



Meeting Minutes

Metropolitan Transportation Commission

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, December 20, 2023

9:35 AM

Yerba Buena Conference Room - 1st Floor

Roster

**Alfredo Pedroza (Chair), Nick Josefowitz (Vice Chair),
Margaret Abe-Koga, Eddie Ahn, David Canepa, Cindy Chavez, Carol Dutra-Vernaci,
Dina El-Tawansy*, Victoria Fleming, Dorene M. Giacopini*, Federal D. Glover,
Matt Mahan, Nate Miley, Stephanie Moulton-Peters, Sue Noack, Gina Papan,
David Rabbitt, Hillary Ronen, Libby Schaaf*, James P. Spering, Sheng Thao**

***Non-Voting Members**

1. Call to Order / Roll Call / Confirm Quorum

Present: 17 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, and Commissioner Spering

Absent: 1 - Commissioner Thao

A quorum being present in the Yerba Buena Conference Room, Commissioner Chavez and Commissioner Ronen were authorized by the Chair to participate remotely under AB 2449 (just cause) due to illness and injury, respectively.

Non-Voting Commissioner Present: Commissioner Giacopini

Non-Voting Commissioners Absent: Commissioner El-Tawansy and Commissioner Schaaf

Commissioner Papan arrived after the roll call was taken during agenda item 1.

Vice Chair Josefowitz arrived during agenda item 4a.

Commissioner Mahan arrived during agenda item 5.

Commissioner Miley arrived during agenda item 9a.

2. Pledge of Allegiance / Acknowledgement of the Flag

3. Compensation Announcement (Clerk)

4. Chair's Report

- 4a. [23-1451](#) MTC Resolution No. 4627. Resolution of Appreciation for Carol Kuester on the occasion of her retirement from MTC.

Action: Commission Approval

Commissioner Josefowitz arrived during agenda item 4a.

Randy Rentschler was called to speak.

Upon the motion by Commissioner Spering and seconded by Commissioner Glover, the Commission unanimously adopted MTC Resolution No. 4627. The motion carried by the following vote:

Aye: 15 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 3 - Commissioner Mahan, Commissioner Miley and Commissioner Thao

5. Policy Advisory Council Report

- 5a. [23-1502](#) Policy Advisory Council Report

Action: Information

Commissioner Mahan arrived during agenda item 5.

6. Executive Director's Report

- 6a. [23-1501](#) Executive Director's Report

Action: Information

7. Commissioner Comments

8. Consent Calendar

Agenda item 8h was pulled from the Consent Calendar.

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

Aye: 16 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spring

Absent: 2 - Commissioner Miley and Commissioner Thao

- 8a. [23-1481](#) Approval of Commission Minutes of the November 15, 2023 Meeting
Action: Commission Approval

Administration Committee

- 8b. [24-0002](#) MTC Resolution No. 4358, Revised - ABAG Operational Advance for Liquidity and Cash Flow
Action: Commission Approval
Presenter: Derek Hansel

Programming and Allocations Committee

- 8c. [22-1774](#) MTC Resolution No. 4545, Revised. 2023 Transportation Improvement Program (TIP) Amendment 2023-23.
Action: Commission Approval
Presenter: John Saelee
- 8d. [23-1413](#) MTC Resolution No. 4510, Revised. Transit Capital Priorities Policy and Program Revisions FYs 2021-22 - 2023-24.
Action: Commission Approval
Presenter: Margaret Doyle
- 8e. [23-1415](#) MTC Resolution Nos. 4620 and 4588, Revised. FY2023-24 STA-State of Good Repair Allocations and Project List Revision.
Action: Commission Approval
Presenter: Terence Lee

8f. [23-1449](#) MTC Resolution Nos. 4571, Revised, 4624, and 4626. Allocation of \$13.3 million in FY2023-24 State Transit Assistance (STA), Five Percent Unrestricted State Fund Revenue, and Regional Measure 3 funds to the San Francisco Bay Area Water Emergency Transportation Authority (WETA) and MTC to support transit operations and capital projects in the region.

Action: Commission Approval

Presenter: Luis Garcia

8g. [23-1416](#) MTC Resolution Nos. 4594, Revised; 4613, Revised; and 4615. Allocation of \$16.8 million in Regional Measure 3 (RM3) capital funds to Solano Transportation Authority (STA), Alameda-Contra Costa Transit District (AC Transit), and San Francisco Municipal Transportation Agency (SFMTA)

Action: Commission Approval

Presenter: Julieth Ortiz

8h. [23-1419](#) MTC Resolution Nos. 3989, Revised; 4202, Revised; and 4505, Revised. Various revisions to the One Bay Area Grant programs (OBAG 2 and 3) and MTC exchange program, including reprogramming \$4.9 million within the OBAG 3 Regional and County and Local Programs as part of a fund source exchange for the San Francisco County Transportation Authority's (SFCTA's) Yerba Buena Island Multi-Use Path and reprogramming \$2.7 million to two projects within the OBAG 2 Solano County Program.

Action: Commission Approval

Presenter: Thomas Arndt

Commissioner Fleming and Commissioner Mahan were absent during the vote for agenda item 8h.

Upon the motion by Commissioner Papan and seconded by Commissioner Spering, the Commission unanimously adopted MTC Resolution Nos 3989, Revised; 4202, Revised; and 4505, Revised with modifications to approved by the Commission in Agenda Item 11c to remove resolution language (in MTC Resolution No. 4505) which specified that the Commission would have an opportunity to reaffirm the one-year grace period for Housing Element certification or modify related policies as part of the June 2024 status update on Housing Element certifications and projects granted exceptions to the Housing Element grace period. The motion carried by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 4 - Commissioner Ahn, Commissioner Fleming, Commissioner Mahan and Commissioner Thao

- 8i. [23-1440](#) MTC Resolution Nos. 4519, Revised, and 4529, Revised. An update to the Transit Transformation Action Plan Program of Projects to program approximately \$1.8 million in State Transit Assistance (STA) Population-Based Funds to the Mapping & Wayfinding Standards project and \$25,000 in STA Revenue-Based Exchange Funds to support Transit Priority activities. Update to Attachment A of MTC Resolution No. 4529 to clarify eligible activities for the November 2023 allocations to AC Transit and BART, and to allocate \$25,000 to support Transit Priority activities.

Action: Commission Approval

Presenter: Allison Quach

- 8j. [23-1495](#) MTC Resolution No. 4625. Adoption of the \$11.7 million FY2023-24 Regional Measure 3 (RM3) Operating Program.

Action: Commission Approval

Presenter: Raleigh McCoy

Committee Report

9. Joint MTC ABAG Legislation Committee (Canepa)

9a. [24-0050](#) Regional Transportation Revenue Measure Update

Update on a potential 2026 regional transportation revenue measure, including results of stakeholder engagement, public outreach (as well as voter opinion research), a proposed vision, goal and focus areas, expenditure priorities, revenue source options and potential reform concepts that could accompany enabling legislation.

Action: Information

Presenter: Rebecca Long

Commissioner Miley arrived during agenda item 9a.

Written correspondence was received from Sebastian Petty (SPUR); Jim Wunderman (Bay Area Council); Caltrain Board of Directors, Nadia Naik, Amy Buckmaster, and Rosanne Foust (California Advocating Responsible Rail Design); Davina Hurt (CCAG); Josh Powell (SamTrans); Patrick Burt (Santa Clara VTA); Supervisor Warren Slocum (San Mateo County); Sebastian Petty (SPUR); and Voices for Public Transportation.

The following members of the public were called to speak: Charley Lavery (CA Alliance Engineers); Sam Sargent (Caltrain); Val Menotti (BART); Sebastian Petty (SPUR); Don Cecil (SAMCEDA); Laurel Paget-Seekins; Peter Strauss; Haleema Bharoocha-Jobe; Ryan Williams (SEIU 102); Emily Wheeler (Public Advocates); Ian Griffiths (Seamless Bay Area); Bryan Culbertson; Darton Ito (SFMTA); Zack Deutsch-Gross (TransForm); Elizabeth Alexis (CARRD); Greg Greenway; Marjorie Alvord; Cody Vaughn; Mike C; Howard Wong (Policy Advisory Councilmember); Bob Allen (Urban Habitat); Sara Greenwald (350 Bay Area); Cyrus Hall; Aleta Dupree; Vinay Pimple (Policy Advisory Councilmember); Adina Levin (Friends of Caltrain); Jordan Grimes, Greenbelt Alliance; Audrey Liu; David Zurell; Mitch Mankin; and Jane Kramer.

10. Regional Network Management Committee (Rabbitt)

10a. [23-1422](#) MTC Resolution No. 4622: Regional Network Management (RNM) Council Charter

Initial work to stand up the Regional Network Management (RNM) Council includes the approval of a Charter.

Action: Commission Approval

Presenter: Melanie Choy

Ryan Williams (SEIU 102) was called to speak.

Upon the motion by Commissioner Rabbitt and seconded by Commissioner Noack, the Commission unanimously adopted MTC Resolution No. 4622 with an amended motion to provide quarterly progress reports. The motion carried by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 4 - Commissioner Ahn, Commissioner Fleming, Commissioner Mahan and Commissioner Thao

11. Programming and Allocations Committee (Chavez)

11a. [23-1446](#) MTC Resolution 4619, Revised, and Approval of Regional Short-Term Financial Plan for Senate Bill 125 Transit Funding

A request for approval of the Short-Term Financial Plan for the MTC region, which provides documentation required under Senate Bill 125 to the California State Transportation Agency (CalSTA) in exchange for the release of \$1.1 billion in Transit and Intercity Rail Capital Program (TIRCP) and Zero-Emission Transit Capital Program (ZETCP) funding to MTC between FY 2023-24 and FY 2026-27, and associated revision to MTC Resolution 4619.

Action: Commission Approval

Presenter: Theresa Romell

Upon the motion by Commissioner Chavez and seconded by Commissioner Papan, the Commission unanimously adopted MTC Resolution 4619, Revised, and approved the Regional Short-Term Financial Plan for Senate Bill 125 Transit Funding. The motion carried by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spring

Absent: 4 - Commissioner Ahn, Commissioner Fleming, Commissioner Mahan and Commissioner Thao

11b. [23-1443](#) MTC Resolution No. 4603, Revised. Regional Transportation Improvement Program (RTIP) Policies and Procedures and Program of Projects for the 2024 RTIP

Updates to the 2024 Regional Transportation Improvement Program (RTIP) Policies and Procedures and Program of Projects for the 2024 RTIP, totaling \$226 million in new programming for the Bay Area.

Action: Commission Approval

Presenter: Karl Anderson

Upon the motion by Commissioner Chavez and seconded by Commissioner Dutra-Vernaci, the Commission unanimously adopted MTC Resolution No. 4603, Revised. The motion carried by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spring

Absent: 4 - Commissioner Ahn, Commissioner Fleming, Commissioner Mahan and Commissioner Thao

- 11c.** [23-1417](#) Housing Incentive Pool and Housing Element:
 (i) MTC Resolution No. 4505, Revised. Revisions to MTC’s One Bay Area Grant (OBAG 3) Program to update Housing Element compliance requirements.

 (ii) MTC Resolution Nos. 4202, Revised and 4348, Revised. Revisions to MTC’s Housing Incentive Pool (HIP) to adopt eligibility and programming guidelines, an update of the final year of the program (2022), and the preliminary list of HIP program standings by jurisdiction (2018-2022).

Action: Commission Approval

Presenter: Thomas Arndt

Written correspondence was received from Mayor Matt Mahan (City of San Jose).

Justine Marcus was called to speak.

Upon the motion by Commissioner Papan and seconded by Commissioner Noack, the Commission adopted MTC Resolution Nos. 4505, Revised; 4202, Revised; and 4348, Revised with modifications to remove resolution language (in MTC Resolution No. 4505) which specified that the Commission would have an opportunity to reaffirm the one-year grace period for Housing Element certification or modify related policies as part of the June 2024 status update on Housing Element certifications and projects granted exceptions to the Housing Element grace period. The motion carried by the following vote:

Aye: 11 - Chair Pedroza, Commissioner Abe-Koga, Commissioner Canepa, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Noack, Commissioner Papan, Commissioner Rabbitt and Commissioner Spering

Nay: 3 - Vice Chair Josefowitz, Commissioner Chavez and Commissioner Ronen

Absent: 4 - Commissioner Ahn, Commissioner Fleming, Commissioner Mahan and Commissioner Thao

12. Closed Session

12a. [24-0088](#) Closed Session Public Comment

12b. [24-0089](#) Closed Session - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION The Commission met in closed session pursuant to Government Code Section 54956.9(a) and paragraph (2) of subdivision (d) of Government Code Section 54956.9 to confer with counsel regarding significant exposure to litigation: one case.

12c. [24-0090](#) Open Session

The Commission reconvened in Open Session and General Counsel, Kathleen Kane, announced that there is no reportable action.

13. Public Comment / Other Business

14. Adjournment / Next Meetings:

The next meeting of the Metropolitan Transportation Commission will be held on Wednesday, January 24, 2024 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.