

**METROPOLITAN
TRANSPORTATION
COMMISSION**
Meeting Transcript



MAY 8, 2026

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PLANNING COMMITTEE

FRIDAY, MAY 8, 2026, 9:40 AM

CHAIR, EDDIE AHN, MTC: GOOD MORNING EVERYBODY I WOULD LIKE TO CALL TO ORDER THIS MEETING OF THE MTC PLANNING COMMITTEE THIS MEETING IS BEING WEBCAST ON THE MTC AND ABAG WEBSITES. COMMITTEE MEMBERS OF THE PUBLIC PARTICIPATING BY ZOOM WISHING TO SPEAK SHOULD USE THE RAISED HAND FEATURE SHOULD DIAL STAR NINE AND I'LL CALL UPON THEM AT THE APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON BY LAST FOUR DIGITS OF THEIR PHONE NUMBER ROLL CALL VOTE FOR ALL ACTION ITEMS DUE TO REMOTE PARTICIPATION TODAY. WHICH BRINGS US TO AGENDA ITEM TWO MTC PLANNING COMMITTEE ROLL CALL AND CONFIRMATION OF QUORUM WILL MTC CLERK PLEASE CALL THE ROLL AND CONFIRM QUORUM?

CLERK OF THE BOARD: WILL DO. CHAIR AHN?

CHAIR, EDDIE AHN, MTC: HERE.

CLERK OF THE BOARD: VICE CHAIR BURT?

V. CHAIR, PAT BURT, MTC: HERE.



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1 **CLERK OF THE BOARD:** COMMISSIONER ANDERSEN?

2

3 **CANDACE ANDERSEN:** HERE.

4

5 **CLERK OF THE BOARD:** COMMISSIONER CORZO? IS ABSENT.

6 COMMISSIONER EZZY ASHCRAFT?

7

8 **MARILYN EZZY ASHCRAFT:** HERE.

9

10 **CLERK OF THE BOARD:** GIACOPINI, NON-VOTING. GIACOPINI IS

11 ABSENT. COMMISSIONER JOHN-BAPTISTE? COMMISSIONER MAHAN?

12 COMMISSIONER MAHAN IS ABSENT. COMMISSIONER MASHBURN?

13

14 **MITCH MASHBURN:** HERE AT MY REMOTE LOCATION ALL BY MYSELF.

15

16 **CLERK OF THE BOARD:** THANK YOU. [LAUGHTER] WE HAVE A QUORUM.

17

18 **CHAIR, EDDIE AHN, MTC:** GREAT. THAT BRINGS US TO AGENDA ITEM

19 THREE, WHICH IS THE MTC CONSENT CALENDAR. AGENDA ITEM THREE

20 INCLUDES 3A, WHICH IS THE APPROVAL OF THE MTC PLANNING

21 COMMITTEE MEETING MINUTES OF APRIL 10TH, 2026. DO I HAVE A

22 MOTION AND SECOND TO APPROVE THE MTC PLANNING COMMITTEE

23 CONSENT CALENDAR?

24

25 **PAT BURT:** SO MOVED.



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1

2 **CHAIR, EDDIE AHN, MTC:** I HAVE A MOTION FROM VICE CHAIR BURT.

3

4 **CANDACE ANDERSEN:** I'LL SECOND, ANDERSEN.

5

6 **CHAIR, EDDIE AHN, MTC:** SECOND FROM COMMISSIONER ANDERSEN. ANY
7 OTHER COMMENT FROM OTHER COMMISSIONERS? SEEING NONE. THEN
8 LET'S GO TO PUBLIC COMMENT.

9

10 **CLERK OF THE BOARD:** THERE WAS NO WRITTEN CORRESPONDENCE
11 RECEIVED ON THIS ITEM AND THERE IS NO ONE IN THE BOARDROOM OR
12 ZOOM WISHING TO SPEAK UNDER THIS ITEM.

13

14 **CHAIR, EDDIE AHN, MTC:** ALL RIGHT. PLEASE CALL THE VOTE.

15

16 **CLERK OF THE BOARD:** WILL DO. CHAIR AHN?

17

18 **CHAIR, EDDIE AHN, MTC:** YES.

19

20 **CLERK OF THE BOARD:** VICE CHAIR BURT?

21

22 **V. CHAIR, PAT BURT, MTC:** YES.

23

24 **CLERK OF THE BOARD:** ANDERSEN?

25



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1 **CANDACE ANDERSEN:** YES.

2

3 **CLERK OF THE BOARD:** CORZO? IS ABSENT. COMMISSIONER EZZY
4 ASHCRAFT?

5

6 **MARILYN EZZY ASHCRAFT:** YES.

7

8 **CLERK OF THE BOARD:** COMMISSIONER JOHN-BAPTISTE?

9

10 **ALICIA JOHN-BAPTISTE:** AYE.

11

12 **CLERK OF THE BOARD:** COMMISSIONER MAHAN? IS ABSENT.
13 COMMISSIONER MASHBURN?

14

15 **MITCH MASHBURN:** YES.

16

17 **CLERK OF THE BOARD:** THE MOTION PASSES UNANIMOUSLY BY ALL
18 MEMBERS PRESENT.

19

20 **CHAIR, EDDIE AHN, MTC:** ALL RIGHT. THAT'S GREAT. AND NOW I'M
21 TURNING IT OVER TO THE AMAZING ABAG CHAIR RAMOS.

22

23 **CHAIR, BELIA RAMOS, ABAG:** THANK YOU SO MUCH. NOT FEELING THAT
24 AMAZING ON FRIDAY MORNING TO A VERY LONG WEEK. I WOULD LIKE TO
25 CALL TO ORDER THE ABAG ADMINISTRATIVE COMMITTEE MEETING. A



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1 ROLL CALL VOTE WILL BE TAKEN FOR ALL ACTION ITEMS DUE TO
2 REMOTE COMMITTEE PARTICIPATION. AT THIS TIME, IF I COULD
3 PLEASE CITIZEN ABAG CLERK, MR. CASTRO, TO PLEASE CALL THE
4 ROLL?

5

6 **CLERK OF THE BOARD:** YES, MA'AM. SUPERVISOR CARLSON?

7

8 **KEN CARLSON:** HERE.

9

10 **CLERK OF THE BOARD:** DUONG?

11

12 **BETTY DUONG:** HERE FROM REMOTE LOCATION IN COUNTY OF SANTA
13 CLARA CONFERENCE ROOM WITH YAEL JUAREZ LEGISLATIVE AID IN THE
14 ROOM WITH ME.

15

16 **CLERK OF THE BOARD:** ECKLUND?

17

18 **PAT ECKLUND:** PRESENT.

19

20 **CLERK OF THE BOARD:** FIFE IS ABSENT. SUPERVISOR RABBITT.

21

22 **DAVID RABBITT:** HERE AT 575 ADMINISTRATION DRIVE SANTA ROSA.

23

24 **CLERK OF THE BOARD:** RAMOS?

25



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1 **CHAIR, BELIA RAMOS, ABAG:** HERE.

2

3 **CLERK OF THE BOARD:** ROMERO?

4

5 **V. CHAIR, CARLOS ROMERO:** PRESENT.

6

7 **CLERK OF THE BOARD:** SILVA? WILLIAMS?

8

9 **WANDA WILLIAMS:** HERE LOCATED AT 675 TEXAS STREET SUITE 6205
10 HERE IN THE CITY OF FAIRFIELD.

11

12 **CLERK OF THE BOARD:** THANK YOU. QUORUM IS PRESENT.

13

14 **CHAIR, BELIA RAMOS, ABAG:** THANK YOU VERY MUCH. PLEASE READ THE
15 COMPENSATION ANNOUNCEMENT.

16

17 **CLERK OF THE BOARD:** ACCORDING TO STATE LAW, I AM MAKING THE
18 FOLLOWING ANNOUNCEMENT. THE MEMBERS OF ABAG IN ATTENDANCE AT
19 THIS MEETING ARE ENTITLED TO RECEIVE PER DIEM AN AMOUNT OF
20 \$150 AND THAT THE PER DIEM SHALL BE PROVIDED AS A RESULT OF
21 CONVENING A MEETING FOR WHICH EACH MEMBER IS ENTITLED TO
22 COLLECT PER DIEM. THANK YOU.

23

24 **CHAIR, BELIA RAMOS, ABAG:** THANK YOU SO MUCH NEXT MOVING TO
25 ITEM SEVEN ON OUR AGENDA WE HAVE THREE MATTERS FOR



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1 CONSIDERATION UNDER CONSENT WE HAVE OUR MINUTES SEVEN ITEMS,
2 SEVEN B APPROVAL OF QUESTION QUALIFIED PANEL OF CONSULTANT OF
3 BENCH LISTED ON THE AGENDA FOR ABAG ENERGY PROGRAMS GRANTS
4 APPLICATION AND FUNDING SUPPORT CYCLE ONE ITEM C APPROVAL OF
5 COMMITTEE APPOINTMENTS. ARE THERE QUESTIONS?

6

7 **PAT ECKLUND:** I'LL MOVE THE CONSENT CALENDAR.

8

9 **CHAIR, BELIA RAMOS, ABAG:** THANK YOU SO MUCH. *

10

11 **V. CHAIR, CARLOS ROMERO:** I'LL SECOND.

12

13 **CHAIR, BELIA RAMOS, ABAG:** I'M GOING TO GIVE IT TO MOTION BY
14 ECKLUND, SECOND TO SILVA. PUBLIC COMMENT ON THIS ITEM?

15

16 **CLERK OF THE BOARD:** NO WRITTEN COMMENTS RECEIVED NO MEMBERS OF
17 THE PUBLIC IN THE BOARDROOM FOR PUBLIC COMMENT NONE AT THE
18 REMOTE LOCATIONS, NONE IN THE ATTENDEE SPACE. THANK YOU.

19

20 **CHAIR, BELIA RAMOS, ABAG:** THANK YOU SO MUCH. MR. CASTRO IF YOU
21 WOULD PLEASE CALL THE ROLL?

22

23 **CLERK OF THE BOARD:** ON THE MOTION BY ECKLUND SECOND BY SILVA.
24 SUPERVISOR KEN CARLSON?

25



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1

2

3 **SPEAKER:** AYE.

4

5 **CLERK OF THE BOARD:** DUONG?

6

7 **BETTY DUONG:** YES.

8

9 **CLERK OF THE BOARD:** ECKLUND? FIFE? RAMOS?

10

11 **CHAIR, BELIA RAMOS, ABAG:** YES.

12

13 **CLERK OF THE BOARD:** ROMERO?

14

15 **V. CHAIR., CARLOS ROMERO:** YES.

16

17 **CLERK OF THE BOARD:** SILVA? WILLIAMS? MOTION PASSES UNANIMOUSLY

18 BY ALL MEMBERS PRESENT.

19

20 **CHAIR, BELIA RAMOS, ABAG:** THANK YOU VERY MUCH I'M GOING TO

21 HAND IT OVER TO WONDERFUL COMMISSIONER AHN THAT'S WHERE WE'RE

22 GOING TODAY.

23

24 **CHAIR, EDDIE AHN, MTC:** I WAS TAKEN BY THE ADDRESS. [LAUGHTER]

25 FORGOT TO TURN ON MY MIC. ITEM EIGHT MTC RESOLUTION 4530



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1 REVISED TRANSIT ORIENTED COMMUNITIES POLICY ACTION ITEM I
2 BELIEVE GILLIAN ADAMS WILL PROVIDE THIS REPORT.

3

4 **GILLIAN ADAMS:** GOOD MORNING EVERYBODY GILLIAN ADAMS OUR
5 PLANNING SECTION HAPPY TO BE HERE TODAY TO TALK ABOUT THE
6 TRANSIT ORIENTED COMMUNITIES POLICY TRANSIT EXTENSIONS AS A
7 BIT OF BACKGROUND IN FEBRUARY THE COMMISSION ADOPTED THE
8 TRANSIT ORIENT THE COMMUNITIES OR TOC INCENTIVE PROGRAM WHICH
9 SET ASIDE \$45 MILLION FROM ONE BAY AREA GRANT OBAG PROGRAM FOR
10 JURISDICTIONS ACHIEVING HIGH-LEVEL OF CONSISTENCY WITH THE TOC
11 POLICY AT THE TIME THE COMMISSION DIRECTED STAFF TO RETURN
12 WITH PROPOSED AMENDMENTS TO THE TOC POLICY TO PROVIDE SIMILAR
13 FLEXIBILITY IN APPLYING THE TOC POLICY TRANSIT EXTENSION
14 PROJECTS THAT ARE SEEKING NON-OBAG DISCRETIONARY FUNDING WHEN
15 WE SAY TRANSIT EXTENSION PROJECTS WE'RE REFERRING TO ANY NEW
16 TRANSIT STATION THAT WOULD BE SUBJECT TO THE TOC POLICY THIS
17 MEANS FIXED GUIDEWAY STOPS ALONG ANOTHER EXISTING TRANSIT
18 ROUTE OR NEW ROUTE HERE TODAY TO WALK THROUGH HOW THE TOC
19 POLICY CURRENTLY APPLIES TO TRANSIT EXTENSION PROJECTS AND
20 REVIEW A SET OF PROPOSED AMENDMENTS THAT AIM TO GIVE OPERATORS
21 AND PROJECT SPONSORS MORE FLEXIBILITY FOR THESE PROJECTS MTC
22 STAFF HAVE BEEN HOLDING MEETINGS OVER THE LAST FEW WEEKS WITH
23 TRANSIT OPERATOR AND LOCAL JURISDICTION STAFF TO MAKE SURE
24 THEY'RE FAMILIAR WITH THESE PROPOSED AMENDMENTS. NEXT SLIDE.
25 THE TOC POLICY IS A CONTINUATION OF MTC'S LONG-STANDING



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1 REGIONAL PLANNING APPROACH OF LINKING CAPITAL INVESTMENTS AND
2 TRANSIT TO LOCAL LAND USE POLICY. IN 2001 MTC CREATED THE
3 REGIONAL TRANSIT EXPANSION PROGRAM OF PROJECTS AND CONDITIONED
4 REGIONAL DISCRETIONARY CAPITAL FUNDING ON PROJECT SPECIFICALLY
5 DELIVERY REQUIREMENTS IN 2005 MTC ADDED THE TRANSIT ORIENT THE
6 DEVELOPMENT OR TOD POLICY WHICH REQUIRED TRANSIT EXTENSION
7 PROJECTS TO MEET CORRIDOR LEVEL THRESHOLDS FOR HOUSING UNIT
8 CAPACITY IN 2008 THE TOD POLICY STATION AREA PLANNING PROGRAM
9 EXPANDED BOOT PRIORITY DEVELOPMENT AREA OR PDA PROGRAM
10 SUPPORTING ADDITIONAL HOUSING NEAR TRANSIT IN 2022 MTC ADOPTED
11 THE TOC POLICY WHICH EXPANDS ON THE TOD FRAMEWORK WHILE PLYING
12 TO EXISTING STATIONS AS WELL AS PLANNED STATIONS AND FOCUSING
13 ON CONGEST COMPLEMENTARY DENSITY HOUSING PARKING AND STATION
14 ACCESS POLICIES. NEXT SLIDE. BEFORE I DISCUSS THE DETAILS OF
15 THE PROPOSED TOC POLICY AMENDMENT FOR TRANSIT EXTENSIONS I
16 WANT TO CLARIFY HOW IT RELATES TO PREVIOUS DECISIONS BY THE
17 COMMISSION. WHEN THE COMMISSION ADOPTED THE TOC POLICY IN 2022
18 IT INCLUDED COMMITMENT THAT FUTURE OBAG CYCLES WOULD CONSIDER
19 PRIORITIZING FUNDING FOR AREAS THAT ARE CONSISTENT WITH THE
20 TOC POLICY THE COMMISSION ACT ON THAT COMMITMENT IN FEBRUARY
21 BY ADOPTS MTC RESOLUTION NUMBER FRENCH 54 TO ESTABLISH THE TOC
22 INCENTIVE PROGRAM WITH THIS ACTION THE COMMISSION ADOPTED THE
23 TOC EVALUATION FRAMEWORK WHICH IS A 100 POINT SCORING SYSTEM
24 FOR ASSESSING HOW LET JURISDICTION ADOPTED POLICIES ALIGN WITH
25 THE FOUR TOC POLICY COMPONENTS OF DENSITY HOUSING PARKING AND



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1 STATION ACCESS IT ALSO SET JULY 1ST, 2027 AS DEADLINE FOR
2 JURISDICTIONS TO QUALIFY FOR THE ENOUGH PROGRAM. ANY
3 JURISDICTIONS THAT REACHES 85 POINTS ON THE EVALUATION
4 FRAMEWORK WILL RECEIVE INCENTIVE PROGRAM FUNDING -- PROGRAM
5 FUNDING USING A FORMULA BASED ON A JURISDICTION'S NUMBER OF
6 TOC'S AND POPULATION. OTHER THAN THE TOC INCENTIVE PROGRAM,
7 THERE ARE NO TOC CONSISTENCY REQUIREMENTS FOR OTHER OBAG \$4 IN
8 THE COUNTY OR REGIONAL PROGRAMS. TODAY'S PRIMARY FOCUS IS
9 SEPARATE FROM THIS ACTION RELATED TO THE OBAG PROGRAM AND IS
10 INSTEAD ABOUT REVISIONS TO THE ORIGINAL TOC POLICY RELATED TO
11 TRANSIT EXTENSION PROJECTS. ATTACHMENT A IN YOUR PACKET
12 OUTLINES THE PROPOSED CHANGES TO APPENDIX ONE OF MTC
13 RESOLUTION NUMBER 4530. NEXT SLIDE PLEASE. AS I NOTED
14 PREVIOUSLY, MTC HAS FOCUSED FOR DECADES ON PROMOTING TRANSIT
15 SUPPORTIVE LAND USE POLICIES AS A WAY TO ENSURE TRANSIT
16 INVESTMENTS ARE SUCCESSFUL AND TO MAXIMIZE COMMUNITY BENEFITS
17 FROM THOSE INVESTMENTS. THE BAY AREA IS EXPECTED TO INVEST
18 ROUGHLY \$28 BILLION IN TRANSIT EXTENSIONS THROUGH 2050.
19 REGIONAL MEASURE THREE, ALONE, ALLOCATES NEARLY \$3 BILLION
20 ACROSS 20 CAPITAL PROJECTS FURTHER AUGMENTED BY FEDERAL AND
21 STATES DOLLARS. IMPLEMENTATION OF THE TOC POLICY IS KEY TO
22 ADVANCING THE VISION AND GOALS FOR PLANNED BAY AREA AND
23 TRANSIT EXTENSIONS ARE HIGH IMPACT TOC AREAS. NEW STATIONS
24 CREATE A UNIQUE LAND USE OPPORTUNITY AS THE CONSTRUCTION OF A
25 NEW STATION TRIGGERS REAL ESTATE ACTIVITY. HAVING TRANSIT



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1 SUPPORTIVE LAND USE POLICIES IN PLACE BEFORE THE TRANSIT
2 PROJECT HELPS INCREASE THE NUMBER OF PEOPLE RIDING TRANSIT AND
3 CAN REDUCE DISPLACEMENT PRESSURE ON EXISTING RESIDENTS AND
4 BUSINESSES. ACCELERATING LOCAL ADOPTION OF POLICIES TO ACHIEVE
5 TOC POLICY CONSISTENCY IS HOW MTC ENSURES THAT THESE
6 INVESTMENTS PRODUCE LASTING BENEFITS TO THE COMMUNITY AROUND
7 THE STATION, OUR TRANSIT SYSTEMS, AND THE ENTIRE REGION. NEXT
8 SLIDE PLEASE. THE PROPOSED APPROACH FOR APPLYING THE TOC
9 POLICY TO TRANSIT EXTENSIONS WOULD AFFECT PROJECTS AND PLANNED
10 BAY AREA 2050+ THAT ARE SEEKING FUNDING ALLOCATION OR
11 ENDORSEMENT INCLUDING BART TO SILICON VALLEY PHASE TWO,
12 CAPITAL CORRIDOR SOUTH BAY CONNECT AND HERCULES STATION IRVING
13 TO KNOW BART SMART TO HEALDSBURG CLOVERDALE AND PORTAL
14 FORMALLY KNOWN AS THE CALTRAIN DON'T EXTENSION VALLEY LINK NEW
15 WETA FERRY TERM NAMES AND BUS RAPID TRANSIT OR BRT LINES. NEXT
16 SLIDE. THE ORIGINAL TOC POLICY APPROVED IN 2022 REQUIRED
17 JURISDICTION WITH TRANSIT EXTENSION PROJECTS THAT WERE SEEKING
18 REGIONAL DISCRETIONARY CAPITAL FUNDING TO COMPLY WITH THE TOC
19 POLICY STANDARDS AS CONDITION OF THOSE ALLOCATIONS IN 2023 THE
20 COMMISSION AMENDED THE POLICY TO CLARIFY HOW THOSE
21 REQUIREMENTS APPLIED ACROSS THE PROJECT DELIVERY PHASES
22 PROJECT DEVELOPMENT AND ENVIRONMENTAL REVIEW TWO DESIGN EARLY
23 RIGHT OF WAY ACQUISITION AND THREE CONSTRUCTION. FROM 2026
24 ONWARD THESE REQUIREMENTS ALSO APPLY TO PROJECTS SEEKING MTC
25 ENDORSEMENT FOR FEDERAL OR STATE FUNDING WHILE EACH PROJECT



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1 DELIVERY PHASE REQUIRED DIFFERENT ACTIONS BY PROJECT SPONSORS
2 AND LOCAL JURISDICTIONS ONE CONSTANT ACROSS ALL THREE PHASES
3 WAS THE DEADLINE FOR MEETING THOSE REQUIREMENTS WAS 2026,
4 WHICH WAS ALIGNED WITH THE TIMELINE FOR OBAG FOUR RATHER THAN
5 POLICY WITH FIXED DEADLINE THAT IS NOT FORWARD LOOKING WE
6 PROPOSE TO KEEP THE PHASE BASED FRAMEWORK BUT ESTABLISHED
7 EXPECTATIONS AND DEADLINES THAT ARE CONNECTED TO PROJECT
8 DELIVERY REALITIES THE PROPOSED CHANGE WOULD PROVIDE
9 STRUCTURED PATH FORWARD OR SPONSORED JURISDICTIONS TO COMMIT
10 TO WORK PLAN AND DEMONSTRATE PROGRESS ON ACHIEVING TOC
11 CONSISTENCY PRIOR TO CONSTRUCTION OR WITHIN FIVE YEARS AFTER
12 ALLOCATION OR ENDORSEMENT WHICHEVER IS LATER EXTENDING
13 FLEXIBILITY TO TRANSIT EXTENSION AREAS THAT NEED IN TIME TO
14 MEET TOC REQUIREMENTS IS CONSISTENT WITH THE COMMISSION'S
15 ACTION UNDER OBAG FOUR. NEXT SLIDE PLEASE. SO ONE THING THAT I
16 WANT TO FLAG IS THAT TOC CONSISTENCY MOSTLY REQUIRES ACTION BY
17 LOCAL JURISDICTIONS. IT'S THE CITIES AND COUNTIES THAT ADOPT
18 THESE POLICIES. THE TOC FRAMEWORK CONNECTS THOSE LAND USE
19 ACTIONS TO THE REGIONAL CAPITAL FUNDING THAT EXTENSION
20 PROJECTS RELY ON. THE REQUIRED WORK PLAN WOULD DEMONSTRATE THE
21 STEPS THAT JURISDICTIONS WILL TAKE TO ACHIEVE 85 POINTS ON THE
22 TOC EVALUATION FRAMEWORK. IT'S IMPORTANT TO NOTE THAT AS OF
23 SPRING OF 2026, MANY STATION AREAS ARE FAR BELOW THAT 85 POINT
24 THRESHOLD. MTC HAS AWARDED GRANTS TO SUPPORT TOC CONSISTENCY,
25 INCLUDING GRANTS TO SEVERAL TRANSIT EXTENSION PROJECTS TO



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1 COMPLETE TOC CONSISTENT POLICIES IN THE NEXT FEW YEARS. MTC'S
2 MONITORING OF LOCAL ACTIONS TO ACHIEVE TOC CONSISTENCY IS
3 CRITICAL TO SUPPORT JURISDICTIONS TOC PROGRESS AND TO MAXIMIZE
4 THE SUCCESS OF MAJOR YOU IN TRANSIT INVESTMENTS. NEXT SLIDE
5 PLEASE. SO, IN SUMMARY, THE PROPOSED AMENDMENTS TO THE TOC
6 POLICY FOR TRANSIT EXTENSIONS ARE AS FOLLOWS: WE'RE REMOVING
7 REFERENCES TO THE 2026 COMPLIANCE DEADLINE. THEY'RE REPLACED
8 WITH A PROJECT MILESTONE BASED TIMELINE. THE REQUIREMENT FOR
9 PHASE ONE WOULD REMAIN THE SAME, PROJECT SPONSORS AND
10 JURISDICTIONS WOULD NEED TO PROVIDE A LETTER ACKNOWLEDGING
11 THAT ALLOCATION REQUESTS FOR LATER PHASES WILL BE SUBJECT TO
12 THE TOC POLICY REQUIREMENTS. BUT WITH THE PROPOSED AMENDMENT
13 AT THE TIME OF A FUNDING ALLOCATION ENDORSEMENT OR ENDORSEMENT
14 REQUEST FOR PHASE TWO OR PHASE THREE, PROJECT SPONSORS AND
15 JURISDICTIONS WOULD SUBMIT A WORK PLAN IDENTIFYING THE
16 SPECIFICALLY ACTIONS THAT EACH JURISDICTION WOULD TAKE TO
17 REACH THAT 85 POINT TOC CONSISTENCY, THE TIMELINE FOR MEETING
18 THIS THRESHOLD IS EITHER PRIOR TO CONSTRUCTION OR WITHIN FIVE
19 YEARS OF THE ALLOCATION OR ENDORSEMENT, WHICHEVER IS LATER.
20 SPONSORS AND JURISDICTIONS THAT SUBMIT A WORK PLAN WOULD
21 REPORT TO MTC ON THEIR PROGRESS ANNUALLY OR WITHIN SIX MONTHS
22 AFTER A NEW ALLOCATION OR ENDORSEMENT REQUEST, WHICHEVER IS
23 SOONER. AND THE REPORTING REQUIREMENTS WOULD STOP ONCE A
24 JURISDICTION REACHES THE 85 POINT TOC CONSISTENCY. IT'S
25 IMPORTANT TO NOTE THAT THE 85 POINT THRESHOLD IS ONLY FOR



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1 MONITORING AND REPORTING THERE IS NO PROPOSAL AT THIS TIME TO
2 WITHHOLD FUNDING FOR PROJECTS THAT DO NOT MEET THE TOC
3 THRESHOLD. HOWEVER A CONTINUED LACK OF DEMONSTRATED PROGRESS
4 COULD BE CONSIDERED IN FUTURE MTC FUNDING AND ENDORSEMENT
5 DECISIONS. STAFF IS ALSO PROPOSING TWO OTHER MINOR AMENDMENTS
6 TO THE TOC POLICY RESOLUTION. TO CLARIFY THAT THE COMMISSION
7 WILL FURTHER CONSIDER THE EVOLVING ROLE OF THE TOC POLICY AT
8 THE START OF THE NEXT OBAG CYCLE AND TO ALIGN THE NOMENCLATURE
9 WITH THE TOC EVALUATION FRAMEWORK THAT WAS APPROVED UNDER MTC
10 RESOLUTION NUMBER 4754. NEXT SLIDE PLEASE. SO, IN CLOSING,
11 STAFF REQUESTS THAT THE COMMISSION ADOPT MTC RESOLUTION NUMBER
12 4530 REVISED, AMENDING THE TRANSIT ORIENTED COMMUNITIES POLICY
13 TO PROVIDE GREATER FLEXIBILITY TO TRANSIT EXTENSION PROJECTS
14 SEEKING NON-OBAG REGIONAL DISCRETIONARY FUNDING OR MTC
15 ENDORSEMENTS FOR FEDERAL OR STATE DISCRETIONARY CAPITAL
16 FUNDING, CLARIFY THAT THE COMMISSION WILL FURTHER CONSIDER THE
17 EVOLVING ROLE OF THE TOC POLICY AT THE START OF THE NEXT OBAG
18 CYCLE AND ALIGN NOMENCLATURE WITH THE TOC EVALUATION FRAMEWORK
19 APPROVED UNDER MTC RESOLUTION 4754. THANK YOU. AND I'M HAPPY
20 TO TAKE ANY QUESTIONS.

21

22 **CHAIR, EDDIE AHN, MTC:** THANK YOU FOR THE PRESENTATION GILLIAN.
23 SO, WE'LL, FIRST OF ALL, TAKE A MOTION AND SECOND TO PUSH
24 FORWARD THIS TOC POLICY AND THEN TAKE PUBLIC COMMENT THEN
25 COMMITTEE MEMBER COMMENTS. SO, DO I HAVE A MOTION AND A SECOND



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1 TO REFER THIS POLICY OVER TO THE FULL COMMISSION FOR APPROVAL?

2

3 **ALICIA JOHN-BAPTISTE:** SO MOVED, JOHN-BAPTISTE.

4

5 **CHAIR, EDDIE AHN, MTC:** COMMISSIONER JOHN-BAPTISTE. A SECOND?

6

7 **MARILYN EZZY ASHCRAFT:** SECOND, EZZY ASHCRAFT.

8

9 **CHAIR, EDDIE AHN, MTC:** SECOND FROM COMMISSIONER ASHCRAFT. NOW
10 LET'S MOVE ON TO PUBLIC COMMENT FIRST. ANY PUBLIC COMMENT?

11

12 **CLERK OF THE BOARD:** YES, WE RECEIVED WRITTEN CORRESPONDENCE
13 FROM A COMBINED LETTER FROM ENTERPRISE COMMUNITY PARTNERS,
14 EAST BAY HOUSING ORGANIZATION, AND TRANSFORM. AND WE HAVE TWO
15 MEMBERS OF THE PUBLIC WITH THEIR HANDS RAISED IN ZOOM. HOW
16 MUCH TIME WOULD YOU LIKE TO GIVE?

17

18 **CHAIR, EDDIE AHN, MTC:** TWO MINUTES, PLEASE.

19

20 **CLERK OF THE BOARD:** TWO MINUTES. OKAY. 50 UP WILL BE EMILY
21 WILLER, FOLLOWED BY EMILE LEONO. GO AHEAD AND UNMUTE YOURSELF.

22

23 **SPEAKER:** HI MY NAME IS EMILY WHEELER, I WORK AT PUBLIC
24 ADVOCATES WE'RE A HOUSING TRANSIT AND ENVIRONMENTAL EDUCATION
25 AND POLICY FIRM BASED IN SAN FRANCISCO BAY BUT WORKING ACROSS



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1 THE STATE. AND I AM JUST HERE TO ASK THAT IF YOU ARE EXTENDING
2 THE DEADLINE, WHICH I THINK IS PRETTY REASONABLE, GIVEN THE
3 STAFF PRESENTATION, THAT THE LONGER TIMELINE FOR COMPLIANCE
4 SHOULD BE ACCOMPANIED WITH A BETTER REQUIREMENT FOR
5 COMPLIANCE. THAT 85% THRESHOLD WAS ONLY EVER SUPPOSED TO BE
6 TEMPORARY. WE'RE SUPPOSED TO BE WORKING TOWARDS 100%
7 COMPLIANCE, AND I THINK WITHOUT 100% OF THE COMPLIANCE, THE
8 ENTIRE POINT OF THE TOC IS UNDERMINED. SO WITH THIS LONGER
9 TIMELINE IT DOESN'T MAKE SENSE THAT THE 85 POINT THRESHOLD
10 WOULD APPLY TO THE TRANSIT EXTENSION PROJECT. THIS, YOU KNOW,
11 THE LONGER TIMELINE ALREADY PROVIDES JURISDICTIONS WITH MORE
12 THAN ADEQUATE TIME TO WORK TOWARDS FULL COMPLIANCE OF THE TOC
13 POLICY. AND I THINK THE DANGER IN ALLOWING THESE 85 POINT
14 THRESHOLDS WOULD, SORT OF, CREATE THE IDEA THAT THAT IS A
15 PERMANENT SITUATION, AND NOT, YOU KNOW, SORT OF, UNDERMINE THE
16 CONCEPT THAT WE WOULD BE WORKING TOWARDS 100% COMPLIANCE FOR
17 OTHER JURISDICTIONS. LIKE THE PRESENTATION SAID, THERE IS
18 ACTUALLY NO MONEY THAT WOULD BE IMMEDIATELY WITHHELD FOR NON-
19 COMPLIANCE ANYWAY SO THIS WOULD BE A SYMBOLIC MEASURE BUT ONE
20 THAT WOULD REALLY PUSH FORWARD THE NEED FOR FULL COMPLIANCE IN
21 OTHER TOC JURISDICTIONS. SO, AGAIN, I'M ASKING YOU JUST TO --
22 I'M FINE WITH EVERYTHING IN THIS PROPOSAL, EXCEPT TAKE OUT THE
23 85 POINT THRESHOLD AND REQUIRE 100 POINT FULL COMPLIANCE FOR
24 THE LONGER TIMELINE TRANSIT EXTENSION PROJECT. THANK YOU SO
25 MUCH AND HAVE A WONDERFUL DAY.



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1

2 **CLERK OF THE BOARD:** THANK YOU. OUR NEXT SPEAKER WILL BE
3 EMILIANO ATSTUSSIANO. SORRY FOR MISPRONOUNCING YOUR LAST NAME.
4 GO AHEAD AND UNMUTE YOURSELF.

5

6 **SPEAKER:** THANK YOU SO MUCH GOOD MORNING COMMISSIONERS AND
7 STAFF MY NAME IS EMILIO POLICY MANAGER WITH ENTERPRISE
8 COMMUNITY PARTNERS SPEAKING TODAY AS EMILY MENTIONED IN
9 SUPPORT OF EXTENDING AND PROVIDING MORE FLEXIBILITY FOR TOC
10 COMPLIANCE FOR TRANSIT EXTENSIONS BUT ALSO URGING THE
11 COMMISSION TO CONSIDER HIGHER THRESHOLDS FOR TOC COMPLIANCE
12 FOR THESE PROJECTS, GIVEN THE LONGER TIMELINES THAT THEY ARE
13 PROVIDING. WE WORRY THAT MAINTAINING THAT 85 POINT THRESHOLD,
14 BEYOND THE 2027 COMPLIANCE TIMELINE SET AROUND THE TOC
15 INCENTIVE PROGRAM COULD SET A PRECEDENT FOR A PARTIAL
16 COMPLIANCE TO THE TOC POLICY IN THE LONG-TERM. OUR
17 ORGANIZATION AND OUR COALITION HAS -- WE HAVE ALWAYS
18 MAINTAINED AND WE HAVE ALWAYS STOOD OFFICIAL THAT THE 85 POINT
19 THRESHOLD SHOULD BE A TIME BOUND AND TEMPORARY MEASURE TO MOVE
20 THE REGION AND THE TOC POLICY FORWARD BUT FULL COMPLIANCE FOR
21 THE TOC POLICY MUST REMAIN AS THE LONG-TERM GOAL FOR THE
22 COMMISSION, AND THE REGION. AND WE DO FEEL THAT WITH THE
23 RIDERSHIP BEING THE PRIMARY DRIVER TRANSIT REVENUE POLICY
24 REALLY PRESENTS A STRONG PATH FOR TRANSIT RECOVERY AND LONG-
25 TERM FINANCIAL SUSTAINABILITY, AND MEETING FULL COMPLIANCE FOR



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1 THAT POLICY SETS US UP BETTER POWER THAT. THANK YOU SO MUCH.

2

3 **CLERK OF THE BOARD:** THANK YOU THERE ARE NO MEMBERS OF THE
4 PUBLIC WITH HAND RAISED IN ZOOM WISHING TO SPEAK ON THIS ITEM.

5

6 **CHAIR, EDDIE AHN, MTC:** GREAT. ANY QUESTIONS FOR GILLIAN? VICE
7 CHAIR BURT?

8

9 **V. CHAIR, PAT BURT, MTC:** ACTUALLY I HAVE THREE TOPICS. FIRST
10 IS VTA AND CITY OF SAN JOSE HAVE BOTH RAISED CONCERNS OVER
11 WHETHER THIS POLICY WOULD REALLY NOT ADEQUATELY ALIGN WITH THE
12 BART SILICON VALLEY EXTENSION AND THE TRANSIT ORIENTED
13 DEVELOPMENT THAT'S PART OF THAT. CAN STAFF SPEAK TO THE
14 CONCERNS THAT HAVE BEEN RAISED BY THOSE ENTITIES?

15

16 **DAVE VAUTIN:** DAVE VAUTIN, PLANNING DIRECTOR. I THINK THE
17 PRIMARY CONCERN THAT WE HAVE HEARD AND PERHAPS THERE ARE
18 ADDITIONAL CONCERNS THAT MAYBE HAVE NOT BEEN EXPRESSED TODAY,
19 BUT THE PRIMARY CONCERN WE HAVE HEARD IS THE THRESHOLD
20 ASSOCIATED WITH THIS, THE 85 POINT THRESHOLD. YOU KNOW, WE
21 HAVE HEARD FROM THE VTA STAFF THAT PERHAPS THAT THRESHOLD IS
22 TOO HIGH FOR THE JURISDICTIONS ALONG THE SILICON VALLEY VALLEY
23 EXTENSION. AND I GUESS YOU ALSO HEARD THERE ARE OTHER
24 PERSPECTIVES ABOUT THAT THRESHOLD BEING TOO LOW AND THE 100
25 POINTS SO THERE IS SOME DEBATE OVER THAT I THINK WHAT WE'RE



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1 RECOMMENDING TO THE PROPOSAL TODAY IS USING THE SAME THRESHOLD
2 FROM THE OBAG FOR TOC PROGRAM FOR CONSISTENCY PURPOSES BETWEEN
3 THE ACTION YOU ALL TOOK IN FEBRUARY AND THE ACTION HERE IN
4 MAY. WE'RE HAPPY IF THERE ARE OTHER CONCERNS HAPPY TO SEE OF
5 THERE ARE OTHER CONCERNS. HAPPY TO ADDRESS THOSE AS WELL.

6

7 **V. CHAIR, PAT BURT, MTC:** OKAY. I'M NOT SURE THAT THAT MEETS
8 THE CONCERNS THAT THEY HAVE RAISED. THE SECOND IS CAN YOU
9 CLARIFY FOR ME ON TABLE THREE, THE FIRST BLOCK IS ON
10 INCLUSIONARY ZONING WHICH IN OUR COMMUNITY WE HAVE BEEN STRONG
11 SUPPORTERS OF INCLUSIONARY ZONING BUT HOW THIS 15% THRESHOLD
12 ALIGNS WITH THE BUILDERS REMEDY 2.0 AND SB79 LOWER THRESHOLDS?

13

14 **GILLIAN ADAMS:** I'M SORRY. WHAT IS THE QUESTION?

15

16 **V. CHAIR, PAT BURT, MTC:** HOW DOES THE 15% THRESHOLD THAT'S
17 REQUIREMENT 15% BUT UNDER BUILDERS REMEDY 2.0 AND SB79 WE
18 CAN'T REQUIRE 15%?

19

20 **GILLIAN ADAMS:** I'M SORRY I'M NOT FAMILIAR WITH THAT. SO THIS
21 WAS ADOPTED IN 2022 AND THE 15% IS BASED ON WHAT WAS SHOWN TO
22 BE KIND OF MOST TRANSIT SUPPORTIVE. WE DO HAVE STANDARD IN OUR
23 TOC REQUIREMENTS THAT IF THE JURISDICTION CAN DEMONSTRATE THAT
24 15% ISN'T ACHIEVABLE THROUGH A FEASIBILITY STUDY, THEN THEY
25 DON'T HAVE TO DO 15%.



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1

2 **V. CHAIR, PAT BURT, MTC:** IT WOULDN'T BE A FEASIBILITY STUDY,
3 IT'S STATE LAW THAT PROHIBITS US FROM REQUIRING 15% FOR THOSE
4 PROJECTS THAT ARE ENTITLED BY RIGHT UNDER SB79 AND BUILDERS
5 REVENUE 2.0.

6

7 **DAVE VAUTIN:** ONE ADDITIONAL CLARIFICATION THIS PARTICULAR LINE
8 ITEM IS PART OF THE MENU OF PRODUCTION POLICIES SO I THINK THE
9 WAY THIS ASPECT OF THE TOC POLICY WORKS IS THAT YOU CAN CHOOSE
10 FROM THE LONG MENU PROVIDED SO IF THIS PARTICULAR POLICY IS
11 NOT APPROPRIATE FOR A JURISDICTION THEY COULD CHOOSE FROM
12 OTHER OPTIONS ON THE MENU.

13

14 **V. CHAIR, PAT BURT, MTC:** YEAH I UNDERSTAND THAT BUT IT'S
15 BASICALLY THE ABILITY TO CHOOSE THIS. SO, MY COMMUNITY,
16 BECAUSE WE'RE NOT LOOKING FOR A TRANSIT EXTENSION, IT WOULDN'T
17 APPLY, BUT IF WE'RE LOOKING FOR IT, WE COULDN'T CHOOSE TO
18 UTILIZE THE INCLUSIONARY HOUSING AS PART OF THE SCORING, IF I
19 UNDERSTAND IT CORRECTLY. EVEN THOUGH WE HAVE 15% INCLUSIONARY
20 HOUSING AS PART OF OUR LONG-TIME REQUIREMENTS. THAT'S BEEN
21 SUPERSEDED FOR, CERTAINLY WITH SB79, WITHIN A HALF MILE OF
22 TRANSIT AREAS, MY RECOLLECTION IS THAT, THAT IT'S A 13%
23 THRESHOLD UNDER THAT. AND I THINK IT'S THE SAME UNDER BUILDERS
24 REMEDY 2.0. SO IT PRECLUDES BEING ABLE TO UTILIZE THE VERY
25 OPTION THAT WE'RE ADOPTING, IF I UNDERSTAND IT CORRECTLY?



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1

2 **GILLIAN ADAMS:** I THINK THIS IS ANOTHER SITUATION WHERE THE
3 INTERACTION OF TOC AND SB79. SO, IF THERE WAS A SITUATION --
4 SO, NOT EVERY PROJECT THAT A DEVELOPER MIGHT PROPOSE IN A TOC
5 AREA THAT IS SUBJECT TO SB79, IT NECESSARILY HAS TO MEET SB79
6 REQUIREMENTS. IF A JURISDICTION -- IF A DEVELOPER CHOOSES TO
7 HAVE THAT KIND OF PROJECT, THEN I THINK WE WOULD SAY STATE LAW
8 SUPERSEDES ANYTHING THAT THE TOC POLICY MIGHT REQUIRE. HOWEVER
9 I THINK THERE COULD STILL BE A LOCAL INCLUSIONARY POLICY IT'S
10 15% THAT WOULD APPLY TO OTHER TYPES OF PROJECTS THAT ARE NOT
11 SUBJECT TO SB79. SO, I THINK WE COULD -- THOSE COULD BE IN
12 CONCERT WITH ONE ANOTHER.

13

14 **V. CHAIR, PAT BURT, MTC:** OKAY. THAT'S NOT HOW I READ THE --
15 THE SPECIFICALLY PROPOSAL BEFORE US. THAT SOUNDS LIKE THAT
16 WOULD BE A GOOD APPROACH. SO, I GUESS ONE OF MY QUESTIONS IS,
17 IF WE SEE THAT THERE ARE THESE SORTS OF CONFLICTS BETWEEN
18 RECENT STATE LAW AND WHAT WE'RE ADOPTING HERE, WHAT WOULD BE
19 OUR MECHANISM TO COME BACK AND RECONCILE THOSE?

20

21 **DAVE VAUTIN:** I THINK, AS WE KNOW, THE STATE LAWS ARE GOING TO
22 CONTINUE TO CHANGE IN THE FUTURE. WE GRAPPLED WITH THIS A BIT
23 DURING THE DEVELOPMENT OF THE TORQUE INCENTIVE PROGRAM AS
24 WELL. YOU KNOW, IF THERE ARE SIGNIFICANT CHANGES IN STATE LAW
25 THAT CREATE CONFLICTS WE CAN ALWAYS COME BACK AND PROVIDE, YOU



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1 KNOW, AMEND THE POLICY FURTHER IN THE YEARS AHEAD, RIGHT? I
2 THINK THERE IS ALSO THE OPPORTUNITY TRACKING IN THIS SPACE
3 WHEN WE COME BACK TO YOU ALL IN 2027 WITH THE DATA SUBMITTED
4 BY JURISDICTIONS SEEKING FUNDING WE'LL HAVE MORE INSIGHT INTO
5 SOME OF THESE PARTICULAR, YOU KNOW, CHALLENGES, YOU KNOW,
6 BASED ON REAL LIFE EXPERIENCE WORKING WITH THE JURISDICTIONS
7 THAT SUBMITTED DATA TO US. SO WE'LL BE ABLE TO COME BACK AND
8 CONTINUE TO TALK ABOUT, YOU KNOW, IF THERE ARE THESE, SORT OF,
9 GAPS OR CHALLENGES THAT EMERGE AS THE LANDSCAPE CONTINUES TO
10 CHANGE.

11

12 **V. CHAIR, PAT BURT, MTC:** OKAY, WELL, I THINK THAT IS
13 IMPORTANT. AND THAT IT'S NOT THAT WE MAY HAVE FUTURE STATE
14 LAW, I THINK WE ALREADY DO. AND, SO, WE'RE ADOPTING A POLICY
15 THAT IS ACTUALLY LAGGING WHAT'S EXISTING IN STATE LAW, IF I AM
16 UNDERSTANDING IT CORRECTLY. SO, I THINK THE TIMELINESS OF US
17 UPDATING, BEING ABLE TO UPDATE THIS FOR COMPLIANCE SO THAT
18 WE'RE NOT PENALIZING THE SCORING ABILITY FOR JURISDICTIONS,
19 BASED UPON STATE LAW, WE DON'T WANT TO DO THAT.

20

21 **GILLIAN ADAMS:** SO ONE THING I WOULD LIKE TO ADD TO WHAT DAVE
22 SAID. SO, THERE ARE SITUATIONS SIMILAR TO THIS THAT HAVE COME
23 UP IN RECENT YEARS, STATE LAWS THAT HAVE BEEN PASSED FOR
24 EXAMPLE, RELATED TO PARKING UNBUNDLED PARKING, SHARED PARKING
25 AND THE WAY WE HAVE ADDRESSED THOSE, AND AGAIN SOME OF THOSE



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1 LAWS DON'T APPLY CONSISTENTLY THROUGHOUT THE REGION SO WE
2 ADDRESSED THEM IN OUR TOC ADMINISTRATIVE GUIDANCE SO
3 DEMONSTRATING TO LOCAL JURISDICTIONS AGAIN THAT'S WHERE WE ADD
4 SOME ADDITIONAL DETAIL ABOUT THESE POLICIES HAVE BEEN ADOPTED
5 AS PART OF THE TOC POLICY AND CAN ADDRESS THE QUESTIONS THAT
6 WE WOULD LIKELY GET FROM LOCAL JURISDICTION STAFF AND ELECTED
7 OFFICIALS, SUCH AS YOURSELF, FOR HOW WE WOULD CONSIDER A TOC
8 CONSISTENCY GIVEN THOSE STATE LAWS.

9

10 **V. CHAIR, PAT BURT, MTC:** OKAY. AND, SORRY, MY LAST ITEM IS,
11 WHERE ON TABLE TWO, WHERE WE HAVE MINIMUM DENSITIES FOR OFFICE
12 NEAR TRANSIT, AND ONCE AGAIN, BECAUSE MY COMMUNITY IS NOT
13 SEEKING AN EXTENSION, THIS IS -- OUR EXAMPLE IS ILLUSTRATIVE,
14 IT'S NOT GOING TO PENALIZE US, BUT WE HAVE HAD A LONG HISTORY
15 OF HAVING ALMOST ENTIRELY OFFICE IN OUR DOWNTOWN AREA RATHER
16 THAN HOUSING. SO WE HAVE A DON'T HOUSING PLAN THAT WE'RE
17 WORKING ON RIGHT NOW AND THE INTENTION IS TO DO WHAT WE HAVE
18 DONE ELSEWHERE, WHERE WE HAD A DISPROPORTIONATE AMOUNT OF
19 HISTORICALLY OFFICE CONSTRUCTION, AND JOBS/HOUSING IMBALANCE,
20 AND WE'RE TRYING TO CORRECT THAT BY INCENTIVIZING HOUSING OVER
21 OFFICE. TOOLS DO THAT THAT, WE HAVE DONE, IS RATHER THAN
22 ELIMINATE THE UNDERLYING ZONING THAT HAS ALWAYS BEEN THERE FOR
23 OFFICE, WE'RE INCENTIVIZING HOUSING AT A HIGHER RATE, EITHER
24 ON PURE HOUSING, A SIGNIFICANTLY HIGHER FLOOR AREA RATIO FOR
25 HOUSING, THAN THE OFFICE, WHICH IN OUR CASE I THINK IS 1.5 FAR



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1 IN THOSE DON'T AREAS, OR FOR MIXED USE THAT WHERE WE WOULD
2 HAVE A PROPORTIONATE INCREASE IN THE HOUSING BONUS AND RETAIN
3 A RELATIVELY LOW OFFICE COMPONENT. IT WOULD NOT COMPLY WITH
4 THIS. AND SO, JURISDICTIONS THAT ARE USING TOOLS LIKE THAT
5 WOULD BE ESSENTIALLY PENALIZED FROM NOT BEING ABLE TO QUALIFY
6 THERE, OR NOT GETTING POINTS THERE FOR USING, REALLY WHAT I
7 THINK ARE MORE INNOVATIVE ZONING TOOLS TO INCENTIVIZE HOUSING
8 OVER OFFICE. SO, I WANTED TO RAISE THAT CONCERN. I DON'T KNOW
9 IF STAFF HAS ANY RESPONSE TO THAT. AND THAT'S MY LAST
10 QUESTION.

11

12 **DAVE VAUTIN:** THE ONE THING I WOULD JUST RAISE IS, YOU KNOW,
13 THIS POLICY WAS DEVELOPED AND ADOPTED IN 2022, AND IN, AS PART
14 OF THE ACTION IN 2026 WE SIGNIFICANTLY REDUCED THE NUMBER OF
15 POINTS ASSIGNED TO COMMERCIAL DEVELOPMENT BECAUSE RECOGNIZING
16 THE POST-PANDEMIC CONDITIONS. SO, I ABSOLUTELY UNDERSTAND
17 WHERE YOU'RE COMING FROM WHICH IS, YOU KNOW, RELATED TO THIS
18 PARTICULAR ASPECT OF IT AND NOT BE ABLE TO GET THE POINTS, OR
19 MAYBE FULLY ACHIEVE THE POINTS ON OFFICE, I THINK THE MAIN
20 CHANGES WE MADE A BIG SHIFT OF POINTS AWAY FROM OFFICE TOWARDS
21 RESIDENTIAL WHICH SHOULD HELP MITIGATE SOME OF THAT CONCERN IN
22 TERMS OF HOW THE SCORING WORKS.

23

24 **V. CHAIR, PAT BURT, MTC:** I WANT TO ACKNOWLEDGE THAT IT'S
25 IMPROVED IN THOSE REGARDS, BUT I DON'T THINK WE'RE THERE YET.



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1 THANK YOU.

2

3 **CHAIR, EDDIE AHN, MTC:** THANK YOU. OTHER COMMENTS, QUESTIONS?

4 YES

5

6 **V. CHAIR, CARLOS ROMERO:** I AGREE WITH THE TWO SPEAKERS THAT
7 TALK ABOUT PERHAPS MOVING TO 100% COMPLIANCE, GIVEN THE LONGER
8 RANGE. I KNOW IN OUR COUNTY THE BIG CONCERN WAS THAT WE NEEDED
9 A RUNWAY TO ACTUALLY GET THERE. I THINK FIVE YEARS IS A
10 GENEROUS RUNWAY THAT ALLOWS JURISDICTIONS TO PUT POLICIES IN
11 PLACE THAT THEY THINK MEET THEIR NEEDS BECAUSE IT IS CLEARLY A
12 MENU. WE'RE NOT FORCING ANYONE TO DO A SPECIFICALLY TYPE OF
13 POLICY AND BECAUSE IT'S A LONG ENOUGH RUNWAY, I THINK SOME
14 MIGHT SAY I DON'T HAVE A DOG IN THIS FIGHT BECAUSE I'M NOT AN
15 MTC, BUT I DO IN THE SENSE THAT WEAL WANT TO SEE COMMUNITIES
16 THAT ARE FAIR AND EQUITABLE THAT HAVE, YOU KNOW, HOUSING FOR
17 ALL INCOME LEVELS AND THE JOBS REQUIRED, AND THOSE
18 INTERCONNECTIONS WITH TRANSIT. SO, I STRONGLY FEEL THAT MOVING
19 TO 100% WOULD BE APPROPRIATE KNOW, GIVEN THE AMOUNT OF TIME
20 THAT WE'RE ALLOWING MAYBE ON THE MINORITY ON THAT. THE ISSUE
21 OF IT, AND I CAN UNDERSTAND COMMISSIONER BETTER'S, KIND OF, 59
22 WITH SB79, I DON'T THINK WE HAVE AN SB79, ANY SITES IN PALO
23 ALTO, AND I UNDERSTAND THE HEIGHT AND DENSITY LIMITATIONS BUT
24 I WANT TO REMIND FOLKS THAT, ONE, IN ORDER TO GET SOME OF THE
25 ADDITIONAL DENSITY DEVELOPERS IN THOSE SITES WILL MOST LIKELY



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1 HAVE TO USE STATE DENSITY BONUS LAW STATE DENSITY BONUS LAW IN
2 ORDER TO GET TO SOME OF THOSE NUMBERS REQUIRES TO YOU GO
3 BEYOND 15% NOW UNFORTUNATELY IT'S 15% AT 120% AT 100% OF AMI
4 WHICH FOR ME I WOULD RATHER SEE ON THE LOWER END BUT STILL
5 MIDDLE INCOME HOUSING RIGHT SO I DON'T THINK THAT THIS POLICY
6 AS STATED IS GOING TO CONFLICT BECAUSE DEVELOPERS INDEED IN
7 TRYING TO MAXIMIZE BY THE WAY THERE IS PROFIT TO BE MADE AT 20
8 MEDIAN INCOME IT JUST DOESN'T MEET THE MARKET HURDLE RATES BUT
9 YOU CAN MAKE PROFIT ON IT SO COMBINE THAT WITH THE MIXED
10 INCOME HIGHER INCOME UNITS I THINK IT WOULD WORK SO YEAH I'M
11 NOT SURE. NOW AGAIN, I UNDERSTAND THAT THERE IS A LOT OF
12 CONFLICTING IDEAS ABOUT INCLUSIONARY APPLY YOU KNOW DOES IT
13 TRUMP STATE LAW. WE BELIEVE THAT THOSE LOCAL INCLUSIONARY
14 ORDINANCES DO AND KIND OF WORK IN SYNC WITH THE STATE LAWS AND
15 DO NOT OBLITERATE THEM IN THAT MAY WIND UP AT ONE POINT IN
16 TIME GOING TO COURT BUT I DON'T SEE THIS IN CONFLICT WITH THAT
17 AND I CAN'T SHARE OUR CITY'S INTERNAL MEMO FROM OUR LEGAL
18 CONSULTANTS BUT I THINK THAT THERE IS COMPATIBILITY THERE.
19 THANK YOU.

20

21 **CHAIR, EDDIE AHN, MTC:** ANY OTHER COMMENTS? VICE CHAIR BURT?

22

23 **V. CHAIR, PAT BURT, MTC:** LET ME OFFER A POTENTIAL AMENDMENT
24 THAT I THINK REFLECTS WHAT I THINK I HEARD FROM STAFF. IT
25 WOULD BE IF TO HAVE LANGUAGE THAT IF THE STATE LAW CONTRADICTS



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1 ONE OF THE REQUIREMENTS THE REQUIREMENT WOULD NOT BE IMPOSED
2 OR INCLUDED IN THE SCORING. DOES THAT SEEM REASONABLE?

3

4 **DAVE VAUTIN:** IF I MAY, I THINK MAYBE THE ONE THING -- ARE YOU
5 SPEAKING SPECIFICALLY TO THE PROVISION THAT YOU'RE BRINGING UP
6 RELATED TO INCLUSIONARY, OR MORE BROADLY? BECAUSE OBVIOUSLY
7 THE POLICY IS QUITE WIDE RANGING AND THERE ARE FUTURE STATE
8 LAWS THAT ARE HARD TO PREDICT, RIGHT?

9

10 **V. CHAIR, PAT BURT, MTC:** SO, I WAS THINKING MORE NARROWLY, BUT
11 I'M TRYING TO THINK OF WHY WE WOULDN'T WANT TO EMBRACE THAT
12 CONCEPT MORE BROADLY.

13

14 **COUNSEL, KATHLEEN KANE:** THROUGH THE CHAIR, IF I MAY?

15

16 **V. CHAIR, PAT BURT, MTC:** THE VOLUME IS REAL LIGHT ON THE --

17

18 **CHAIR, EDDIE AHN, MTC:** COUNSEL.

19

20 **COUNSEL, KATHLEEN KANE:** GENERAL COUNSEL. YEAH, THANK YOU. SO,
21 COMMISSIONER BURT, I HEAR YOUR CONCERN, AND I -- I AGREE THAT
22 AS A, YOU KNOW, JUST DEFAULT MATTER, STATE LAW WOULD
23 AUTOMATICALLY TRUMP ANY CONTRADICTORY MANDATE THAT WE MAY TRY
24 TO IMPOSE. WHEN IT COMES TO A SCORING SYSTEM I THINK WE HAVE
25 TO LOOK A LITTLE MORE CAREFULLY AT HOW THE SCORING MIGHT WORK



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1 ACROSS A JURISDICTION WHERE YOU MAY HAVE, SORT OF, POINTS OF
2 INTERSECTION WITH STATE LAW, BUT WHERE IT MAY NOT OBLITERATE
3 ALL OF THE JURISDICTION EFFORTS. SO, I THINK IF YOU ARE
4 AMENABLE TO IT, WHAT I WOULD SUGGEST DOING IS THAT WE HUDDLE
5 UP AS STAFF WITH THIS THOUGHT, AND BEFORE IT GOES TO THE
6 COMMISSION THAT, WE TRY TO HAVE AN ADDITIONAL PIECE OF
7 LANGUAGE THAT ADDRESSES WHAT YOU'RE TALKING ABOUT THAT, BUT
8 THAT WE'RE JUST MAKING SURE THAT WE WORD IT CORRECTLY RATHER
9 THAN TRYING TO SET THE WORDING THIS MORNING. BECAUSE I THINK
10 WE HAVE TO THINK THROUGH THOSE POTENTIAL POINTS OF
11 INTERSECTION AND MAKE SURE WE'RE CAPTURING IT CORRECTLY. THE
12 DEFAULT PRINCIPLE WITH STATE LAW WOULD TRUMP IS ABSOLUTELY
13 CORRECT.

14

15 **V. CHAIR, PAT BURT, MTC:** THIS'S FINE. DOES STAFF NEED THAT AS
16 DIRECTION FROM THE COMMITTEE IN ORDER TO DO THAT? OR THAT YOU
17 THINK IT'S A WISE APPROACH ON YOUR OWN?

18

19 **CHAIR, EDDIE AHN, MTC:** IT'S BEEN HEARD TODAY.

20

21 **COUNSEL, KATHLEEN KANE:** I CAN JUST WORK WITH STAFF, AND
22 PERHAPS IF YOU, COMMISSIONER BURT, OR ANYBODY ELSE HAS
23 LANGUAGE THAT YOU PARTICULARLY WOULD SUGGEST THAT WE LOOK AT
24 PLEASE SEND IT OUR WAY OTHERWISE WE CAN NOODLE ON THE QUESTION
25 AND COME BACK WITH A RECOMMENDATION THAT CAPTURES THIS ISSUE.



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1

2 **V. CHAIR, PAT BURT, MTC:** THANK YOU. I'LL WITH DRAUGHT
3 AMENDMENT.

4

5 **CHAIR, EDDIE AHN, MTC:** ALL RIGHT. ANY OTHER COMMENTS?
6 QUESTIONS? YES, PLEASE?

7

8 **MARILYN EZZY ASHCRAFT:** THANK YOU. I DO HAVE A QUESTION ABOUT
9 THIS SUGGESTION THAT WE REQUIRE 100% COMPLIANCE AFTER THE TOC
10 EXTENSION OR THE EXTENSION PERIOD. WHAT'S THE DOWNSIDE TO
11 THAT? BECAUSE, AGAIN, WE HAVE HAD THIS EXTRA TIME, AND WE'RE
12 TRYING TO FURTHER THESE POLICIES, WHY WOULD WE NEED REQUIRE
13 100% COMPLIANCE?

14

15 **CHAIR, EDDIE AHN, MTC:** I ACTUALLY APPRECIATED MEMBER ROMERO'S
16 COMMENTS TO THAT REGARD I DON'T KNOW IF STAFF HAS A RESPONSE
17 THOUGH TO THE IDEA OF 100% COMPLIANCE?

18

19 **DAVE VAUTIN:** I THINK THERE IS FAIR POINTS ON BOTH SIDES OF
20 THIS DEBATE. I THINK GOING BACK TO THE FEBRUARY ACTION BY THE
21 COMMISSION, THE 85 POINT THRESHOLD RECOGNIZES THAT THAT'S
22 SUBSTANTIALLY COMPLIANT WITH THE POLICY. NOT EVERY SINGLE
23 ASPECT OF THEM FULFILL THAT GIVES A BIT OF FLEXIBILITY TO
24 JURISDICTIONS BUT DEMONSTRATES THAT ACROSS THE FOUR COMPONENTS
25 OF THE TOC POLICY YOU KNOW THE VAST MAJORITY OF IT HAS BEEN



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1 INCORPORATED. YOU KNOW, I THINK ON THE OTHER SIDE OF THE
2 LEDGER IN TERMS OF, YOU KNOW, WHY 100 POINTS MAY BE
3 APPROPRIATE, YOU KNOW, THESE TRANSIT EXTENSION PROJECTS ARE
4 MULTI-BILLION DOLLARS INVESTMENTS, SO THEY ARE VERY
5 SIGNIFICANT INVESTMENTS. YOU KNOW, AND THE SUCCESS OF THOSE
6 STATION AREAS IS PARTICULARLY IMPORTANT. BUT IN TERMS OF THE
7 RECOMMENDATION THAT WE BROUGHT FORWARD THIS MORNING WE'RE
8 TRYING TO FIND -- CONTINUE THAT SWEET SPOT WHERE THE
9 COMMISSION LANDED SO THERE'S DEBATE WHETHER THAT THRESHOLD
10 SHOULD BE 70, 75, OR 85 OR IN THE CASE OF ADVOCATES WE HEARD
11 FROM THIS MORNING 100 SO WE'RE RECOGNIZING THAT KIND OF
12 CONSENSUS THAT HAD BEEN REACHED.

13

14 **MARILYN EZZY ASHCRAFT:** SO, THROUGH THE CHAIR? IF I COULD
15 FURTHER ASK MR. VAUTIN, SO WHAT YOU'RE TELLING US, THE
16 DOWNSIDE RISK COMMISSIONER VAUTIN, ARE YOU SUGGESTING THAT
17 SOME DEVELOPERS WOULD BE HESITANT TO DO THESE PROJECTS IF THE
18 ADDITIONAL REQUIREMENTS OF IS THAT THE DOWNSIDE RISK? AS I
19 UNDERSTAND IT WE GIVE APPLICANTS A MENU TO CHOOSE FROM IT'S
20 NOT PRESCRIPTIVE THERE'S MORE REQUIREMENTS THAN THEY CAN
21 CHOOSE WHICH FIT THEIR PROJECTS BEST BUT HELP ME UNDERSTAND
22 WHAT THE DOWNSIDE IS?

23

24 **ALIX BOCKELMAN:** ALIX BOCKELMAN CHIEF DEPUTY EXECUTIVE DIRECTOR
25 I THINK ONE OF THE THINGS THAT WE HEARD THROUGH THE FALL AND



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1 INTO THE WINTER WHICH IS IN STAFF'S THINKING ON THE 85 VERSUS
2 100, IS, YOU KNOW, AT 100, IF SOME OF THE JURISDICTION YOU
3 KNOW, AT THE STATION SITES FEEL THAT THEY CAN'T MEET 100 THEY
4 MAY FEEL THAT THEY SHOULD EVEN, SORT OF, TRY TO ACHIEVE THE
5 TOC POLICY I THINK THAT'S ONE WAS THE THINGS WE TACKLED ABOUT I
6 THINK WE'RE JUST TAKING THE IDEAS THAT HAVING FLEXIBILITY AND
7 HAVING IT BE ACHIEVABLE WAS IMPORTANT TO MAKE SURE EVERYONE IS
8 REALLY WORKING TOWARDS THE ELEMENTS THAT ARE IN THIS POLICY
9 THAT ARE SO IMPORTANT TO MAKING TRANSIT WORK SO I THINK IT'S
10 REALLY ON OUR MIND BUT DON'T DISAGREE THAT YOU KNOW WITH THIS
11 DISCUSSION THAT 85 OR 100 I THINK THAT'S ANOTHER THING THAT
12 WAS IN OUR MINDS AS WE WANT SAID TO MAKE SURE THAT PEOPLE FELT
13 THOSE ARE WORKING HARD TOWARDS THAT THEY COULD ACHIEVE THAT
14 WAS A MEANINGFUL IMPORTANT TOPIC THAT WE DISCUSSED IN THE
15 FALL.

16

17 **CHAIR, EDDIE AHN, MTC:** COMMISSION ANDERSON?

18

19 **CANDACE ANDERSEN:** YES I RESPECTFULLY DISAGREE BUT I THINK
20 STICKING WITH THE 85 IS, SORT OF, THE SWEET SPOT WE ACHIEVED
21 BACK IN FEBRUARY AND I THINK IT'S A RECOGNITION THAT EACH OF
22 OUR COMMUNITIES IS DIFFERENT, HAS DIFFERENT POLICY PRESIDENCY,
23 HAS DIFFERENT ELECTED OFFICIALS, AND WHILE FOR SOME
24 JURISDICTIONS REACHING 100 WOULD NOT BE A PROBLEM, FOR OTHERS
25 85 WOULD. AND AS ALIX POINTED OUT, IT MAKES A LOT OF SENSE TO



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1 NOT JUST SAY WE'RE NOT GOING TO EVEN TRY BECAUSE THERE IS NO
2 WAY WE CAN REACH 100, BUT AGAIN THERE IS SOMETHING WORKING
3 TOWARD AND IF YOU'RE MEETING 85 YOU'RE STILL DOING A LOT. SO
4 TO ME I'M CONCERNED ABOUT OPENING THE DOOR TO REHASHING A LOT
5 OF THE ISSUES WE HAVE ALREADY RESOLVED AND SO THAT'S MY OTHER
6 FEELING LET'S JUST, SORT OF, STAY WHERE WE ARE.

7

8 **CHAIR, EDDIE AHN, MTC:** THAT'S FAIR AND RELIT GETTING A THIS I
9 THINK EVERYBODY REMINDS ALL THE HOURS THAT WENT INTO THIS.
10 MEMBER RABBITT I SEE YOUR HAND IS UP ON ZOOM.

11

12 **DAVID RABBITT:** YEAH I AM ONE THAT WANT THINGS TO BE ACHIEVABLE
13 AND I WANT THINGS TO HAVE FLUFF EQUITY ESPECIALLY IN THIS DAY
14 AND AGENCY I CAN TELL YOU IN MY DISTRICT I HAVE TWO PROJECTS
15 THAT ARE NOT MOVING FORWARD FOR A VARIETY OF REASONS YOU'RE
16 TALKING RAW LAND AND PROBABLY MANY ACRES OF RAW LAND TWO
17 SQUARE BLOCKS IN DON'T PETALUMA ACROSS THE STREET FROM THE
18 SMART TRAIN STATION THAT SHOULD BE YOU KNOW HAVE HUNDREDS OF
19 UNITS THAT ARE ON IT, NOT YET THERE SO I'M ALL IN FAVOR OF 85%
20 GOING FORWARD AND RECOGNIZE THAT TIMES HAVE BEEN DIFFICULT FOR
21 GETTING PROJECTS IN THE GROUND.

22

23 **CHAIR, EDDIE AHN, MTC:** YES?

24

25 **MARILYN EZZY ASHCRAFT:** I'LL SAY I APPRECIATE HEARING FROM MY



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1 FELLOW COMMISSIONERS AND COMMISSIONER RABBITT IT'S A GOOD
2 REMINDER I MEAN JUST LOOK AT THE NEWS IF YOU CAN BEAR TO LOOK
3 AT THE NEWS THESE DAYS, WE ARE IN TIME OF EXTREME FINANCIAL
4 UNCERTAINTY AND CERTAINLY THOSE ARE FACTORS THAT ARE WEIGHING
5 INTO DEVELOPMENT DECISIONS SO I THINK IT'S REASONABLE TO MOVE
6 FORWARD WITH 85% REQUIREMENT KNOWING THAT IN THE FUTURE IF
7 THINGS SUDDENLY SKIES, CLOUDS PART AND THE SUN COMES OUT WE
8 CAN ALWAYS REVISIT THIS BUT THAT'S FINE I WANTED TO KNOW WHAT
9 THE DOWN SIDES WERE AND I HAVE GOTTEN MY ANSWERS. THANK YOU.

10

11 **CHAIR, EDDIE AHN, MTC:** JOHN-BAPTISTE?

12

13 **ALICIA JOHN-BAPTISTE:** I'M WONDERING IF YOU CAN SPEAK TO HOW
14 THE REPORTING PERIOD WOULD WORK I THINK YOU TALKED ABOUT A
15 FIVE-YEAR REPORTING PERIOD AND I THINK WE WOULD WANT TO AVOID
16 A SITUATION IN WHICH ALL OF THE ACHIEVING OF THE GOALS WOULD
17 HIT THE END TIME OF THAT FIVE-YEAR PERIOD, AND I'M CURIOUS HOW
18 YOU'RE THINKING ABOUT KIND OF MANAGING THROUGH THAT PROCESS?

19

20 **GILLIAN ADAMS:** THANK YOU, YEAH, THE IDEA THERE WOULD BE THAT,
21 YOU KNOW, THE PROJECT SPONSOR AND JURISDICTIONS WOULD WORK
22 TOGETHER TO DO A WORK PROGRAM WHEN THEY COME IN FOR THE
23 INITIAL ALLOCATION OR FUNDING REQUEST FOR THE PHASE TWO OR
24 THREE. THEN FOLLOWING THAT, DURING THAT IDEALLY FIVE-YEAR
25 PERIOD WHERE THEY'RE WORKING TOWARD 85 POINTS, THAT THEY WOULD



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1 ANNUALLY REPORT TO THE COMMISSION ABOUT THE PROGRESS THAT
2 THEY'RE MAKING. SO, AGAIN, SOME VISIBILITY, TO YOUR POINT IN,
3 SORT OF, WHAT WILL LIKELY BE INCREMENTAL PROGRESS AS THEY MOVE
4 TOWARD THAT 85 POINTS.

5

6 **CHAIR, EDDIE AHN, MTC:** SEEING NO OTHER COMMISSIONER COMMENTS,
7 CAN WE TAKE A ROLL CALL VOTE ON THIS THEN?

8

9 **CLERK OF THE BOARD:** WILL DO. AND AGAIN THE MOTION WAS BY
10 COMMISSIONER JOHN-BAPTISTE, AND THE SECOND WAS BY COMMISSIONER
11 EZZY ASHCRAFT. CHAIR AHN?

12

13 **CHAIR, EDDIE AHN, MTC:** AYE.

14

15 **CLERK OF THE BOARD:** VICE CHAIR BURT?

16

17 **V. CHAIR, PAT BURT, MTC:** YES.

18

19 **CLERK OF THE BOARD:** COMMISSIONER ANDERSON?

20

21 **CANDACE ANDERSEN:** YES.

22

23 **CLERK OF THE BOARD:** COMMISSIONER CORZO? IS ABSENT.

24 COMMISSIONER EZZY ASHCRAFT?

25



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1 **MARILYN EZZY ASHCRAFT:** AYE.

2

3 **CLERK OF THE BOARD:** JOHN-BAPTISTE?

4

5 **ALICIA JOHN-BAPTISTE:** AYE.

6

7 **CLERK OF THE BOARD:** MAHAN IS ABSENT. MASHBURN?

8

9 **MITCH MASHBURN:** AYE.

10

11 **CLERK OF THE BOARD:** MOTION PASSES UNANIMOUSLY BY ALL MEMBERS

12 PRESENT.

13

14 **CHAIR, EDDIE AHN, MTC:** YES AND MORE TO COME I'M SURE ON THIS.

15 AGENDA ITEM NINE SENATE BILL 79 DRAFT MAPS INFORMATION ITEM I

16 BELIEVE WE HAVE MARK TO PROVIDE THIS REPORT TODAY.

17

18 **SPEAKER:** GOOD MORNING GREAT TO BE HERE LOOKING FORWARD TO

19 TALKING TO EVERYBODY ABOUT ANOTHER SET OF GEOGRAPHIC

20 DESIGNATIONS. THIS IS GOING TO BE ABOUT SENATE BILL 79 DRAFT

21 MAPS PRODUCED BY MTC. NEXT SLIDE PLEASE. THANK YOU. SENATE

22 BILL 79 MAKES TRANSIT ORIENTED HOUSING DEVELOPMENT AND ALLOWED

23 USE ON SITES THAT ARE CLOSE TO HIGH CAPACITY TRANSIT AND ARE

24 ZONED FOR RESIDENTIAL MIXED USE OR COMMERCIAL DEVELOPMENT. TO

25 QUALIFY THE TRANSIT ORIENTED HOUSING DEVELOPMENT A PROJECT



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1 NEEDS TO MEET DETAILED SET OF CRITERIA THAT ADDRESS DENSITY
2 AFFORDABILITY AND OTHER CONSIDERATIONS. BEYOND THE SCOPE OF
3 THIS PRESENTATION A COMPREHENSIVE OVERVIEW OF SB79 DEVELOPMENT
4 STANDERS AND OTHER CONSIDERATIONS IS AVAILABLE AS ATTACHMENT C
5 TO THIS AGENDA ITEM. TO UNDERSTAND WHERE SB79 APPLIES IN THE
6 BAY AREA, WE NEED TO FIRST ZOOM INTO THE FOUR COUNTIES THAT
7 MEET THE LAW'S DEFINITION OF URBAN TRANSIT COUNTY. ALAMEDA,
8 SAN FRANCISCO, SAN MATEO, AND SANTA CLARA. SO THOSE ARE THE
9 ONLY CANDIDATES IN THE BAY AREA WHERE THE LAW APPLIES. WITHIN
10 THESE CANDIDATES WE ZOOM IN AGAIN TO THE AREAS DEFINED AS
11 TRANSIT ORIENTED DEVELOPMENT ZONES GENERAL PLACES WITHIN ONE
12 HALF MILE OF PEDESTRIAN ACCESS POINT TO BART STATION, CALTRAIN
13 STATION, VTA, OR MUNI METRO LIGHT RAIL STATION OR BUS STOP
14 WITH FREQUENT SERVICE AND DEDICATED BUS LANE. IMPORTANT
15 EXCEPTIONS TO THIS PROMINENTLY IN CITIES WITH POPULATIONS
16 BELOW 35,000 TOD ZONES ONLY EXTEND ONE QUARTER MILE AROUND
17 ACCESS POINTS AND THEN UNINCORPORATED AREAS OF THOSE COUNTIES
18 SB79 DOES NOT APPLY UNTIL THE NEXT HOUSING ELEMENT THEN
19 APPLIES TO THE SMALLER CITIES. SB79 PROVIDES PATHWAYS FOR
20 LOCAL GOVERNMENTS TO COMPLY WITH THE LAW CITIES MAY EXEMPT
21 CERTAIN AREAS EXCLUDE CERTAIN SITES UNTIL THE NEXT HOUSING
22 ELEMENT CYCLE OR ADOPT A TOD ALTERNATIVE PLAN THAT PROVIDE THE
23 SAME OVERALL HOUSING CAPACITY I KNOW A FEW ELECTED OFFICIALS
24 HERE AS WELL AS ON BROADER COMMISSION BECOME FAMILIAR WITH
25 THESE OPTIONS AS THEIR COUNCILS HAVE STARTED TO ADVANCE THEM.



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1 ALL LOCAL MEASURES MUST BE REVIEWED AND APPROVED BY HCD. NEXT
2 SLIDE PLEASE. NOW LET'S TURN TO WHAT MTC IS REQUIRED TO DO
3 UNDER SB79. SB79 REQUIRES US AND OTHER AFFECTED METROPOLITAN
4 PLANNING ORGANIZATIONS TO PRODUCE MAPS OF GEOGRAPHIC AREAS
5 WHERE THE LAW APPLIES. THE LAW SPECIFIES THIS MAP FOLLOW HCD
6 GUIDANCE AND HCD PROVIDED THAT GUIDANCE IN AN ADVISORY
7 DOCUMENT MARCH 23rd TAKEN TOGETHER WITH THE TEXT OF SB79 AND
8 ADVISORY DEFINE OUR MAPPING REQUIREMENTS THIS LEAVES US WITH
9 LIMITED DISCRETION FOCUSING ON ESTABLISHING CONSISTENT
10 APPROACH REGION-WIDE THAT RELIES UPON BEST AVAILABLE DATA. OUR
11 TASK IS TO DETERMINE ELIGIBLE STOPS IDENTIFY PEDESTRIAN ACCESS
12 POINTS TO THESE STOPS AND MAP QUARTER AND HALF MILE CIRCLES
13 AROUND THESE ACCESS POINTS. TO GUIDE US IN THIS WORK HCD
14 ADVISORY POINTS MPO TO TRANSIT AGENCY STOP AND PEDESTRIAN
15 ACCESS LOCATION DATA WE'RE FORTUNATE IN THE BAY AREA THAT MANY
16 OF OUR TRANSIT AGENCIES HAVE DEDICATED STAFF THAT ARE ABLE TO
17 POINT IN THE BEGINNING OF THE PROCESS TO BEST AVAILABLE DATA
18 AND GROUND TRUTH ANY ADDITIONAL POINTS PEDESTRIAN ACCESS THAT
19 ARE NECESSARY TO COMPLY WITH SB79. NEXT SLIDE PLEASE. SINCE
20 GOVERNOR NEWSOME SIGNED SB79 INTO LAW IN OCTOBER 2025 STAFF
21 HAVE WORKED CLOSELY WITH STATE AND LOCAL PARTNERS TO PREPARE
22 FOR THE LAW TO TAKE EFFECT ON JULY 1ST. AT THE STATE LEVEL,
23 THIS INCLUDED PARTICIPATION IN AN HCD LED PROCESS TO INFORM
24 ITS ADVISORY DOCUMENT AND ONGOING COORDINATION WITH OTHER
25 MPO'S IN REGIONS WHERE SB79 APPLIES. IN THE BAY AREA STAFF



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1 HAVE ENGAGED WITH AFFECTED CITIES TRANSIT AGENCIES, TRANSIT
2 AGENCIES AND CTA TO DISCUSS MAPPING APPROACHES AND PROVIDE
3 UPDATES ADDITIONAL INTENSIVE LOCAL ENGAGEMENT HAS TAKEN PLACE
4 OVER THE PAST MONTH FOLLOWING RELEASE OF THE PRELIMINARY DRAFT
5 MAP INCLUDING VIRTUAL OFFICE HOURS, ONE-ON-ONE MEETINGS AND
6 DATA EXCHANGE. NEXT SLIDE. LET'S SPEND A FEW MINUTES ON THE
7 DRAFT SB79 MAP CURRENTLY POSTED ON THE MTC WEBSITE. TO CREATE
8 THIS MAP STAFF CONDUCTED ROBUST DATA SOLICITATION REVIEW AND
9 REFINEMENT PROCESS THAT WENT BEYOND REQUIREMENTS SPECIFIED IN
10 THE LAW AS MENTIONED IN THE SLIDE WE WORKED CLOSELY WITH OUR
11 TRANSIT OPERATORS TO DEVELOP A DRAFT SET OF PEDESTRIAN ACCESS
12 POINTS TO TRANSIT STATIONS WHERE THE LAW APPLIES ONCE FULLY
13 VETTED WITH OPERATORS THESE POINTS WERE USED TO CREATE THE TOD
14 ZONES THAT WE DISCUSSED ON THE FIRST SLIDE AND YOU CAN SEE ON
15 THE DRAFT MAP ON THE RIGHT SIDE OF THIS SLIDE IT'S A LITTLE
16 SMALL BUT IF YOU WANT TO SEE IT IN GRATE DETAIL CLICK ON THE
17 LINK THESE CIRCLES EXTEND 200 FEET, ONE QUARTER MILE AND ONE
18 HALF MILE AROUND EACH ACCESS POINT AND EACH OF THESE ZONES
19 CORRESPONDS WITH PERMITTED DENSITIES AND HEIGHTS SPECIFIED IN
20 SB79 WITH HIGHEST DENSITIES AND HEIGHTS IN TIER ONE AREAS
21 AROUND BART, CALTRAIN, IMPORTANT CONSIDERATION THERE OF COURSE
22 IS THERE ARE ALTERNATIVE PATHWAYS MENTIONED IN AN EARLIER
23 SLIDE THAT NUMBER OF JURISDICTIONS HAVE PURSUED. REVIEW PERIOD
24 OF THE DRAFT MAP STARTED IN APRIL 8TH, OPPORTUNITY TO FURTHER
25 IMPROVE THE MAP GET MORE EYES ON IT WE INVITED COMMENTS FROM



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1 LOCAL STAFF AND BAY AREA RESIDENTS OR THE PAST MONTH WE HEARD
2 FROM AFFECTED AGENCIES IN EVERY COUNTY WHERE SB79 APPLIES AS
3 WELL AS FROM STAKEHOLDERS LOCAL GOVERNMENT COMMENTS HAVE
4 CONFIRMED THE ACCURACY OF THE DRAFT MAP OR SOUGHT
5 CLARIFICATION ON A FEW TECHNICAL ISSUES WE RECEIVED REQUESTED
6 UPDATES, SUPPORTED BY DOCUMENTATION IN VERIFIED BY TRANSIT
7 STAFF THIS INCLUDES ADDING QUALIFIED TIER TWO BUS STOPS ON
8 SEVERAL BLOCKS IN BERKELEY AND CITY OF ALAMEDA CREATING
9 PEDESTRIAN ACCESS POINTS TO ELEVATORS AT A HANDFUL OF EAST BAY
10 STOPS SOMETHING BART WAS ABLE TO PROVIDE US WITH DETAILED DATA
11 TO ACHIEVE THEN MINOR MODIFICATIONS TO LOCATION OF PEDESTRIAN
12 ACCESS POINTS TO VTA LIGHT RAIL AND CALTRAIN STATIONS IN SANTA
13 CLARA AND SAN MATEO CANDIDATES IN RESPONSE TO GOOD MAPPING
14 WITH PHOTOGRAPHS AND GEE LOCATION BY LOCAL STAFF IN ADDITION
15 MINOR CHANGES WILL BE MADE BY WEB APPLICATION TO IMPROVE USER
16 EXPERIENCE BASED ON SOME FEEDBACK WE RECEIVED STAFF IS
17 FINALIZING A REVIEW AND CONSULTATION WITH TRANSIT AGENCIES
18 REVISED MAP WILL BE ACCOMPANIED BY UPDATE USER FRIENDLY
19 WOULDN'T ON OR BEFORE THE LAWS EFFECTIVE DATE ON JULY 1ST.
20 NEXT SLIDE. TURNING TO NEXT STEPS MTC STAFF WILL CONTINUE TO
21 COORDINATE WITH LOCAL AGENCIES INCLUDING LOCAL JURISDICTIONS
22 TRANSIT PROVIDERS CTA, AS WELL AS COORDINATE WITH HCD
23 PROVIDING SUPPORT TO LOCAL JURISDICTIONS WHERE NECESSARY TO
24 HELP SYNC UP THE WORK DONE WITH REGIONAL MAPS THAT WE HAVE
25 SHARED AND THEN PENDING FURTHER REVISIONS BEYOND THOSE



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1 DISCUSSED TO CORRECT FACTUAL ERRORS THE MAP WILL BECOME
2 FORMALLY AVAILABLE IN FINAL DELIVERABLE ON OR BEFORE THAT DATE
3 THAT LAW GOES INTO EFFECT JULY 1ST, 2026 STAFF WILL CONTINUE
4 TO KEEP THE COMMITTEE APPRISED OF DEVELOPMENTS RELATED TO SB79
5 THANK YOU.

6

7 **CHAIR, EDDIE AHN, MTC:** QUESTIONS?

8

9 **CLERK OF THE BOARD:** THERE IS NO WRITTEN COMMENTS RECEIVED FOR
10 THIS ITEM, AND THERE NO ONE IN THE BOARDROOM OR ZOOM WISHING
11 TO SPEAK ON THIS ITEM.

12

13 **CHAIR, EDDIE AHN, MTC:** OKAY WE'LL MOVE ON TO COMMITTEE MEMBERS
14 THEN. ANY COMMITTEE MEMBERS WISHING TO ASK QUESTIONS OR MAKE
15 COMMENTS? OKAY. THAT'S VERY EFFICIENT. WELL, THANK YOU.

16

17 **V. CHAIR, CARLOS ROMERO:** THANK YOU FOR MAPPING THEM. I REALLY
18 APPRECIATE THEIR REPRESENTATION IN THE RGIS. IT'S HELPFUL.

19

20 **CHAIR, EDDIE AHN, MTC:** AS DO I. THANK YOU, MARK. APPRECIATE
21 YOUR TIME TODAY.

22

23 **SPEAKER:** THANK YOU.

24

25 **CHAIR, EDDIE AHN, MTC:** WITH THAT, WE'LL MOVE TO AGENDA ITEM



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1 TEN, PUBLIC COMMENT OTHER AND BUSINESS IS THERE ANY GENERAL
2 PUBLIC COMMENT FOR ITEMS NOT LISTED ON TODAY'S AGENDA?

3

4 **CLERK OF THE BOARD:** THERE WAS NO WRITTEN CORRESPONDENCE
5 RECEIVED UNDER GENERAL PUBLIC COMMENT AND THERE IS NO ONE IN
6 THE BOARDROOM OR ZOOM WISHING TO SPEAK.

7

8 **CHAIR, EDDIE AHN, MTC:** ALL RIGHT WHICH BRINGS US NOW TO AGENDA
9 ITEM 11 TO BUY CHAIR RAMOS SOME TIME IS IT OKAY IF I MOVE TO
10 THE ADJOURNMENT ANNOUNCEMENT FOR MTC. NEXT MEETING OF THE MTC
11 PLANNING COMMITTEE -- YOU CAN TAKE YOUR TIME EATING. ISSUE
12 WILL BE HELD FRIDAY JUNE 12TH, 2026 AT 9:40 A.M. AT THE BAY
13 AREA METRO CENTER 375 BEALE STREET SAN FRANCISCO CALIFORNIA.
14 ANY CHANGES TO THE SCHEDULE WILL BE DULY NOTICED TO THE
15 PUBLIC. THIS MEETING OF THE MTC PLANNING COMMITTEE IS
16 ADJOURNED. SWITCHING OVER TO CHAIR RAMOS.

17

18 **CHAIR, BELIA RAMOS, ABAG:** THANK YOU SO MUCH THE NEXT MEETING
19 OF THE ABAG ADMINISTRATIVE COMMITTEE MEETING WILL BE HELD
20 FRIDAY JUNE 12TH 9:40 BAY METRO CENTER 375 BEALE STREET SAN
21 FRANCISCO. ANY CHANGES TO THE SCHEDULE WILL BE DULY NOTICED TO
22 THE PUBLIC THIS MEETING IS ADJOURNED. [ADJOURNED]