



## Meeting Minutes

### Metropolitan Transportation Commission

*Alfredo Pedroza, Chair   Nick Josefowitz, Vice Chair*

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Wednesday, October 26, 2022

9:35 AM

HYBRID (In-Person Option Available)

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#### Call to Order the Joint Meeting of the Commission with the Bay Area Housing Finance Authority

##### 1. Roll Call / Confirm Quorum

Vice Chair Josefowitz was absent during the roll call and arrived during agenda item 9.

**Present:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering, and Commissioner Worth

**Absent:** 1 - Commissioner Abe-Koga

Non-Voting Member Present: Commissioner Giacopini

Non-Voting Member Absent: Commissioner El-Tawansy

##### 2. Pledge of Allegiance/ Acknowledgement of the Flag

##### 3. Compensation Announcement

##### 4. Joint MTC and BAHFA Consent Calendar (Commission Vote)

**Upon the motion by Commissioner Dutra-Vernaci and seconded by Commissioner Glover, the Commission unanimously approved the Consent Calendar by the following vote:**

**Aye:** 16 - Chair Pedroza, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 2 - Vice Chair Josefowitz and Commissioner Abe-Koga

##### 4. Joint MTC and BAHFA Consent Calendar (BAHFA Vote)

**Upon the motion by Commissioner Spering and seconded by Commissioner Dutra-Vernaci, the Authority unanimously approved the Consent Calendar by the following vote:**

**Aye:** 16 - Chair Pedroza, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 2 - Vice Chair Josefowitz and Commissioner Abe-Koga

- 4a. [22-1364](#) Minutes of the September 28, 2022 Joint MTC w/ BAHFA meeting and October 6, 2022 Special Commission meeting

**Action:** Commission Approval

- 4b. [22-1365](#) MTC Resolution No. 4541, and BAHFA Resolution No. 21 - Providing for Remote Meetings Pursuant to Assembly Bill 361

**Action:** Commission Approval; and Authority Approval

## 5. Public Comment / Other Business

## 6. Adjourn Bay Area Housing Finance Authority and Continue with MTC Agenda

## 7. Chair's Report (Pedroza)

Upon the motion by Commissioner Papan and seconded by Commissioner Spering, the Commission unanimously approved the Ad-Hoc Executive Director Selection Committee with the following members: Alfredo Pedroza, Nick Josefowitz, Jim Spering, Amy Worth, Federal Glover, Gina Papan, and Margaret Abe-Koga. The motion carried by the following vote:

**Aye:** 16 - Chair Pedroza, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 2 - Vice Chair Josefowitz and Commissioner Abe-Koga

## 8. Policy Advisory Council Report (Randi Kinman)

Policy Advisory Council Vice Chair, Ilaf Esuf, gave the report.

Adina Levin (Policy Advisory Council Transit Transformation Action Plan Subcommittee Chair) and Rich Hedges were called to speak.

## 9. Executive Director's Report (McMillan)

[22-1508](#) Executive Director's Report

## 10. Commissioner Comments

**11. Consent Calendar:**

Upon the motion by Commissioner Spering and seconded by Commissioner Worth, the Commission unanimously approved the Consent Calendar by the following vote:

**Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 1 - Commissioner Abe-Koga

**11a.** [22-1240](#) MTC Resolution No. 4516, Revised. FY 2022-23 Overall Work Program (OWP) Amendment No. 1

**Action:** Commission Approval

**Presenter:** Derek Hansel

**Administration Committee**

**11b.** [22-1453](#) MTC Resolution No. 4546. Delegation of Authority Regarding Settlement of Claims and Lawsuits and Contracts for Legal Services

**Action:** Commission Approval

**Presenter:** Andrea Visveshwara

**11c.** [22-1370](#) MTC Resolution No. 1198, Revised. Revisions to MTC's Conflict of Interest Code to Update List of Designated Positions - Release for Public Comment

**Action:** Commission Approval

**Presenter:** Andrea Visveshwara

**Programming and Allocations Committee**

**11d.** [22-1432](#) MTC Resolution No. 4475, Revised. 2021 Transportation Improvement Program (TIP) Amendment 2021-28

**Action:** Commission Approval

**Presenter:** Adam Crenshaw

- 11e. [22-1452](#) MTC Resolution Nos. 4202, Revised, 4505, Revised, and 4540. Revisions to the One Bay Area Grant programs (OBAG 2 and 3), including programming approximately \$69 million in Regional Program funds and adoption of the Carbon Reduction Program (CRP), which commits \$60 million to Climate Initiatives projects and programs as part of the OBAG 3 regional investment strategy.
- Action:** Commission Approval
- Presenter:** Mallory Atkinson
- 11f. [22-1448](#) MTC Resolution Nos. 4523, Revised and 4524, Revised. Allocation of \$48 million in FY 2022-23 Transportation Development Act (TDA) and State Transit Assistance (STA) funds to seven operators and MTC to support transit operations and capital projects in the region.
- Action:** Commission Approval
- Presenter:** Kenji Anzai
- 11g. [22-1459](#) MTC Resolution 4519, Revised. An update to programming for the Transit Transformation Action Plan to reflect the programming of funds to transit operators for the Clipper BayPass program.
- Action:** Commission Approval
- Presenter:** William Bacon
- 11h. [22-1473](#) MTC Resolution Nos. 4095, Revised and 4250, Revised. Rescission of \$700,000 in Regional Measure 2 (RM2) funds from the environmental phase of Bay Bridge Forward 2020 suite of projects, and allocation of \$700,000 in RM2 funds to the construction phase of the West Grand HOV/Bus-Only Lane (Phase 2) project, part of Bay Bridge Forward (BBF).
- Action:** Commission Approval
- Presenter:** Kenneth Kao
- 11i. [22-1527](#) MTC Resolution No. 4547 and 4273, Revised. Low-Carbon Transit Operations Program (LCTOP) Corrective Action Plan (CAP)
- Action:** Commission Approval
- Presenter:** Anne Spevack

### **Joint MTC ABAG Legislation Committee**

- 11j. [22-1558](#) MTC Resolution No. 3931, Revised - Policy Advisory Council Appointment
- Action:** Commission Approval
- Presenter:** Ky-Nam Miller

## Committee Reports

### 12. Administration Committee (Glover)

12a. [22-1242](#) MTC Resolution No. 4517, Revised. MTC FY 2022-23 Operating and Capital Budgets, Amendment No. 1

A request for Commission approval of MTC Resolution No. 4517, Revised, MTC FY 2022-23 Operating and Capital Budgets, Amendment No. 1.

**Action:** Commission Approval

**Presenter:** Derek Hansel

**Upon the motion by Commissioner Glover and seconded by Commissioner Ronen, the Commission unanimously adopted MTC Resolution No. 4517, Revised. The motion carried by the following vote:**

**Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 1 - Commissioner Abe-Koga

### 13. Programming and Allocations Committee (Rabbitt)

13a. [22-1283](#) MTC Resolution Nos. 4537 and 4130, Revised. Major Projects Advancement Policy and Transit and Intercity Rail Capital Program Framework.

- i. Adoption of the Regional Major Project Advancement Policy (MAP); and
- ii. Revision to MTC's Cap and Trade Framework updating the regional Transit and Intercity Rail Capital Program Framework.

**Action:** Commission Approval

**Presenter:** Kenneth Folan

Written public comments were received from Written public comments were received from Congressmen Josh Harder and Eric Swalwell, Senator Eggman, Senator Glazer, Senator Wieckowski, Dan Leavitt (San Joaquin Regional Rail Commission), Mayor London Breed and Rafael Mandelman of SFCTA, David Shr, Michael Abramson, Santa Clara Valley Transportation Authority (Commissioners Abe-Koga, Chavez and Liccardo and VTA Board of Directors Chairperson Jones), Brad Bulger, Monica Mallon, Dee Barragan (Roosevelt Park Neighborhood Association), Davide Viera (BART Transit Village Advocates and Friends of Five Wounds Trail), Grace P, Rani Fischer, Marcia Cohen Zakai, Beni Blade (Building & Construction Trades Council), Adam Van de Water, (Transbay Joint Powers Authority), Senator Scott Wiener and Assembly Member Matt Haney, and Chris Patterson-Simmons.

The following members of the public were called to speak: Bevan Duffy (BART Board of Directors), Peter Strauss (San Francisco Transit Riders), Beth Fisher (Santa Clara Building Trades Council), Nancy Young (Mayor City of Tracy), Gerald Cauthen (Bay Area Transportation Working Group), David Haubert (Alameda County Supervisor), Denise Boullierce (Stanford Healthcare), Pamela Herhold (BART Assistant General Manager), Steve Lanza (Tri-Valley Leadership Group), Tim Sbranti (Chabot-Las Positas Community College District), Don Hofer (Shea Homes), Dave Hudson (Mayor City of San Ramon), Sblend Sblendorio (Hoge Fenton Jones & Appel), Veronica Vargas (Tri-Valley San Joaquin Valley Regional Rail Authority), Don Marek (Fremont Bank), Eddie Esota Alvarez (Building and Construction Trades Council of Alameda County), Bob Woerner (Mayor City of Livermore), Chloe Shipp (San Jose Downtown Association), Melissa Hernandez (Tri-Valley San Joaquin Valley Regional Rail Authority), Marlee Smith (Selected Valley Leadership Group), Laura Tolkoff (SPUR), Adina Levin (Friends of Caltrain), David Buchholz (Colliers Commercial Real Estate), San Jose State University Transportation Solutions, Richard Hedges, Jim Schmidt, Charley Lavery (Operating Engineers Local 3), Tiffany Martinez (San Jose State University), Don Cecil (San Mateo County Economic Development), Bruce Agid (High Speed Rail), Rudy Gonzalez, (San Francisco Building and Construction Trades), Sam Sargent

(Caltrain), Yolanda Fintschenko (Daybreak Labs), and Howard Wong (TJPA Citizen Advisory Committee).

**Upon the motion by Commissioner Rabbitt and seconded by Commissioner Worth, the Commission unanimously adopted MTC Resolution Nos. 4537 and 4130, Revised. The motion carried by the following vote:**

**Aye:** 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Liccardo, Commissioner Miley, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**Absent:** 1 - Commissioner Abe-Koga

**14. Public Comment / Other Business**

**15. Adjournment / Next Meetings:**

**The next meeting of the Metropolitan Transportation Commission is scheduled to be held at 9:35 a.m. on Wednesday, November 16, 2022. Any changes to the schedule will be duly noticed to the public.**