

Commission Meeting

2009-05-27 10:05:00.0

Joseph P. Bort MetroCenter Lawrence D. Dahms
Auditorium 101 - Eighth Street Oakland,
California 94607

*This agenda was updated 2009-05-27 09:27:51.0.
It is accurate to the best of our knowledge at that
time.*

For assistance, please contact Rosy Leyva,
rlayva@mtc.ca.gov, 510.817.5775

*This meeting will be [audiocast](#) on the MTC Web
site during the meeting, and an [audio file](#) will be
available for approximately one month after the
meeting date.*

Chair

Scott Haggerty

Vice Chair

Adrienne J. Tissier

Members

Tom Azumbrado Tom Bates Dean J. Chu
Dave Cortese Chris Daly Bill Dodd
Dorene M. Giacomini Federal D. Glover
Anne W. Halsted Steve Kinsey Sue
Lempert Jake Mackenzie Jon Rubin Bijan
Sartipi James P. Spering Amy Rein
Worth Ken Yeager

Roll Call

1.

Action: Confirm Quorum***

Chair's Report

2. **Presented by:** Haggerty

Action: Information

Resolution No. 3910 - Resolution of Congratulations for the Bay Trail on Its 20th Anniversary.

Action: Approval

Resolution No. 3911 - Resolution of Appreciation to Virginia Dixon on the occasion of her Retirement after 33 Years of public service.

Action: Approval

Commissioner Comments

3.

Action: Information

Executive Director's Report -

4. **Presented by:** Heminger

Action: Information

Consent Calendar

5.

Action: Approval

Commission Meeting Minutes - April 22, 2009.*

- [5a_CommissionMinutes4-22-09.pdf](#)

Resolution Nos. 3674, Revised, 3853, Revised, and 3863, Revised - Regional Measure 2 and Express Bus Operating Program and Allocatin Revision for FY 2008-09.*

- [5b tmp-3674.pdf](#)
- [5b tmp-3853.pdf](#)
- [5b tmp-3863.pdf](#)

Resolution Nos. 3819, Revised and 3909 - Proposed allocation of approximately \$7.4 million in RM2 Capital funds.*

- [5c tmp-3819.pdf](#)
- [5c tmp-3909.pdf](#)

Resolution Nos. 3854, Revised, 3855, Revised and 3872, Revised - Revisions to FY 2008-09 Federal Transit Administration (FTA) Sections 5307 and 5309 Program and AB 664 Bridge Toll Allocations to reflect final federal appropriations.*

- [5d tmp-3854.pdf](#)
- [5d tmp-3855.pdf](#)
- [5d tmp-3872.pdf](#)

Resolution No. 3875, Revised - 2009 Transportation Improvement Program (TIP) Amendments 2009-17, and 2009-18.*

- [5e Revised TIP Amnds 2009-17 and 2009-18.pdf](#)
- [5e tmpRes3875.pdf](#)
- [5e tmpRes3875summary 09-18.pdf](#)
- [5e tmpRes3875Updated Summary09-17.pdf](#)

- **Resolution No. 3881, Revised - Revisions to the Second Cycle Lifeline Program of Projects.***

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- [tmp-3881.pdf](#)

Resolution No. 3904 - FY 2009-10 State Transit Assistance (STA) Regional Discretionary Program.*

- [5g tmp-3904.pdf](#)

Resolution No. 3905 - New Freedom Program Guidelines.*

- [5h tmp-3905.pdf](#)

Standing Committee Minutes

Draft Committee minutes are presented for information only as background for items that will be taken up by the full Commission. The respective committees at their next regular meetings will approve the minutes.

Planning Committee Meeting Draft Minutes - May 8, 2009.*

- [5h Planningminutes.pdf](#)

Legislation Committee Meeting Draft Minutes - May 8, 2009.*

- [5i LegMinutesMay.pdf](#)

• **Operations Committee Meeting Draft Minutes - May 8, 2009.**

Administration Committee Meeting Draft Minutes - May 13, 2009.*

- [5j Admin_Minutes_May_2009.pdf](#)

Programming & Allocations Committee Meeting Draft Minutes - May 13, 2009.*

- [5k PACMay09 mins.pdf](#)

Draft MTC Advisory Committee Minutes

Draft Advisory Committee minutes are presented for Commission information only.

Advisory Council Meeting Draft Minutes - May 13, 2009.*

- [5l Advisoryminutes.pdf](#)

Minority Citizens Advisory Draft Minutes - April 14 and May 12, 2009.*

- [5m MCACMinutes_4-14-09.pdf](#)

- [5n MCACMinutes_5-12-09.pdf](#)

Elderly and Disabled Advisory Draft Minutes - May 7, 2009.*

- [5o EDACminMay.pdf](#)

Administration Committee -

6.

Presented by: Bates

Resolution No. 3906 - FY 2009-10 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreement for Federal Planning

a) **Grants.***

• [tmp-3906.pdf](#)

Programming & Allocations Committee -

7.

Presented by: Kinsey

Resolution Nos. 3885, Revised and 3896, Revised - Federal American Recovery and Reinvestment Act (ARRA),*

Action: Approval

a) • [7a tmp3885 and 3896 Revisions.pdf](#)

• [tmp-3885.pdf](#)

• [tmp-3896.pdf](#)

Operations Committee -

8.

Presented by: Chu

TransLink Contract.*

Action: Approval

a) • [8a TransLink Change Order 118 and Future COs.pdf](#)

• [8b TransLink May 1 Ops Comm memo.pdf](#)

• [8c Draft Transactions Agreement 05.20.09.pdf](#)

Assignment Agreement and Related Transactions - MTC, Motorola, Inc.; Vix

(i) ERG Ltd.; and Cubic Transportation Systems, including Settlement of MTC v. Motorola, Case No. C 07-15576, 9th Circuit.

Contract Revisions: Change Order No. 118: Cubic (\$34.7 million)

(ii) *Approval of item (i) would result in the assignment of the TransLink Contract by Motorola to Cubic and the settlement of the MTC v. Motorola lawsuit when all of the specified closing conditions are met. Approval of item (ii) would delegate authority to the Executive Director to negotiate and enter into a new Conformed Contract in Change Order No. 118,*

between MTC and Cubic, in an amount not to exceed \$34.7 million, which would take effect concurrently with the Assignment Agreement.

Legislation Committee -

9.

Presented by: Rubin

AB 254 (Jeffries) - Emergency Vehicles/Toll Exceptions.*

Action: Approval

a)

Recommended position: Oppose

• [9_LCrecommendsMay.pdf](#)

AB 670 (Berryhill), AB 1500 (Lieu) & SB 535 (Yee) - HOV Lane Occupancy Exceptions.*

b) **Action:** Approval

Recommended position: Oppose

• [9_LCrecommendsMay.pdf](#)

SB 205 (Hancock) - Local Vehicle Registration Surcharge for Transportation/Air Quality.*

c) **Action:** Approval

Recommended position: Support

• [9_LCrecommendsMay.pdf](#)

SB 406 (DeSaulnier) - Sustainable Communities Strategy: \$2 Vehicle Registration Surcharge.*

d) **Action:** Approval

Recommended position: Support and Seek Amendments

• [9_LCrecommendsMay.pdf](#)

ACA 9 (Huffman) - Lower Vote Threshold for Local Bonds & Special Taxes for Infrastructure.*

e) **Action:** Approval

Recommended position: Support and Seek Amendments

• [9_LCrecommendsMay.pdf](#)

AB 266 (Carter) - Transportation Needs Assessment.*

Action: Approval

f)

Recommended position: Support

• [9_LC recommends May.pdf](#)

Public Comment

10.

Action: Information

11. Adjournment

Next meeting

2009-06-24 10:00:00.0

Joseph P. Bort MetroCenter

Lawrence D. Dahms Auditorium

101 - Eighth Street

Oakland, California 94607

*Attachment to Commission members and other officials. (Copies available at meeting).

**All items on the agenda are subject to action and/or change by the Commission.

*** A quorum of this commission shall be a majority of its regular non-ex-officio voting members (9).

Public Comment: The public is encouraged to comment on agenda items at committee meetings by completing a request-to-speak card (available from staff) and passing it to the committee secretary or chairperson. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Record of Meeting: MTC meetings are tape-recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audio casts are maintained on MTC's Web site for public review for at least one month.

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