition, transit operators will be required to approve resolutions confirming commitment to safety as well as submit monthly reports to MTC on health and safety, including public health actions and COVID case data. The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 3 - Commissioner Rabbitt, Commissioner Schaaf and Commissioner Slocum

8. Planning Committee (Spering)

8a. [20-0959](#) Plan Bay Area 2050 Final Blueprint: Key Decisions for the Transportation Element

Recommendations on specific regional discretionary funding levels for the Transportation Element of the Plan Bay Area 2050 Final Blueprint, in advance of broader strategy refinements in September 2020 following robust public engagement.

Action: Commission Approval

Written public comments were received from Andreas Cluver of Alameda County Building and Construction Trades Council, Jim Wunderman of Bay Area Council, Ron Gerhard of Chabot Las Positas Community College District, Rich Constantine of Mayor City of Morgan Hill, Roland Velasco of Mayor City of Gilroy, Congresswoman Nancy Pelosi, Jackson Fahnestock, James Hongyi Zeng, Howard Wong, Stephen Lanza of Innovation TriValley Leadership Group, Robert Feinbaum of SaveMUNI, Farhad Mansourian of SMART, David Schonbrunn of Transit Riders Association of CA, Tri-Valley Chamber of Commerce Alliance, Assemblymember Rebecca Bauer-Kahan, Derrick Holt and Belal Aftab of TJPA, Tony Tavares of Caltrans.

The following members of the public were called to speak Mark Zabaneh of Transbay Joint Powers Authority, Paul Akinjo, Roland Lebrun, Anthony

Simmons of Caltrain, Adina Levin, Eric Cordoba, John Marchand Mayor City of Livermore, David Schonbrunn of Transit Riders Association of CA, Ken Bukowski, Doug Mann, Tim Sbranti, Tess Lengyel of Alameda Transportation Commission, Vaughn, Peter Strauss of San Francisco Transit Riders, Derrick Holt of TJPA, Gerald Cauthen of Bay Area Transportation Group, and Jim Schmidt.

Upon the motion by Commissioner Spering and the second by Commissioner Worth, the Commission unanimously adopted Option B of the Plan Bay Area 2050 Final Blueprint: Key Decisions for the Transportation Element. The motion carried by the following vote:

Aye: 12 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 6 - Commissioner Cortese, Commissioner Glover, Commissioner Liccardo, Commissioner Rabbitt, Commissioner Schaaf and Commissioner Slocum

9. Legislation Committee (Mackenzie)

9a. [20-1070](#) Senate Bill 902 (Wiener): Housing Approval Streamlining Tool

Creates an optional tool for local governments to streamline upzoning in transit-rich locations, jobs-rich or urban infill sites.

Action: Support / MTC Commission Approval

Presenter: Georgia Gann Dohrmann

Upon the motion by Commissioner Mackenzie and the second by Commissioner Spering, the Commission adopted a support position on Senate Bill 902 (Wiener). The motion carried by the following vote:

Aye: 9 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Spering and Commissioner Worth

Nay: 3 - Commissioner Bruins, Commissioner Connolly and Commissioner Papan

Absent: 6 - Commissioner Glover, Commissioner Liccardo, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf and Commissioner Slocum

9b. [20-1071](#) Assembly Bill 3040 (Chiu): Missing Middle Housing Incentive

Local government incentive to authorize fourplexes by-right in single family zones with accompanying credit under Regional Housing Needs Allocation (RHNA).

Action: Support and Seek Amendment / MTC Commission Approval

Presenter: Georgia Gann Dohrmann

Upon the motion by Commissioner Mackenzie and the second by Commissioner Spering, the Commission adopted a support and seek amendment position on

Assembly Bill 3040 (Chiu). The motion carried by the following vote:

Aye: 11 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Ahn, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Spering and Commissioner Worth

Absent: 6 - Commissioner Glover, Commissioner Liccardo, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf and Commissioner Slocum

Abstain: 1 - Commissioner Bruins

10. Public Comment / Other Business

Roland Lebrun, Duane, and Ken Bukowski were called to speak.

11. Adjournment / Next Meetings:

The next meeting of the Metropolitan Transportation Commission is scheduled to be held on Wednesday, August 26, 2020 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.