

An aerial photograph of a city street grid, viewed from a high angle. The image is heavily blurred and has a monochromatic blue color scheme, with varying shades of blue creating a sense of depth and texture. The street lines form a complex, intersecting pattern across the frame.

ASSOCIATION OF BAY AREA GOVERNMENTS

Meeting Transcript

MAY 9, 2025

ABAG ADMINISTRATIVE COMMITTEE

FRIDAY, MAY 9, 2025 10:00 AM

[Meeting will begin shortly] Eddie ahn: I would like to call to order this meeting of the joint mtc planning committee with the abag administrative committee. This meeting this meeting is being webcast on the mtc web site. Members of the public participating by zoom wishing to speak should use the raised hand feature or dial star 9 and you will be called upon at the appropriate time. Teleconference attendees will be called upon by the last four digits of their phone number. Roll call vote will be taken for action items due to remote committee member participation. Will the clerk conduct roll call to confirm a quorum is present? **clerk, martha silver:** will do. Chair ahn? **eddie ahn:** here. **clerk, martha silver:** vice chair burt? **pat burt:** here. **clerk, martha silver:** commissioner andersen? **candace andersen:** here at danville road in my office. **clerk, martha silver:** thank you. Commissioner canepa? **david canepa:** here. **clerk, martha silver:** ashcraft? **marilyn ezzy ashcraft:** here. **clerk, martha silver:** giacopini, non-voting? I see you. Thank you. **diana dorinson:** dor **speaker:** thank you. **clerk, martha silver:** baptist? Kaplan? **rebecca kaplan:** here. **clerk, martha silver:** mahan is absent. Mashburn, we'll loop back. We have a quorum. **eddie ahn:** excellent that brings us to item three. **clerk, martha silver:** can we pause to invoke 2449 for

MAY 9, 2025

1 commissioner mashburn? **eddie ahn:** yes. **mitch mashburn:** thank
2 you. I would like to invoke 2449 as I'm in transit to the
3 posted location. I'm minutes away. **clerk, martha silver:** the
4 remote posted location is open for publics of the public to go
5 in and participate. **mitch mashburn:** yes, ma'am and there is
6 no one over 18 here with me. **clerk, martha silver:** thank you.
7 JUNE JUNE agenda item three includes 3a do I have a motion and
8 second to approve the mtc planning committee calendar?
9 **speaker:** motion. **speaker:** second. **eddie ahn:** so with that
10 are there any mtc committee members who would like to comment
11 on this item? Seeing none. Can we take public comment? **clerk,**
12 **martha silver:** there was no written correspondence -- yes.
13 There was no written xhrpdz received on this item and there is
14 no one in zoom or the boardroom wishing to speak on this item
15 this. **chair, eddie ahn mtc pc:** all right motion and second.
16 Roll call. **clerk, martha silver:** ahn? **chair mtc pc, eddie**
17 **ahn:** yes. **clerk, martha silver:** andersen? **candace andersen:**
18 yes. **clerk, martha silver:** kaplan? **rebecca kaplan:** yes.
19 **clerk, martha silver:** ezzy ashcraft? **marilyn ezzy ashcraft:**
20 **clerk, martha silver:** baptist? **alicia john-baptiste:** yes.
21 **clerk, martha silver:** kaplan? **rebecca kaplan:** aye. **clerk,**
22 **martha silver:** commissioner mahan is absent. And commissioner
23 mashburn? **mitch mashburn:** aye. **clerk, martha silver:** motion
24 passes unanimously by all members present. **chair mtc pc,**
25 **eddie ahn:** excellent. Now turning this meeting over to chair

Meeting Transcript

MAY 9, 2025

1 ramos. **chair, belia ramos abag ac:** thank you so much. I would
2 like to call to order this meeting of the abag administrative
3 committee. Roll call vote will be taken for all items due to
4 remote committee participation today. I don't see -- oh you're
5 -- it's you. Okay. MISS Silver, on behalf of abag will you
6 conduct roll and confirm quorum? **clerk, martha silver:** will
7 do. Chair ramos? **chair, belia ramos abag ac:** here. **clerk,**
8 **martha silver:** vice chair romero? Council member ecklund? **pat**
9 **ecklund:** present. **clerk, martha silver:** thank you. Supervisor
10 rabbitt? **david rabbitt:** I'm here at the teleconference
11 location at 575 administration drive room 100 a in santa rosa.
12 **clerk, martha silver:** thank you. Council member silva is
13 absent. And supervisor williams? **wanda williams:** present.
14 **clerk, martha silver:** thank you. We have a quorum. **chair,**
15 **belia ramos abag ac:** thank you so much. Will the abag clerk,
16 or MISS Silver acting as clerk please read the announcement of
17 amount of \$150 and that the per diem is provided as a result
18 of convening a meeting for which each member is entitled to
19 collect per diem. Thank you. **chair, belia ramos abag ac:**
20 thank you so much our next agenda item is item six consists of
21 two items 6a and sb minutes of APRIL 11th, six b ratification
22 of appointments that I have made as your PRESIDENT, council
23 member motoyama to the abag finance committee and the acfa
24 governing board effective upon approval of this consent item.
25 Do I have a motion? **pat ecklund:** I'll motion. **wanda**

Meeting Transcript

MAY 9, 2025

1 **williams:** second. **chair, belia ramos abag ac:** motion ecklund
2 second williams is there any committee member comments? I'll
3 move to **clerk, martha silver:** for this item, and there no
4 members in the boardroom or zoom wishing to speak on this
5 item. **chair, belia ramos abag ac:** thank you I'll close public
6 comment and bring it back for roll call vote. **clerk, martha**
7 **silver:** ramos? **chair, belia ramos abag ac:** yes. **clerk,**
8 **martha silver:** vice chair romero? **v. Chair, carlos romero**
9 **abag ac:** yes. **clerk, martha silver:** ecklund? **pat ecklund:**
10 aye. **clerk, martha silver:** rabbitt? **david rabbitt:** aye.
11 **clerk, martha silver:** council member silva is absent. And
12 supervisor williams? **wanda williams:** aye. **clerk, martha**
13 **silver:** thank you. Motion passes unanimously by all members
14 present. **chair, belia ramos abag ac:** thank you. We're moving
15 on to item 7a. And this is a contract authorization to enter
16 into a contract to implement the estuary youth council
17 program. Mycelium youth network. And giving us the report is
18 diana. **speaker:** good morning, everyone and members of the
19 board my name is diana fu and I am a project manager with the
20 san francisco estuary partnership. The san francisco
21 partnership is a part of the national estuary program non-
22 regulatory program of U.S. Epa created through the clean water
23 act our planning area encompasses san francisco estuary and
24 its watershed from sacramento and san joaquin detail to san
25 francisco bay and we are hosted regionally by abag. Next

MAY 9, 2025

1 slide. Today I'm here to talk about the estuary youth council
2 or clone as eyc program. The eyc program empowers and supports
3 youth from marginalized communities in the san francisco
4 estuary to become influential leaders in the planning
5 management and decision make of the san francisco estuary.
6 Youth learn about the estuary through hands on learning
7 experiences like field trips, are provided with leadership and
8 professional development opportunities that prepare them for
9 environmental planning and management careers and make a real
10 impact on environmental issues currently faired by the san
11 francisco estuary and its communities by working in teams to
12 brainstorm, plan, and complete original capstone projects
13 during the duration of the program. Eyc is hosted by the san
14 francisco estuary partnership, we work closely with a
15 community-based organization advisory committee consisting of
16 nuestra casa restore the delta and mycelium youth network
17 whose contract amendment approval request is on the agenda
18 today the cbo advisory committee works closely with us to
19 plan, design, and implement and evaluate the program. Each cbo
20 partner hosts a small number of youth at their organizations
21 to participate in the euc program every year and provides a
22 place-based home for them due to the large gee graph cask
23 spread of the program in the future we would also like to
24 create alumni advisory committee to keep graduates of the eyc
25 involved in the program to give more opportunities to provide

MAY 9, 2025

1 leadership and feedback on the program for new cohorts. Next
2 slide please. This program is currently supported by a mix of
3 fund sources, but was borne out of the generous funding from
4 anonymous donors and facilitated to us through our non-profit
5 501 c3 friends of the estuary with initial catalyst funding we
6 were able to launch a successful pilot and leverage that
7 success into additional grant awards such as small fund from
8 silicon valley communities foundation who will specifically
9 supporting our youth this year served by the nuestra casa in
10 midpeninsula area we recently faced some challenges related to
11 the federal funding landscape but with generous support from
12 mtc's office we were able to cover the budget shortfall I'm
13 happy to report that we will be able to sustain this program
14 for the next two years and maintain the integrity of this
15 importance initiative. Not only is this funding to development
16 of future environmental and climate leaders this funding has
17 allowed us to maintain trust with our cbo partners with whom
18 we have collaboratively developed the program's mission,
19 values, and approach. Next slide please. So what does the
20 program actually do? The eyc program runs annually from JUNE
21 through DECEMBER in a hybrid format. We provide exspur janelli
22 learning opportunities by working with scientists planners and
23 natural ists and community experts to provide environmental
24 climate civic education opportunities to youth we believe the
25 connection to the estuary is important for inspiring future

MAY 9, 2025

1 stewards and require in-person participation monthly gathering
2 we engage youth in development of active agents in the san
3 francisco estuary and support in brainstorming planning and
4 implementation. We also nurture leadership qualities in youth
5 through small group leadership lastly we provide professional
6 development opportunities to youth through career exploration
7 and skill and re sume building and exposure to conference
8 summits and other networking opportunities at the end of the
9 program a cohort will presents original capstone projects that
10 will be judged by a panel of community leaders environmental
11 planners and managers, program alumni. Next slide. We are in
12 the middle of the 2025 cohort selection process we held call
13 for applications APRIL 1st to the 30th and have just completed
14 reviewing applications to select candidates to move on to the
15 next step in the selection process partners are currently
16 conducting interviews and will be making hopeleses to the
17 2025eyc program to us by mid-MAY and selection of final cohort
18 will be completed by the end of the month. Next slide plead. I
19 want to note some of the amazing things alumni from our pilot
20 year have gone on to do one has been appointed to the van
21 frisk bay restoration authority's advisory committee another
22 pictured here received the next generation delta stewardship
23 award last month and many more alumni have gone on to do other
24 environmental and climate related work, to the anne fitzgerald
25 college mentee and mtc serving as climate water advocate with

Meeting Transcript

MAY 9, 2025

1 restore the delta and organizing and participating in other
2 leadership opportunities of in their respective communities.
3 Next slide. Razz I wrap up I'm recommending the authorization
4 to negotiate and enter into contract with mi seal yum youth
5 network to implement the estuary youth council program for
6 146,000,006 hundreds \$1. Funded by combination of funds and
7 estuary partnership local funds. Although wee entering into
8 contracts with all three partners of the eyc program this is
9 the only contract that requires abag approval due to the fact
10 that the total amount of contracts to mi seal yum for this
11 work totals over \$200,000. Thank you for listening that's all
12 I have for you today. **chair, belia ramos abag ac:** thank you
13 so much. And as someone who has witnessed our youth capstone
14 projects at the end the value we get from their unjaded
15 thought process as to how to solve the region's problems is
16 always very, very inspiring. So, thank you. Any questions?
17 **speaker:** motion. **pat ecklund:** second. **chair, belia ramos**
18 **abag ac:** motion and second. MISS Ecklund. **pat ecklund:** this
19 is a great program and I'm wondering how could some locally
20 elected officials know, like myself, or other board members,
21 be able to help participate in the program because I think if
22 we tagged along on one of these boat tours and have
23 opportunity to talk to the kids about how cities or counties
24 and quality of the bay, and there's stormwater or other things
25 that you just -- I think it might give them opportunity to

MAY 9, 2025

1 open up their eyes to not only the environmental part, but
2 also the leadership part too. So, is there a way that we could
3 participate? Or at least get notice and then say, hey, can I
4 join? Or are we taking a seat up for these kids? And is there
5 other ways that we can help rejuvenate or develop a real drive
6 for them to get involved and, not only in environmental issues
7 but leadership issues as well. **speaker:** yes absolutely. I
8 think that's a great question. I think there is many ways
9 different members can get involved. The program of course is
10 also looking for funding and funding that allows us to do the
11 type of leadership development that we focus on, which is
12 following a heart's ladder of youth leadership development for
13 those of you who are unaware. You can look up that ladder and
14 see the steps in which youth leadership can be truly developed
15 and why youth can be symbols when adults are present and at
16 the end of the year celebration they present capstone projects
17 we have a panel during capstone projects perhaps providing
18 some next steps or advice guidance or additional funding for
19 them to continue on and expand those capstone projects and we
20 have curriculum dedicated to change making and navigating
21 institutions so not only are they learning about the
22 environmental science of the bay or delta or environmental
23 justice issues they're also learning how to change making
24 actually happen a lot of activists backgrounds is definitely
25 one also ways of making change through non-profits through

Meeting Transcript

MAY 9, 2025

1 policy working in government that we explore for that
2 curriculum we're currently searching for people to come and
3 talk to youth and talk about their experiences making change
4 in whatever way or whatever method that they have experience
5 in. **pat ecklund:** I personally would love to be able to help
6 or participate in some of those. With my federal employment, I
7 worked for the army corp of engineers for eight years and epa
8 for 35, and all primarily water oriented. Pesticides was also
9 there too, and others. But if I knew that something was
10 happening, then I could always call caitlin, and say hey I'm
11 available that day. Anything I could do to help even notifying
12 us of some of these things whenever they're occurring, e-mail
13 or whatever mechanism you finally find appropriate. I think
14 involving board members we get a better feel for the program
15 and maybe can help advocate for funding from other
16 organizations. **speaker:** absolutely. **pat ecklund:** anyway
17 that's my comment. Otherwise I think auto a great program. I
18 was going to make a motion but my friend here did it first.
19 [Laughter] Thank you so much. **chair, belia ramos abag ac:**
20 seeing no other committee member questions, I'll ask the clerk
21 if there is any public comment on this item. **clerk, martha**
22 **silver:** there is no written correspondence received on this
23 item and no one in the boardroom or zoom wishing to speak on
24 this item. **chair, belia ramos abag ac:** thank you. Closing
25 public comment back to committee. We have a motion and second.

MAY 9, 2025

1 Roll call. **clerk, martha silver:** ramos? **chair, belia ramos**
2 **abag ac:** yes. **clerk, martha silver:** romero? **v. Chair, carlos**
3 **romero abag ac:** yes. **clerk, martha silver:** ecklund? **pat**
4 **ecklund:** aye. **clerk, martha silver:** rabbitt? **david rabbitt:**
5 aye. **clerk, martha silver:** council member silva is absent.
6 Supervisor williams? **wanda williams:** aye. **clerk, martha**
7 **silver:** motion passes unanimously by all members present.
8 **chair, belia ramos abag ac:** thank you so much. We're now
9 moving on to item 7b. And this is a very -- I will just say, a
10 very unique item for us here at abag. As you know, during our
11 sixth cycle of rhna, we had a record number of appeals that
12 came through this committee, through the administration
13 committee. 28 to be exact. And one of our tasks is to make
14 sure that we created an equitable methodology to be able to
15 allocate 441 housing units across our 109 jurisdictions. And
16 we did that. And the next cycle is going to start in 2027. But
17 one of the things that has also come up is how do disputes
18 between jurisdictions regarding the rhna process get result.
19 And these are technical disputes, as opposed to theoretical
20 and -- theoretical and -- and policy disputes. This is really
21 making sure this the application of our methodology is applied
22 appropriately. And so one of the things as this came over, and
23 working with our vice PRESIDENT, making sure that we are
24 positioned in a way to administer any disputes equitably,
25 justly, and I think most importantly here, technically, you

MAY 9, 2025

1 have before you an item for consideration of a delegation of
2 authority. And MISS Adams is here to present on this I feel
3 like we saw so much of you and then you got a break and now
4 here you are it's rhna again. **gillian adams:** thank you
5 PRESIDENT Ramos I'm gillian adams principle planner with abag
6 and mtc manager of abag's past rhna six cycle process and so
7 wanted to raise this issue of the regional housing needs
8 allocation transfer process so by law the period after abag
9 has issued its final rhna allocations housing element lao does
10 allow a county to transfer a portion of it to rhna to a city
11 or town after the incorporation of a new city or town
12 annexation. There are two possible approaches for conducting
13 the transfer first is through mutual agreement between the
14 county and affected city or town and the second approach if
15 the two parties cannot reach a mutually acceptable agreement
16 then either party MAY submit a written request to the council
17 of governments to consider the facts data and methodology
18 presented by both perpetrators and to determine the number of
19 units by income category that should be transferred from the
20 county's allocation the city or town, rhna received transfer
21 requests from santa clara can't related to annexations in las
22 gatos and san jose parties were unable to reach a mutually
23 acceptable transfer agreement this is the first time that abag
24 has received a non-mutual transfer request which is why we now
25 have developed the proposed approach for handling these types

MAY 9, 2025

1 of requests, does not specify the transfer requests so abag
2 needs to designate who has the authority to assess the
3 transfer request consideration of the facts data and
4 methodology presented by the affected jurisdiction is
5 primarily a technical task staff requests that the abag
6 administrative committee delegate authority for responsibility
7 to the mtc deputy executive director for metro planning and
8 policy this action will allow for efficient approach to the
9 comprehensive analysis and deliberation of the material
10 submitted by the jurisdictions specifically the administrative
11 committee is requested to approve the staff recommendation for
12 the delegation to the mtc deputy executive director for metro
13 planning and policy, the authority to accept, consider, and
14 make air final determination on all pending and future
15 requests from rhna allocation transfers and to create and
16 administer any necessary guidelines and/or procedures related
17 to the administration of these requests as outlined in abag
18 resolution number 10, 2025, which is attachment a in the
19 packet. Thank you. **chair, belia ramos abag ac:** thank you so
20 much. Do we have any questions? **speaker:** yes, I have several.
21 **chair, belia ramos abag ac:** commissioner ecklund. **pat**
22 **ecklund:** as everyone probably knows, I was very involved in
23 this rhna process last time. And if it was primarily a
24 technical task, in my opinion, we wouldn't have the discord
25 within, like, the can't and city of san jose, in my opinion.

MAY 9, 2025

1 So, I have a couple of questions. One, if we do designate the
2 deputy executive director as the decider of this, is there an
3 appeal process to the housing committee or abag executive
4 board? **gillian adams:** there is not anything in the statute
5 that allows for an appeal process to the transfers. **pat**
6 **ecklund:** okay. That's an issue, obviously. Because it's not
7 only a technical issue, it's also a political issue, in my
8 opinion, between the city and a county. Secondly is then is
9 there a limit that we can put on there, on the number of
10 houses that's exchanged? Like, I think, it's, quote "technical
11 when there is less than 10" when you are talking about
12 hundreds or whatever, thousands, or whatever, right? I just
13 have been reading the san jose city of san jose's letter which
14 if folks haven't read it that you really need to read it. And
15 we got a copy, it's also outside. Really encourage people to
16 read it. So, is there a limit that we can give the authority
17 for the deputy director, like, less than ten, transfer one way
18 or the other, anything over ten has to come either the abag
19 board or the abag housing committee then eventually goes to
20 the abag board. To me this, thing that's going on in san jose,
21 and I have not talked to anybody about this, but it raises a
22 lot more issues which I haven't even started getting through.
23 So, so, help me topped understand if we have the ability to
24 limit it, and the rest goes to us, so be it a process
25 depending on the number of units they're requesting to be

MAY 9, 2025

1 transferred. If I'm not clear just let me know **counsel**,
2 **kathleen kane**: the question is clear. This is kathleen kane
3 general counsel it's not staff's recommendation to limit in
4 that way. Precisely because this statute says we're supposed
5 to apply the adopted methodology. That is an existing formula
6 that is applied to these things. So the idea is that these
7 transfers should not, in fact, be a political issue, but,
8 instead, a technical one. And that if there were an appeal, or
9 a threshold that goes to the board, and then the board makes a
10 decision, that's a policy decision, that it's inconsistent
11 with the previously adopted methodology, then abag, itself,
12 would be at risk in defending that decision. So it's our
13 recommendation that this be treated in accordance with the
14 statutory requirement that we apply the methodology and derive
15 the answer and move forward. You know? I mean, these -- the
16 time to discuss the policy questions is at each rhna cycle
17 when you are trying to figure out how to allocate with the
18 methodology that's adopted. So, that is our strong
19 recommendation. **pat ecklund**: then help me to understand that
20 the city of san jose has highlighted that their current
21 application for this formal golf course is 1721 units, 1,721,
22 and that the can't's element site inventory has a capacity of
23 280050. And that's quite a difference for a city that's
24 already large. So, help me to understand how this is not --
25 it's only technical [Laughter] -- because to me, this also has

MAY 9, 2025

1 some issues between city and county. And we have that in
2 marin, as well. And, as well part of marin is thinking about -
3 - well, anyway, I don't need to go into that. But can you help
4 me understand how this is only technical. **counsel, kathleen**
5 **kane:** sure because we need to apply the methodology that was
6 adopted and that generates an answer for the different
7 transfers now we in no way suggest that these aren't
8 significant issues for jurisdictions involved and that's in
9 fact why they can agree to anything they want. If they reach
10 mutual agreement that works for the parties then we have no
11 influence on that at all so they can agree to something
12 outside of the methodology today and obviate the need for this
13 process. But if it does come to the entity that allocated the
14 units in the first place under the methodology then we still
15 have to apply the publicly adopt the methodology that we had.
16 Also now there is no doubt that also change circumstances
17 along with the way between rhna cycles might influence the
18 outcome that you want mutual agreement provision there to
19 address if it's up to us we have to apply in a fairly mechanic
20 mechanistic manner the methodology that was adopted through
21 the rigorous process that abag went through for the last rhna
22 cycle and will reevaluate in the next one no doubt more
23 circumstances I don't want to preempt the staff who
24 understands the methodology itself better than I do but that's
25 kind of the global risk assessed. **pat ecklund:** the question

MAY 9, 2025

1 appeal process so the first is the deputy director then if the
2 party still one or two parties still do not agree. **chair,**
3 **belia ramos abag ac:** I'm going to interject one of the parts
4 that is incredibly important here is the rhna appeal process
5 did already take place the application of simply adopted
6 policy and these jurisdictions were not able to reach
7 agreement, this is the appeal of that. This is that process of
8 make the determination. Because what the statute says is that
9 if they are not able to make a determination, abag makes a
10 determine. And it is abag, the entity, not abag the board, not
11 abag a committee. And, so, we need to make sure that as -- at
12 an organizational level, we're creating a process of
13 consideration that will most closely defend our adopted
14 methodology. And our adopted methodology is best known by our
15 staff, not -- not by us. **pat ecklund:** yeah, but abag also has
16 the -- I believe -- the ability to set up a process so that if
17 there is an issue like this. I mean, we could make the
18 decision, not just staff. I mean, it could come to the board.
19 The abag board, or the housing committee. **chair, belia ramos**
20 **abag ac:** i actually -- I strongly disagree with that. And I
21 strongly disagree with that because it would simply to be to
22 accept staff's recommendation. Because if we, at all, deviate
23 from the strict application of our methodology, we have
24 undermined all the other hundred and 8 decisions of
25 application of methodology. We have one transfer we are

Meeting Transcript

MAY 9, 2025

1 dealing with. And I, certainly, am -- do not feel comfortable
2 that at this board level or even at this committee level, that
3 we jeopardize our 108 decisions that we have previously made.
4 So, in order to ensure that we are strictly applying, simply,
5 a methodology, the delegation to staff, who is most
6 knowledgeable on this, does, in fact, make the most sense.
7 **pat ecklund:** well, I -- I -- I will respectfully disagree.
8 Because -- because I think that -- do you want to shut that
9 off? [Laughter] So, I have -- I -- I do respectfully disagree.
10 So, can we, instead of the deputy director, could we say that
11 the abag board would be making that decision? Is that an
12 option that we can do here? A legal option? **counsel, kathleen**
13 **kane:** I don't want to preempt the vice PRESIDENT Who appears
14 to want to say something. **v. Chair, carlos romero abag ac:**
15 so, I think you -- with all due respect, director ecklund, I
16 think our counsel has stated it correctly. I mean, we do not
17 want to make this a political issue. It is really an e
18 normative one. If you want me to finish. And what is before us
19 today is to have staff, right? -- be the adjudicatory body
20 that determines the facts related to this transfer. So, we're
21 asking, and I think after discussion with legal staff, as well
22 as our planning staff, that this is the most effective way to
23 move forward on this issue, as opposed to having, as we did in
24 the past, but that was different, having a committee
25 established by abag to hear this type of appeal. So, the

Meeting Transcript

MAY 9, 2025

1 motion before us is to delegate to staff. I'm in support of
2 it. I don't know know if other people want to speak, but I'm
3 ready to make a motion but I'm sure folks MAY want to chime in
4 here. **chair, belia ramos abag ac:** thank you. I'll accept that
5 as your motion. Yes I'll make the second so that we do have a
6 motion and a second. Member williams? **wanda williams:** for me
7 -- and maybe it's something I can talk offline about, the part
8 and this is just for clarification for me, for understanding
9 in reference to incorporation of a new city, I know that's not
10 what's happening here. This is annexation, but I wanted to
11 understand what that looks like when a new city is coming
12 online. As you know, solano county, there is a concept of a
13 possibility of a new city. And, so, if staff can talk with me
14 offline, that would be great so I can understand what that
15 process looks like moving forward with the rhna numbers for
16 new incorporation. And that was all. Thank you. **chair, belia**
17 **ramos abag ac:** thank you so much. And I think that is
18 especially -- I think one of the things we find ourselves in
19 the unique spot here is annexation post-rhna process. I think
20 that it would be helpful to all executive board members and
21 agencies once we vote on this item to be able to explain when
22 this issue comes up, how it comes up, and how we are dealing
23 with it. Seeing no other committee questions. -- oh,
24 supervisor rabbitt, I see your very cartoony happened up
25 there. **david rabbitt:** well thank you so much. I'm going to be

MAY 9, 2025

1 supportive of the motion that's on the floor, but at the same
2 time, I want to recognize director ecklund's point. Having
3 served on the rhna appeals committee, I think twice, it is a
4 frustrating experience. Because we MAY be not wanting to
5 jeopardize 108 decisions, but there is trying to fit
6 everything into one tight box is sometimes difficult, and
7 there obviously are certain circumstances where applying the
8 methodology needs a little more input. I understand, at the
9 same time, the political nature of this and whether or not the
10 board wants to put itself in that mix. And, so, I can be
11 supportify going forward, but I know that ultimately, you
12 know, the serving on that committee, listening to the
13 arguments, much -- many of them, while, you know, substantive
14 and -- and where you wanted to move in one direction, but your
15 hands were tied, was extremely frustrating to say the least.
16 The whole process has become frustrating from day one. But,
17 you know, I think, ultimately, we need to continue to deal
18 with changes in that process, and hopefully having more
19 regional cooperation between entities moving forward, rather
20 than having everyone doing it separately. **chair, belia ramos**
21 **abag ac:** thank you so much supervisor rabbitt on that. And I
22 echo the feelings. I can't imagine we might be the only cog
23 that has had to deal with this issue. But I'm going to ask the
24 maker of the motion for a friendly amendment. There is one
25 part in our resolution that says that staff will be

MAY 9, 2025

1 responsible for submitting their final determination to hcd
2 I'm going to ask that prior to that -- concurrent with that
3 submission, receive and file to this committee come back. This
4 is the rhna appeals committee. So, if you would please
5 consider that as a friendly amendment to your motion. Vice
6 PRESIDENT Romero? **v. Chair, carlos romero abag ac:** I think
7 that makes a lot of sense. Accepted. **pat ecklund:** could we do
8 it to the whole abag board so that all of the members of the
9 abag board are aware of this? **chair, belia ramos abag ac:** I'm
10 not going to request that because this is the body that deals
11 with the rhna appeals process. That is, in fact, delegated
12 from the executive board to this. **pat ecklund:** okay. **chair,**
13 **belia ramos abag ac:** so I don't want to say hot potato and
14 punt it back. I would suggest just a concurrent receive and
15 file to the admin committee at this meeting unless staff has
16 some heartburn with that? It wouldn't be an override it would
17 jumpily just be noticed to this committee. **pat ecklund:** MADAM
18 Chair. **chair, belia ramos abag ac:** yes? **pat ecklund:** I'll be
19 voting no on this motion. But I would ask staff when we do the
20 2027 rhna process when we start with that, please put this
21 down as an issue that the committee needs to have some
22 discussion about administering this for the next cycle. Thank
23 you. **chair, belia ramos abag ac:** my understanding, I would
24 ask counsel, this is adopting the process? Is that correct?
25 **counsel, kathleen kane:** that's correct. **chair, belia ramos**

MAY 9, 2025

1 **abag ac:** it's not specific to -- establishing the process.
2 **counsel, kathleen kane:** if you wish to revisit this at a later
3 date you have the authority any time. **pat ecklund:** discussion
4 about it in 2027. **chair, belia ramos abag ac:** motion by
5 romero second by myself that includes the resolution with the
6 addition of a concurrent receive and file at the notification
7 of hcd for a delegated authority. Seeing no other comments,
8 I'm going to ask if there is public comment. **clerk, martha**
9 **silver:** yes. We received written correspondence from the city
10 of san jose. It was posted online and distributed to all
11 committee members and is available as a handout handout at /-
12 at the front desk and we have two members of the public that
13 would like to speak on this item in zoom. How much time would
14 you like to give? **chair, belia ramos abag ac:** two minutes.
15 **clerk, martha silver:** constantine go ahead you have two
16 minutes. **speaker:** general in agreement with the delegation I
17 just ask for a couple of amendments one to revisit the rhna
18 transfer public process then keep evaluating the effect our
19 issue is different than the city of san jose we have one
20 subdivision of 600 homes in our town that has 10,000 parcels
21 as a town with 33,000 residents annex the whole thing all at
22 once residents don't want it so we're getting one house at a
23 time being transferred in my discussions with county
24 administrator there is santa clara county intent to transfer
25 one rhna number for each home that gets transferred this is

MAY 9, 2025

1 fully developed subdivision of homes there is not a lot of
2 capacity to actually build rhna numbers is shy of 2000 as one
3 home after another gets annexed in our town going to be left
4 with 30% increase in rhna number just because of a small
5 subdivision but no space on subdivision to necessarily develop
6 the current guidelines that abag has when you look at that one
7 home comes in tend to justify the transfer of one rhna so I
8 think there is unintended consequence in a situation like ours
9 that general form lake presentation of the guidelines through
10 abag doesn't take into account our hope is that because of as
11 of right now we have suspended all annexations are not going
12 to continue which I don't believe is in keeping with trying to
13 take an unincorporated area that's surrounded by our town to
14 provide provision of efficient service until we able to
15 resolve this there is no way we're going to accommodate that
16 with our current number of units I ask for your consideration.
17 Thank you. **clerk, martha silver:** thank you. Our last speaker
18 in zoom is going to be jared ferguson. Go ahead and unmute
19 yourself. **pat ecklund:** can you turn up the volume a little
20 bit. I had a hard time hearing him. Thank you. **speaker:** good
21 morning jared ferguson I'm a principle planner with the city
22 of san jose. You have seen our letter discussed it san jose
23 has one pending transfer as noticed we're generally supportive
24 of the staff proposal to geligate authority given the
25 technical nature however we believe there should be two

MAY 9, 2025

1 modifications that would increase transparency and provides
2 checks and balances within the process. One we believe there
3 should be public process for development of the guidelines and
4 procedures around the rhna transfers where the proposed
5 guidelines and procedures are publically noticed with time for
6 comment then approved by the board or a committee rather than
7 wholly delegated to staff. Two, we would request regular
8 updates and reports to the abag board or committee. The
9 reporting should include an ongoing evaluation of the
10 guidelines and procedures of the rhna transfers and then also
11 a report on the statutes and outcomes of each transfer
12 completed. The future of this rhna transfer process will have
13 much larger ramifications for the city. The county is
14 requesting a transfer of 12 units as that's what appears in
15 their housing elements theoretical site capacity in their
16 housing element, cemeteries transferring 18 units which
17 actually matches the planning approvals completed last year on
18 the site while the current request is small there is going to
19 be other larger requests for this discrepancy which will have
20 broader implications for us there is a large golf course side
21 114 acres within the city and unincorporated land that would
22 likely represent 1500 units given importance of these transfer
23 san jose recommending two modifications also just add that I
24 don't think the overall macro methodology will be helpful or
25 relevant in these individual types of transfers it's very

Meeting Transcript

MAY 9, 2025

1 specific in nature and I don't know that the methodology will
2 be helpful given these specific examples. Thank you. **clerk,**
3 **martha silver:** thank you. Paola aurelio rosales, you just
4 raised your hand is it for agenda item 7b? **speaker:** yes.
5 **clerk, martha silver:** go ahead you have two minutes. **speaker:**
6 hello. Good morning mtc planning and abag administrative
7 committee my name is paola, organizer with housing leadership
8 council of san mateo county we work with communities and their
9 leaders to produce and preserve quality affordable homes on
10 behalf of hlc I would like to extend our appreciation to mtc's
11 leadership and continue to work to move the tlc policy forward
12 it's not just a planning tool it's one -- **chair, belia ramos**
13 **abag ac:** one second that's for our next item I'm going to ask
14 you to hold on. We're still on item 7b. **speaker:** yes. **chair,**
15 **belia ramos abag ac:** thank you. That was on tlc so that's our
16 next item I'm going to go ahead and if we have no one else
17 waiting I'm going to close public comment and I'll just say,
18 you know, I don't want it to be lost upon us, but us having
19 this meeting and having this discussion is in fact a public
20 process. And this is an opportunity to consider feedback,
21 which we have, in fact, some written feedback, and also oral
22 feedback that we have gotten. In terms of valuation of
23 guidelines, you know, that really is beyond the scope of what
24 we do in the rhna allocation process by being able to do this
25 and then to bring it back to this committee for a receive and

MAY 9, 2025

1 file report-out will in fact give another opportunity for
2 public comment. So, there is -- you know, I will also say in
3 terms of our staff and working with our staff, I have never
4 known our staff to work in a vacuum, so, call, ask questions,
5 e-mail. If you are an interested jurisdiction, they will --
6 they will be -- they will be available to you as they always
7 are. With said that I'll ask the clerk to conduct a roll call
8 vote on the motion by romero, second by myself that includes
9 the addition of the receive and file. **clerk, martha silver:**
10 thank you. Chair ramos? **chair, belia ramos abag ac:** yes.
11 **clerk, martha silver:** vice chair romero? **v. Chair, carlos**
12 **romero abag ac:** yes. **clerk, martha silver:** council member
13 ecklund? **pat ecklund:** no. **clerk, martha silver:** thank you.
14 Supervisor rabbitt? **david rabbitt:** aye. **clerk, martha**
15 **silver:** council member silva is absent. Supervisor williams?
16 **wanda williams:** aye. **clerk, martha silver:** the motion passes
17 with four ayes and one no. **chair, belia ramos abag ac:** thank
18 you so much. Now I'm going to turn it over -- **counsel,**
19 **kathleen kane:** apologies. I'm sorry, through the chair just
20 for brown act recordkeeping we're supposed to say by name the
21 vote so I wanted to note that it was member ecklund who voted
22 no. **chair, belia ramos abag ac:** thank you so much to the.
23 **kristen law:** -- lawier in the room. [Laughter] We'll now turn
24 it over to my co-chair commissioner agenda item a eight.
25 **chair mtc pc, eddie ahn:** transit oriented communities policy

MAY 9, 2025

1 draft evaluation criteria before turning it over to staff I'll
2 gift report share background for members of the public and
3 members of this committee, transit orient the communities toc
4 policy was approved by this commission in fall of 2022 via mtc
5 resolution number forgive 30 housing parks station access
6 policies so for criteria critical create vibrant communities
7 transit -- oh, I do not have -- oh I need to speak more
8 closely to it. For context, the result of a lot of meetings I
9 read in one staff memo over 250 meetings with various
10 jurisdictions are 60 million have been more recently awarded
11 to jurisdictions in MARCH 2025 to help with toc related
12 planning and capital grants and supporting local
13 implementation so one thing to emphasize the committee members
14 this morning's item is information item only designed to seek
15 your input plenty of time to give input before the vote, and
16 ample time, this commission will have opportunity to explore
17 how to best leverage this framework in the context of funding
18 program so we have to figure out how much we want the toc
19 policy to -- significant interest in transportation
20 stakeholders region-wide and I saw cta as well to that effect
21 so sophie gabe shine baum. **speaker:** sophie regional planner
22 with mtc abag thank you for opportunity to present today I'll
23 walk through the draft evaluation of the criteria for the
24 transit oriented communities or toc policies that mtc adopted
25 in 2022. Developing this evaluation framework is a key step in

MAY 9, 2025

1 implementing the adopted toc policy and guiding how we assess
2 local progress toward regional housing, mobility, and equity
3 goals. I want to emphasize, again, that this is an
4 informational item and it's an initial step in the
5 conversation about how tocs will be evaluated. We'll be
6 incorporating the feedback we hear about this draft and
7 refining it moreover the summer. Next slide please. So, first,
8 why does this policy exist? You know we all know that land use
9 plays a critical role in the success of our transit systems
10 when more people and jobs are located near high quality
11 transit ridership grows and communities become more connected.
12 That's why density, housing affordability, and multi-modal
13 access near stations are essential to this policy and to the
14 success of transit region-wide. Next slide please. The toc
15 policy was adopted by mtc in 2022 as an update to the transit
16 oriented development or tod policy in 2005 that was an early
17 effort to align transit investments and supportive land use
18 policies to enable increased transit use. The toc policy
19 applies to areas within a half mile of rail stations, ferry
20 terminals and brt stops it supportings planned bay area 2050
21 strategies by focusing on four core areas land use density,
22 affordable housing, parking management, and station access.
23 Mtc staff and the commission worked hard to draft a policy
24 that aligns with the goals of planned bay area 2050 and is
25 flexible enough to recognize the diversity of communities

MAY 9, 2025

1 within the region. Next slide please. As adopted, the toc
2 policy possesses elements of flexibility balancing local
3 context and regional goals the policy recognizes that
4 diversity of station types by establishing specific station
5 area tiers based on level of transit service available both
6 density and parking requirements vary based on those transit
7 tiers with higher expectations in areas with more robust
8 transit service. The toc policy also provides a menu of
9 options for meeting the housing policy requirements across the
10 three p's of housing. Housing production, housing
11 preservation, and tenant protections. This menu of options
12 is intended to enable more flexibility and choice in mask
13 policies to local needs while maintaining regional
14 consistency. Next slide. Oh sorry. Not next slide. The
15 requirements to meet the station access components of the
16 policy -- one slide back please -- sorry -- allow for
17 flexibility and types of plans and strategies accepted that
18 encourage walking biking rolling and connects transit across
19 diverse station areas. Each critical policy element creates
20 opportunities for local tailoring and context sensitive
21 information. Next slide. While elements are designed to
22 consider local context they all work in service of the shared
23 regional vision in planned bay area 2050. That vision is
24 grounded in four core goals of the toc policy increase overall
25 housing supply by increasing density for new residential

MAY 9, 2025

1 projects and prizing affordable housing in transit-rich areas,
2 increase density for businesses and commercial development in
3 these areas, prioritize active and shared modes like bus
4 transit biking walking and particularly in equity priority
5 communities and finally supporting partnerships to build
6 equitable transit orient ed neighborhoods. Since the toc
7 policy was adopted mtc has been working with jurisdictions to
8 support implementation since 2023 we have had over 250
9 stakeholder meeting presidency with jurisdictions are
10 containing a toc talk through questions and local scenarios
11 offering guidelines. To assist with average density
12 calculations for each toc station areas and in fall we
13 released the toc administrative guidance which serves as the
14 roadmap detailing what's required under each section of the
15 toc policy mtc awarded 60 million in planning capital funding
16 to support local jurisdictions with toc implementation most
17 recently we made minor updates to the administrative guidance
18 and improve clarity and specificity. Next slide. To ground our
19 conversation about the compliance evaluation framework I want
20 to revisit four core components of the toc policy density
21 which sets minimum and maximum levels for future residential
22 and office development housing adopting policies and support
23 affordable housing production preservation protection as well
24 as commercial stabilization parking aligning parking policies
25 with transit access multi-modal priorities and station access

MAY 9, 2025

1 ensuring safe convenient ways for people to reach transit
2 stations each of these components contains a number of
3 specific compliance standards and our approach is designed to
4 evaluate how jurisdictions are implementing each of these
5 standards. Next slide please. So, with the policy structured
6 around clear standards we needed an approach that could fairly
7 evaluate implementation across such a diverse region. We
8 designed the scoring approach to be flexible across different
9 local contexts, rewarding of meaningful progress even if full
10 compliance is not yet met and transparent so jurisdictions
11 understand where they stand and what they need to do to
12 improve. In addition, we weighed each standard's point value
13 based on its overall impact recognizing that not all policy
14 requirements have equal influence on outcomes and that some
15 are more difficult to implement than others. Details of the
16 draft points can be found in attachment b in your packet and
17 this image is showny for illustrative purposes of this
18 attachment. The proposed evaluation framework is designed to
19 translate the toc policy into a transparent measurable system
20 for assessing jurisdictional compliance, the framework is
21 grounded in an approach that emphasizes impact and
22 transparency rather than binary rating and is structured to
23 evaluate the extent at which jurisdiction is advancing the
24 goals of the toc policy this approach recognizes jurisdictions
25 starting from different places and face challenges to

MAY 9, 2025

1 accommodate this diversity the evaluation system offers
2 spectrum of compliance awarding partial or substantial credit
3 for progress or near compliant policies and full credit for
4 policies are fully aligned with the toc standards it's
5 designed to reward jurisdictions making measurable progress
6 while still incentivizing bold outcome driven planning the
7 result is framework that is flexibility and accountable
8 encouraging broad participation without compromising the
9 region's long-term goals. Next slide. We designed the scoring
10 system as a layered approach starting first with the scores
11 for each individual standard then burnedling those into a
12 score for each of the four policy components density housing
13 parking and station access then adding those together for a
14 toc station area score then if a jurisdiction has multiple toc
15 station areas we take the average of each toc area score to
16 arrive at a jurisdiction wide score. Next slide please.
17 Jurisdictions would then be classified into three levels fully
18 compliant, partially compliant and not compliant. We expect
19 most jurisdictions to fall into the partially compliant level
20 two, and we'll of course continue providing technical support
21 to help move towards full compliance. Next slide. So, as we
22 developed the draft evaluation framework for toc compliance we
23 took into account feedback from jurisdiction staff and key
24 partners. We proactively incorporated changes in response to
25 several common challenges we heard across the region. First,

MAY 9, 2025

1 we heard that the minimum commercial office densities were
2 approving difficult to meet even when compared to recent
3 successful projects due to market conditions. In response, we
4 adjust understand the scoring by assigning a lower point value
5 to the standard within the density component. We also heard
6 that both the parking and residential density standards are
7 ambitious for many community context to address this we
8 introduced partial and substantial credit options for
9 jurisdictions that are close to meeting the full requirement
10 the intent here is to incentive steady progress rather than
11 setting a bar that feels out of reach. Finally expressed
12 concern that the funding thresholds were tied to certain
13 housing policy options that were unrealistic to address this
14 we accredited r created a tiered approach that allows for
15 flexibility and how jurisdictions meet those requirements
16 while still reinforcing the importance of local commitment to
17 affordable housing. Last month mtc staff presented a draft
18 evaluation criteria at over a dozen meetings across the region
19 we shared the approach with local jurisdictions staff county
20 transportation agency staff and directors and key partners
21 here is a summary of what we heard first stakeholders
22 reinforced how important flexibility is in the framework local
23 staff appreciated the point based structure especially the
24 availability of partial credit which helps reflect the real-
25 world constraints and community contexts jurisdictions that we

MAY 9, 2025

1 that were initial doubtful could reach ambitious goals.
2 Directors expressed concern about the complex of the framework
3 and local jurisdiction staff acknowledge the level of detail
4 reflects nuance and ambition of the policies goals refinements
5 made so far we heard thoughtful suggestions for further
6 improvements shareholders shared mixed perspectives on the
7 number of points allocated to parking maximums both
8 recognizing significant of toc goals also noting political
9 market challenges many jurisdictions face and implementing
10 them additionally local staff ask for further partial credit
11 opportunities for meeting housing policy requirements final
12 beyond the scoring methodology itself we received broader
13 general questions and concerns jurisdictions repeatedly
14 flagged limited capacity and staffing as key challenges in
15 meeting toc expectations many also asked for more clarity on
16 how compliance will affect eligibility for obag funding whether
17 it will be tied to other regional programs and how frequently
18 scores will be recessed. Next slide. What happens next? We're
19 on track to return to partners with a refined scoring
20 framework this summer once we have incorporated feedback from
21 outreach and today a discussion after gathering input we'll
22 return to this committee in early fall with final version for
23 review and approval the goal is to provide jurisdictions with
24 clarity and certainty well in advance of the first toc
25 compliance deadline. First submission window is planned for

MAY 9, 2025

1 JANUARY or february 2026 with mtc staff reviewing materials
2 through the spring second submission deadline is in early fall
3 2026 we'll give jurisdictions opportunity to update or
4 complete work that MAY have been in progress during the first
5 round. Now looking at the obag four schedule in blue at the
6 lower half of the timeline these toc deadlines are
7 intentionally designed to align with obag four's program
8 development including draft program release in fall 2025 and
9 adoption in early 2026 followed by county transportation
10 agencies call for projects and valuation through spring and
11 summer 2026. Final cta nominations and mtc valuation are
12 expected later in the year. So this connection between toc
13 compliance and regional funding is established in the adopted
14 policy. Mtc resolution 4530 which created the toc policy
15 straits "future obag funding sykes psych cycles for example,
16 obag four will consider funding revisions that prioritize
17 investments in transit station areas that are subject to and
18 compliant with the toc policy." this language provides clear
19 policy direction reinforcing that the toc compliance process
20 is not just a planning exercise but an important factor in how
21 transportation investments will be prioritized moving forward.
22 That concludes our presentation. And I want to thank you all
23 for your time and attention today. We truly value your input
24 and as we continue to shape this framework that is both
25 regionally consistent and locally workable and we're happy to

MAY 9, 2025

1 answer any questions and return to specific slides or clarify
2 that would be helpful as you consider the next phase of toc
3 implementation. Thank you **chair mtc pc, eddie ahn:** thank you.
4 Do I see committee members who would like to follow up with
5 the questions o'er -- oh commissioner kaplan? **rebecca kaplan:**
6 thank you very much appreciate the opportunity to be here and
7 be a part of this I'm not sure if everybody received the
8 letter that was sent by the alameda county transportation
9 commission which mirrors many of the comments from local
10 jurisdictions and thank you for highlighting how much meetings
11 there have been and how much input there has been. I think all
12 of the input has left us in a situation where people still
13 can't tell what the actual rules are or what the impact will
14 be of complying with them or not complying with them. And so,
15 you know, a lot of our jurisdictions went through this
16 recently with the state's pro housing designation where there
17 was round and roundabout what you had to do to attain the
18 states for housing designation. Some jurisdictions including
19 oakland that I represent and many others, did a whole bunch of
20 work and rushed and struggled to do the steps to meet the pro
21 housing decision and now have discovered that it means
22 essentially nothing that the huge pots of money that the state
23 gives out for housing do not use the pro housing designation
24 as criteria for giving out that money including tax credits
25 which are the source of funding for affordable housing do not

MAY 9, 2025

1 use the pro housing designation. So as we talk about this
2 process we received -- and I do have some questions about the
3 criteria and how this scoring would work -- but before we get
4 to that I have the initial question of what does it even mean
5 or get to jurisdiction to comply or not comply or partially
6 comply because I think the question of criteria and how much
7 work they are, several other jurisdictions have brought up how
8 he r how hard it is important questions but feel like if we
9 don't know whether or not it matters, but if we don't know the
10 question of what you get or do not get for complying or not
11 complying with this then to judge how important it is to do it
12 so before getting to the questions of actual criteria or
13 difficult work how clear are we about what a jurisdiction does
14 or doesn't get for complying or not complying. Thank you.

15 **matt maloney:** through the chair, matt maloney deputy executive
16 director metro planning and policy. Commissioner, on slide 13,
17 sophie mentioned the actual language that's adopted in the
18 resolution on this topic and it states that future obag
19 funding cycles like obag four will include funding revisions
20 that prioritize investments in transit station areas that are
21 subject to and compliant with the toc policy so it envisions
22 consideration of some sort by the commission. That
23 consideration has not happened yet. We would envision based on
24 this timeline that that would probable be something that
25 happens when we return to you in the fall with the final

MAY 9, 2025

1 framework that the commission would ultimately make that
2 decision think by the time jurisdictions we don't have all the
3 information and data yet we anticipate the lion's share of the
4 jurisdictions will fall partially into that compliance zone
5 some MAY not fully fall into the compliance zone we have to
6 make decisions about how we apply funding to those types of
7 jurisdictions I think the big decision for this commission is
8 how we deal with the partial compliance issue I think most
9 jurisdictions will fall into that area some MAY be non-
10 compliant some maybe fully compliant. **rebecca kaplan:** given
11 that, I guess -- I would think it would be helpful for the
12 jurisdictions to know what the impact is ahead of time rather
13 than be told spends a huge amount of money, a huge amount of
14 time, divert resources and personnel from other projects to do
15 this but we won't tell you what you will or won't get for
16 doing so? So, I -- I think -- you know, a lot of jurisdictions
17 have expressed a lot of concern about how much work this would
18 be. And if they can't be told what the benefit is of doing it,
19 right, ahead of time. So I guess the question of what the
20 criteria are and the question of what you get for complying
21 with them, it would be better for jurisdictional compliance if
22 you could know that ahead of time so that jurisdictions could
23 decide you know okay if we do x we get y when they're
24 evaluating whether or not it's worth it to do x. **matt**
25 **maloney:** we totally agree with that and I think that's why in

MAY 9, 2025

1 the timeline what staff is laying out today is we would return
2 to mtc policy makers with the final framework in the fall that
3 predates the actual compliance deadline so the idea is that we
4 would provide that, sort of, clarity to local jurisdictions
5 before they have to submit materials for compliance. **rebecca**

6 **kaplan:** and when would the compliance deadline be? **matt**

7 **maloney:** the first one would be early 2026. And we're
8 envisioning actually two possible rounds of compliance. So if
9 jurisdictions submit information for the first deadline but
10 there are issues and some questions that they would have
11 opportunity to submit a second time later in 2026. **rebecca**

12 **kaplan:** awesome. And then substantively, has there been
13 discussion of using existing criteria that are already known
14 and mapped for some of this, such as the adopted priority
15 development areas? You know, to what extent jurisdictions have
16 appropriately adopted priority development areas, to what
17 extent they have attained the pro housing designation, or
18 other existing scored things so that it's less new work and
19 could use data that has already been prepared for other
20 purposes? I'll leave that there. **speaker:** yeah, can I speak

21 to, at least for the pro housing designation, we certainly
22 recognize that jurisdictions went through a fair amount of
23 work to receive that designation, but that only covers
24 production related housing policy. And as written toc policy
25 covers both preservation and protection, as well. And offers

MAY 9, 2025

1 more options across all of those different policy options. So,
2 in order to, you know be aligned with the existing toc policy,
3 we wanted to create a framework specific that we think,
4 hopeful e provides a bit more flexibility than the pro housing
5 designation specific to housing. **chair mtc pc, eddie ahn:**
6 commissioner canepa? **david canepa:** thank you commissioner
7 kaplan I'm curious understanding our conversations with
8 housing providers and implementation of this plan there is
9 some concerns that issues around potentially rent control
10 other and issues that this would, sort of, mandate
11 jurisdictions that don't have that to do so. And within the
12 list of list of menus choosing one of those menus, there
13 aren't great choices, can you speak to relative to that? I
14 think as we move forward the schedule it's a long schedule I'm
15 curious to those conversations exactly what that means? **matt**
16 **maloney:** I'll begin then staff can add to what I'm saying. In
17 terms of the question around anti-displacement and renter
18 protections and things along those lines there are 11 separate
19 policies included in the toc policy. The resolution asks
20 jurisdictions to adopt two of the 11 of that menu. moreover, I
21 think if you look at attachment c, which is an illustrative
22 example of how the evaluation framework would be applied to an
23 example jurisdiction, you know, it's possible for
24 jurisdictions actually to fail on some measures, but still
25 reach a compliance statutes. So, I think, again, the framework

MAY 9, 2025

1 that we're showing you today is -- there is a lot of
2 flexibility built into it. There is no mandate that a certain
3 jurisdiction has to adopt a specific policy. There is a menu
4 of options that they can choose from. The and, again, as we
5 get into the zone of partial versus compliance, there is even
6 more flexibility in how we assess, sort of, the totality of
7 what they're doing across all of the issue areas. **david**
8 **canepa:** and my understanding the threshold is 40% in terms of
9 passing. Which is interesting. Is that correct? **speaker:** yes.
10 We have set it as drafted as 40%, the idea being that trying
11 to incentivize work across all four components about ten
12 points in each component or stellar work in certain areas but
13 that's where we're looking for feedback on and have discussed
14 with jurisdictions. Interestingly we have gotten contrasting
15 feedback from jurisdictions some thinking it's too high and
16 others thinking it's too low so we're still trying to parse
17 that and determine what next steps there are. [Laughter]
18 **david canepa:** so for me, i think in terms of the flexibility,
19 I understand that, I think, you know, working with housing
20 providers, helping them to understand, sort of, what's before
21 us. I know we're taking, you know there is a long way to go. I
22 think working with those housing providers. Because there is,
23 sort of, a misunderstanding, or a different viewpoint on this
24 that this is, sort of, going to be mandated upon them. And I
25 just think consideration of that, matt, and I know we have

MAY 9, 2025

1 talked offline about this, I would just say opening that
2 communication, if it's not already there, would be really
3 important as we move forward. **chair mtc pc, eddie ahn:** board
4 member romero did you want to jump in? **v. Chair, carlos**
5 **romero abag ac:** just quickly, this is the way I envisioned
6 this process working I mean there is tremendous flexibility
7 actually in the policies in your able to pick and choose there
8 are communities that will never want to be rent-controlled
9 there are communities that want to go down that path there are
10 communities that MAY want to do ten opportunity purchase --
11 there are they have flexibility you don't have to pick all
12 nine or seven right I think we had a larger panoply of options
13 we narrowed it down we had extensive discussion what I'm
14 hearing from jurisdictions is that could you be more
15 flexibility, do partial points discussion I think we wanted to
16 have in the field before we implemented it we're not forcing
17 anyone to be pro resident control or neo liberal open the
18 flood gates it's like you have options pick from these options
19 so you can be part of the toc communities that will then be
20 able to get funding through obag grants. People in my county,
21 condition management agency had some concerns and questions I
22 see some of those reflected here. I'm going to say keep doing
23 what you are doing. I think the policies are broad. You can
24 pick and choose. Please continue to refine and bring it back
25 to us. And like everything else that we do, certainly in the

MAY 9, 2025

1 U.S., and in a capitalist economy, you know, the market makes
2 a difference, and you guys are seeing that. And you're trying
3 to scale back as necessary. So, thank you. **chair mtc pc,**
4 **eddie ahn:** board member williams I see your hand is up but if
5 you are okay with commissioner burt who has been patiently
6 waiting. Okay with that? Thank you. **wanda williams:** I want to
7 go to slide 11. I have some clarifying questions? First, thank
8 you for all that you have brought forward. Great job. Slide 11
9 is actually talking and referencing the partial and
10 substantial on how we're going to apply it. And when I read
11 that and I went back to the staff report, I still wasn't
12 clear, as how are we going to determine -- I know we have a
13 scoring, but is there any one -- is there any open -- is it
14 open to interpretation as to what the partial -- what this --
15 what it partially looks like? Oh this is not slide 11. Go back
16 one more, to ten. Sorry. My apologies. Thank you. So, when
17 it's talking about partial, what does that look -- I was
18 trying to vision -- envision what that looked like. So what
19 does that look like? If you can explain that, when it comes to
20 especially with parking and residential, density requirements
21 and is it open to interpretation per region of the 109 local?
22 **speaker:** sure. Can I address this slide first n attachment b I
23 believe we have a break down of what the proposed partial
24 substantial credit would look like across the different policy
25 standards. Specifically for these three levels here we have

MAY 9, 2025

1 proposed as not compliant being zero to 39 points or percent,
2 level 40 to 84 and level 185 and above and again that's as
3 drafted and I think as mentioned we try to work across each of
4 the four components to get into partially compliant level but
5 we're still seeking feedback. **wanda williams:** just for
6 clarity I understand the grading, right, but what I don't know
7 is what does it look like in the jurisdiction with, if
8 considered partial for them, will that be case by case based
9 on each locale? We have nine, right, bay area locations,
10 score, what, if I guess what's the definition of considered
11 partial? Is it based on the work they're doing? I'm just kind
12 of lost in that part. **speaker:** so, I'm sorry. Go ahead. **dave**
13 **vautin:** I'll jump in here, dave vautin, planning director. A
14 couple things to point out to your question, director
15 williams. First what you're referring to is there is a lot of
16 differences across the bay area. And one of the things that
17 even before we got to this scoring framework the toc policy
18 recognized in the incentive there are four different tiers of
19 places then this framework breaks that down in how that
20 actually looks talking about capital corridor station in a
21 suburban context that's lower tier than say embarcadero bart
22 station in san francisco recognizing for example, the density
23 criteria there is certainly that angle of it where the policy
24 from day one recognize the different typologies of stations
25 through the region. And then what this framework today adds on

MAY 9, 2025

1 top of that is a recognition that we're not just looking for
2 full compliance on these standards but there is partial credit
3 within each. And these are all draft right now, but some
4 initial ideas about how that partial credit will be
5 determined, right, in terms of numeric values and such, the
6 percentage of the standard. And we anticipate revising those
7 things further as we integrate the feedback you saw in the
8 powerpoint today. **wanda williams:** okay that did answer a
9 large proportion of my question. So, thank you. And I'm sorry
10 if I didn't phrase it where it made sense to you. So, my
11 apologies. Well, thank you for helping me. I know this is just
12 the beginning. It's going to come back multiple times. And so
13 I don't take up the whole board's time, I'll follow up with
14 staff [Laughter] like I normally do, for more clarity. Thank
15 you. **chair mtc pc, eddie ahn:** thank you. Commissioner
16 andersen? **candace andersen:** thank you so much. With regard to
17 the toc policy scoring am I correct in assuming that a city or
18 county does not have to adopt certain policies county-wide,
19 citywide, that can have specific standards if they chose -- or
20 rent control, or something of that measure, specific to the
21 toc area that they're applying? Or are they supposed to be
22 adopting citywide county-wide policies, like, everywhere?
23 **speaker:** on the toc policy only requires these policies to be
24 in effect in the half mile radius of the station area. But of
25 course, you know, many cities adopt beyond that. But that is

MAY 9, 2025

1 the requirement of the policy. **candace andersen:** okay so it's
2 specific. It can be. It can be citywide but cannot be specific
3 within that half mile radius. Also how often are we going to
4 look at the toc policy? Already talking about how market
5 positions have changed. And I don't know if there has been
6 analysis because there are a lot of stakeholders who want to
7 weigh in but just curious how often are we going to take a
8 look and see are these the policies that we think are most
9 relevant and appropriate for what we're trying to accomplish?
10 **dave vautin:** we anticipate taking a look at this at least
11 every four years. But you know, after 2026, we'll take a close
12 look at whether that's the appropriate frequency, maybe it
13 should be more frequent. We also know that jurisdictions MAY
14 adopt policies on -- you know n that window. So, there MAY be
15 benefits to jurisdictions taking a look at how they're
16 aligning with the toc compliance on a more frequent basis as
17 their score might actually improve as policies are
18 implemented. **candace andersen:** the other thing that would be
19 helpful for me is seeing how our toc policies align with state
20 law, as well. Just because it is challenging, I think, as
21 rebecca was mentioning, when you are applying you go through a
22 lot of work, a lot of trouble and if you have different rules
23 you need to apply to for different applications of funding
24 particularly if you are cobbling different types of funding to
25 make projects happen then it can be more challenging so it

MAY 9, 2025

1 would be helpful to have that also just as a point of order in
2 the staff report I couldn't find our toc policy. I mean, I was
3 googling trying to get the most recent updated version of it.
4 It would be really helpful just to have a link. And if I
5 missed it if you had a link in it, I apologize, I had to go
6 searching for our policies to see what they were as applied to
7 each of these categories. That's it thank you. **chair mtc pc,**
8 **eddie ahn:** thank you commissioner anderson. Commissioner
9 ashcraft is it okay if commissioner burt goes? **marilyn ezzy**
10 **ashcraft:** yes, please. **pat burt:** okay. So, first I want to
11 express appreciation in the way in which our program and our
12 staff is really trying to develop programs with adequate
13 flexibility and context and the ongoing input we'll be having.
14 I think we have. I note eight letters from jurisdictions that
15 continue to raise some very important points. The contrast
16 between the approach that you're taking in state legislation
17 that we have going on in parallel, like sb79, which is a
18 pretty brute force or kind of chain saw approach to transit
19 oriented zoning is really striking. Saw approach to transit
20 oriented zoning is really striking. And I would hope as we
21 have our legislative discussions perhaps we can bring this
22 program forward to show what real efforts look like that are
23 trying to have very strong transit oriented development, while
24 looking -- recognizing that simplistic approaches simply don't
25 work well. Then I did want to note a couple of examples that

MAY 9, 2025

1 I'm aware of, of issues that remain. So, for instance, in the
2 community like ours, we actually have a long legacy of being a
3 job center for the region and we have gone to, actually,
4 restricting rate of office growth, aside from what you are
5 recognizing on market restraints at the moment, we have
6 deliberately adopted policy to restrict office growth and
7 increase housing growth to attempt to balance the jobs/housing
8 imbalance. And, but that's not really, we still have part of
9 the scoring is the office growth. So how do we reconcile that
10 for communities that have a legacies of jobs/housing
11 imbalances where we don't want to try to incentivize
12 additional office necessarily some MAY choose but others not
13 other issues like cross jurisdiction one of our transit stops
14 is on the border of our neighboring community and yet the
15 formula averages all the toc station development and then on a
16 vta comment also had concerns on, we have, now, a very strong
17 tod program on our properties, but ab2097 works from a guiding
18 principle of, really, the market will determine what's the
19 necessary parking, aside from whether that externalizes
20 parking impacts and circumstances establishing maximum parking
21 seems to go against that principle. Maybe that's a good thing.
22 And then, lastly, I don't know to what degree the program
23 looks at sclerexal policies are strong on td -- tdm policies,
24 whether they're transit passes or otherwise are incorporated
25 in this and our successes in our city on high transit use with

MAY 9, 2025

1 a second highest caltrain station boardings in the whole
2 system and nowhere near the second highest population is
3 largely based upon 20 years of driving, transit passes,
4 transit use, and those measures, I think, are a big part of
5 what we want to incentivize. Caltrain now has this city
6 partnership program that really lays out a template of the
7 range of tools that cities can use. Not a one-size-fits-all,
8 but a template for cities to choose from, and maybe there is a
9 scoring system that could be in there, or just an outcome
10 based system. So, anyway, I appreciate that you're continuing
11 to be receptive to these refinements to make an even better
12 policy. So, thanks. **chair mtc pc, eddie ahn:** thank you.
13 Commission are ashcraft? **marilyn ezzy ashcraft:** thank you,
14 chair. So, I want to thank all my colleagues for your great
15 comments and to staff for excellent work putting this together
16 and my alameda county colleague rebecca kaplan said much of
17 what I was thinking and my ask is it's clear how much outreach
18 and input that went into this and this is complex and at the
19 same time the cities and jurisdictions are all facing budget
20 crisis, and we, city of alameda, and I represent the 14 cities
21 of alameda county, we're trying not to reduce staffing levels
22 and we'll see how all of that turns out, so, as we move
23 forward with this very important policy, to the extent that
24 you can make it as streamlined as possible for staff, a
25 diminishing number of staff to administer, this is important

MAY 9, 2025

1 we're on board, and it has so many ways it's not one size fit
2 all there is so many different ways you can comply but at the
3 end of the day auto still our staff who are going to have to
4 implement this so if you can keep that in mind and I don't
5 know pull out that magic wand however you want to do it, but
6 those are my thoughts. **chair mtc pc, eddie ahn:** thank you
7 commission are ashcraft. John-baptiste? **alicia john-baptiste:**
8 I think commissioner papan proceeded. **gina papan:** go ahead.
9 **alicia john-baptiste:** I want to make a conceptual point is my
10 understanding of planned bay area is there are certain things
11 we need to accomplish in order to meet our environmental goals
12 and that doesn't take into account our kind of social and
13 economic prosperity goals. The integration of land use and
14 transportation is critical among them. If we cannot figure out
15 how to, in some ways, kind of rebuild our region so that it
16 has a better land use and transportation system integration
17 that enables things like public transit use and walking and
18 biking, we don't get there. When I'm looking at the kind of
19 discussion on this particular policy and tying it to funding
20 as a tool, where I'm getting confused is in trying to
21 understand how important, and this goes to member kaplan's
22 comments, I think, how important is this mechanism to
23 ultimately meeting our long-term goal. We are going to always
24 be under pressure to try to find the right balance between
25 something that's easy to use, that's legible, that's easy to

MAY 9, 2025

1 understand, and that also takes into account the incredible
2 variation across the region in terms of existing conditions,
3 as well as political context. To know where to kind of point
4 this ship, I think we have to understand how important is it
5 to use this tool as the way to get to our goal. I also think
6 we are going to, and you as staff are going to continue to
7 feel pressure, to, sort of, you know, create this pathway
8 through, and that pathway through, and while there is a
9 certain amount of that, that is super important to do, because
10 again everybody is working in different conditions and people
11 want to be recognized for the -- for the kind of good
12 intentions that are going into the work being done, there does
13 come a point where we have provided so much permission that
14 the tool, itself, becomes meaningless. And the designation of
15 having complied with the toc policy becomes meaningless. So
16 I'm having a hard time, just at the outset of -- this is my
17 first engagement in this particular topic, at the outset
18 understanding is there a carrot or I stick different
19 mechanisms carrot or stick is this extra credit or baseline
20 requirement in terms of how we're thinking about allocating
21 funding. Also it would be helpful to know, again to member
22 kaplan's point, how much it does matter relative to funding.
23 Because how much we're going to argue about the details of
24 what counts and what doesn't count really is a function of how
25 much money is on the line at the end of the day. And so I know

MAY 9, 2025

1 you're kind of back loading that part of this conversation but
2 I think it actually would be helpful for future conversations
3 up front to understand how much does this matter, how much is
4 on the line, and therefore how much flexibility is there in
5 kind of negotiating different pathways forward is my two
6 cents. My one other suggestion is, I know planned bay area
7 does a lot of analytical work, and, sort of, determining, you
8 know, which are the things that we need do in order to get to
9 our goals. It would be helpful at least for me, and I don't
10 know for other members, to have an analytical, sort of,
11 databased understanding of what happens if we reach real
12 compliance with the kind of transit oriented policies, and
13 what happens if we don't. Because that will shape my thinking
14 as we -- as we have further considerations on what to include
15 and also how much money should really be conditioned on this.
16 Thank you. **chair mtc pc, eddie ahn:** member papan? **gina**
17 **papan:** thank you. And great conversation. I do appreciate all
18 my colleague's comments here. I probably am the only one here
19 who voted on this in 2022. And I would just like to say we
20 voted on policies, in general. And the success of any program
21 requires transparency here. And I don't believe this
22 presentation has been transparent to the level that we all
23 need to make an educated decision moving forward here. First,
24 we do need to know what the impact is on our communities and
25 how that will affect our opportunity to receive funding. We

MAY 9, 2025

1 have asked to say, you know, what? I represent 20 cities in
2 san mateo county, which one of my cities do comply right now
3 [Laughter] Probably only MR. Romero's city. But I have other
4 cities here and then what would be the impact on that fiscally
5 speaking. We need to look clearly and there should be a
6 presentation on the added requirements for compliance here. I
7 don't believe this body has reviewed those compliance
8 requirements here. A proper evaluation will reflect at the
9 impacts there. First and foremost, the requirement -- i think
10 it goes beyond the authority of this group here, because we
11 are actually ignoring some state laws. You are adding laws
12 here, or creating laws, that have not been approved by our
13 legislators. The legislature, or the people we elected, they
14 go through a whole process of committees, and hearings,
15 negotiations, and those laws exist for a reason. The
16 requirements for compliance do not recognize some of those
17 laws. They go contrary to some first existing laws. The
18 requirements are, again, writing now law -- new laws. The
19 requirements you said are complex, that's an understatement.
20 They are extensive. They have a fiscal impact on many of our
21 cities, and smaller jurisdictions, it was mentioned here, our
22 budgets, we're looking at just trying to maintain staff. And
23 some of these requirements require to you set up a board to
24 file annual reports with mtc that will be evaluated here. I
25 don't think this is where we want to go here. We want to help

MAY 9, 2025

1 our jurisdictions reach these goals. And believe me, I -- my
2 jurisdiction, I represent -- or did represent the largest
3 intermodal center west of the mississippi. If you have been to
4 -- we have developed all around there and intend to develop
5 more so. We need assistance, but we have to make this policy a
6 program workable. I don't see that here. And the timing is
7 also important here. There is a JANUARY -- or DECEMBER 31st
8 deadline. And then the assistance from mtc, which is always
9 welcome, won't be available until summer. And then you're
10 asking jurisdictions to change policies. So, we need, I think,
11 to give more time here, particularly so everyone here can be
12 educated on the impact to their communities, and, also, get a
13 good look at what staff has added to requirements for
14 compliance here. These are all really important. We want to
15 succeed here. What was mentioned briefly is this parking
16 issue. When you talk about minimums, I don't think you realize
17 that some developers can't get financing the bank will not
18 finance it unless there is a certain amount of parking. And
19 two different jurisdictions like myself here end of the line
20 parking I'll give you that there are new stations out there
21 they're going to need parking so that people can park there
22 and get on public transit. It's kind of a nuance that the
23 local jurisdiction is the best to evaluate with their
24 developers and, again, we want all of that to happen here. But
25 please, this body needs a presentation on what's been added to

MAY 9, 2025

1 the requirements for compliance. It's not in the report you
2 have to search back leer and I don't think it's been presented
3 to our local jurisdictions. So, again, success requires
4 transparency. So, please, look at that. And I note, this is
5 ongoing here. But that's very important to our success. Thank
6 you. **chair mtc pc, eddie ahn:** thank you. Director -- I had,
7 actually, a question following up on the thread that director
8 papan just brought up. Which is to understand the assistance
9 that mtc is giving to local jurisdictions, maybe the 60
10 million that's outlined slide six we don't need a break down
11 of that 60 but I'm wondering could you describe maybe in a few
12 sentences just how you're helping jurisdictions that MAY be
13 struggling to meet this toc policy and then I have general
14 thought around your answer depending on what it is. **gillian**
15 **adams:** gillian a again principle planner with the planning
16 program we have a variety of resources that we're offering
17 local jurisdictions first as you mentioned those planning
18 grants cover all four topic areas of the toc policy in
19 addition we have developing resources for the housing policies
20 for example, model ordinances, we have developed the policy
21 profile for each of those 26 policy option says that
22 jurisdictions we're giving them essentially kind of a
23 background paper if they need to adopt that policy kind of
24 some model ordinances resources jurisdictions are P.M.S
25 adopted in terms of our online submission portal actually does

MAY 9, 2025

1 average density calculations for jurisdictions does require us
2 to gather and vet information in zoning information for each
3 jurisdiction we have been reaching out to every toc
4 jurisdiction trying to start that process, capturing zoning
5 information, capturing everybody's nuances making sure it
6 reflects local conditions then lastly we're in the process of
7 hiring a consulting firm that will be working with
8 jurisdictions starting soon hopefully and they would reach out
9 to each of the toc jurisdictions and help them evaluate their
10 existing policies for how well they comply with the toc
11 requirements and identify gaps where additional work is needed
12 working with local staff to come up with a plan for getting to
13 compliance. **chair mtc pc, eddie ahn:** so it's fair to say
14 there is a tilt toward jurisdictions that MAY be struggling to
15 meet the toc policy as it assistants, in the future, too, in
16 terms of providing assistance helping them support them along
17 the timeline this process we have outlined. **gillian adams:**
18 yeah and also acknowledging the staff capacity constraints so
19 for kind of all of the jurisdictions we know this is not the
20 only thing they're doing and so trying to support them with
21 that work. **chair mtc pc, eddie ahn:** I saw that anxiety in the
22 written public comment and staff memo and feedback you have
23 collected, I want to return to what commissioner john-baptiste
24 referenced carrot and stick, technical assistance provide
25 resources and broader philosophical goal of community

MAY 9, 2025

1 resilience it's not about transforming suburbs into the sew
2 likely urban city or virus verse but thinking about this maybe
3 carrot and nudging communities toward better transit oriented
4 development, I would like members of this committee to
5 consider as we put these resources into play, there is a broad
6 ray of options that we can consider. Yes? **david canepa:** I
7 want to echo your comments and dave vautin and staff, the \$60
8 million I think about some of the smaller jurisdictions and
9 cities that we have in san mateo county technical assistance
10 has been extraordinarily helpful so I want to really recognize
11 the staff for your great work some of these cities have huge
12 challenges in terms of being able to fund this technical
13 assistance it's given their staff ability to focus on other
14 things I want to recognize matt, dave, and staff for really
15 coming through when it comes to the technical assistance. The
16 I caught you out of the corner of my eye member ecklund? **pat**
17 **ecklund:** I'm not on this committee is it possible for staff to
18 meet with the elected officials in each of the counties and
19 have some discussion about how this might affect our county
20 where we are because I think some of us are not as
21 knowledgeable as others. Is that a possibility? **dave vautin:**
22 we are in ongoing implementation policy for the rest of the
23 year and giving presentations we have been out talking a lot
24 to jurisdictions and stuff, we're available. **pat ecklund:**
25 thank you I'll see if we can get something scheduled. **chair**

MAY 9, 2025

1 **mtc pc, eddie ahn:** chair noack? **sue noack:** the intent of this
2 policy is a good one. The problem we have all discussed in the
3 past is the cities having to deal with hcd issues and then
4 trying to deal with this, and encounter -- trying to figure
5 out both of them at the same time, it's not been easy. But
6 there was a really good point about if it's a carrot, what is
7 that carrot. My city, we have say small small that falls one a
8 half mile of walnut creek, wouldn't make sense to spend all
9 this time for that small sliver of land so when we talk about
10 toc districts I don't even know how you consider our
11 circumstance but they're going to be other ones like that
12 [Laughter] There are a lot of great comments on here but we
13 have to look at who is being impacted. We have a couple of
14 jurisdictions, contra costa, I don't know how many
15 conversations with poor matt and gillian as well, there has
16 been a lot of them and there is still a lot of confusion. And
17 in some way, I know you have had tons of meetings and
18 appreciate all of that, but I'm trying to figure out how we
19 can get this message across clearly to those cities, what they
20 have to do, what they don't have to do. And the other point,
21 the key point of what does it mean to them. You know, there
22 wise. And for pleasant hill, I don't know if we're looking at
23 obag funding but if we have this teeny little sliver, we're
24 not going to look to any obag funding. Maybe we don't do
25 anything. But I don't think -- I don't think all the cities --

MAY 9, 2025

1 I think our city is just -- not looked at it at all, because
2 it's just not that relevant for us. But these are the hard
3 things for those of us that represent counties with a lot of
4 different entities to try understand and it's super important
5 this we get that understanding of what's really at risk to us
6 on obag funding. And is there just a portion of it that it's
7 going to relate to toc? Is it all going to relate to toc? How
8 much of it is going to be weighed to total compliance versus
9 partial? Because I know a lot of cities are thinking they have
10 to totally comply to get anything and there are so many
11 questions at the end of rainbow there I think the intent is
12 good but we have to get more clarity for a lot of our
13 entities, what's at risk and what's truly involved. Especially
14 for those cities that, you know, have -- I don't know, a
15 couple hundred square yards in the toc policy. We're not going
16 to institute policies in pleasant hill for a couple hundred
17 square yards of -- that fall into this, in order to get obag
18 money. Some of that stuff has got to get worked out in the
19 process for those it impacts, but maybe really not. So,
20 carrot/stick thing, really personality. But, also, I think you
21 have to get out to the political people, not just the planning
22 commissioners. I think that, you know, I get calls from the
23 elected officials not understanding and the planning
24 commissioners are going to them and screaming and then they're
25 calling me and I'm saying call matt or dave. [Laughter] But I

MAY 9, 2025

1 think the political people in these cities really need to
2 understand this. Because they're the ones think by the time
3 funding, not necessarilying the planning commissioners and
4 that's where we getting disconnect. I think that was a jumble
5 of comments but just sitting listening to a bunch of people, a
6 little bit of the summarization on that. Thanks. **chair mtc**
7 **pc, eddie ahn:** thank you. We'll turn to commissioner kaplan
8 and I see commissioner mashburn with his hand up. **rebecca**
9 **kaplan:** thank you this is great discussion and really
10 permanent. And I think to distinguish between when a
11 jurisdiction might disagree with it versus when people are
12 saying they can't tell what it means. Right? So just a couple
13 suggestions, one, maybe annotate when applied at the
14 jurisdiction level versus applied at project level. Because
15 they think is not always clear. And whether this applies to
16 the regional only or to the regional and the county shares of
17 the funding. And then just to step back to the big picture, I
18 want to make sure to keep a front of mind that building
19 housing and other development at transit hubs is incredibly
20 important. And if our region both has a shortage ever housing,
21 period, but, also, building that housing at transit hubs both
22 is better for congestion and air quality but it's also better
23 for our transit operators who need financial support and
24 having more housing at and around these transit hubs will help
25 our transit operators with their long-term fiscal viability.

MAY 9, 2025

1 So, it is really, really important that we incentivize the
2 development of these transit oriented communities, which is
3 part of why it's important to make clear to people what you do
4 or don't get. I think carrot, carrot and more carrot, carrot
5 cake, you know what you get for doing this, I think that will
6 help people understand the importance of it. And then you had
7 mentioned that in the housing field providing a template or
8 sample policies, and I don't know if the intent was already to
9 do that in other areas, but, for example, you know, there is
10 points for having a compliant complete streets policy, so,
11 will that also have templates and samples? And, so, for
12 example, prioritize or implement active transportation
13 projects, right? So, each of these, will there be sample and
14 template policies that jurisdictions can look to so that they
15 don't have to redraw them from scratch? And then, finally, one
16 other point about part of what makes a transit oriented
17 development succeed is it having multiple components, so both
18 the housing and retail, and other uses, so that people don't
19 have to drive to buy milk, right? For example. I know we talk
20 a lot about the housing which is essential but also having
21 those other components be part of it is part of what can make
22 it really succeed. And there's a project that is proposed,
23 approved, designed, at the west oakland bart station that will
24 include housing and commercial and retail, and a community
25 health center, right? But somehow the state is down scoring it

MAY 9, 2025

1 in the housing tax credits because of how they calculate what
2 is or isn't a good area to be in, even though the west oakland
3 bart station is the hub of the entire bay area megaregion in
4 terms of having access to the whole region from there, and so
5 how these intersect with what the state is doing I think will
6 continue to be a thing and finally just a comment about the
7 bundled parking. A lot of jurisdictions and projects have
8 trouble fitting in enough housing and retail and other uses
9 because so much of it goes to parking. And so unbundling the
10 parking, I think, has a huge impact, both because when people
11 don't have to pay for the parking spot there, is no fiscal
12 incentive to not overuse parking. But also because our
13 jurisdictions are building double the number of parking spots
14 actually demanded, because we build one batch of parking spots
15 for the date users and a whole other batch of parking spots
16 for the night time users because there is parking that's
17 bundled with the housing that's only used at night parking
18 bundled with office only used during day and I think bundling
19 parking which I noticed mentioned here could have significant
20 impact on freeing up that land for other uses. Thank you.

21 **chair mtc pc, eddie ahn:** we'll go to zoom now with
22 commissioner mashburn then commissioner moulton-peters. **mitch**
23 **mashburn:** thank you. In listening to the comments from the
24 commission and the committee here, I -- as just an observer, I
25 have gone back to one of the letters that was submitted by the

MAY 9, 2025

1 bay area county transportation agencies. And a lot of comments
2 that you're hearing from everybody are covered in that letter.
3 And specifically, I think to go to the chair's comments
4 earlier -- mtc chairs -- sorry. I'm going to point out a
5 portion of this letter, since well over two years policy
6 adoption the statutes of the toc compliant for any
7 jurisdiction or toc area in the region is still unclear
8 without access to clear up-to-date information regarding the
9 compliance statutes of individual jurisdictions is typical to
10 review or comment on proposed evaluation framework for the
11 near-term transportation funding, jurisdictions will be unable
12 to evaluate toc policy compliance to inform the development,
13 obag four cycles for jurisdictions to understand if they are
14 eligible to apply for funding applicanting factor in the toc
15 compliance is the timing of the administrative guidance
16 relative to the state housing policy implementation,
17 jurisdictions just finished or completed housing elements
18 including rezoning increased densities with their councils or
19 supervisors for many jurisdictions the toc policy elements
20 require cities towns counties to amend their general plans
21 increase densities again to achieve average densities they are
22 suggesting and recommending that working with staff to clarify
23 how the toc policy can be applied over time, acknowledging
24 competing policy priorities and imposed on local jurisdictions
25 and I think that speaks specifically to clarity. And the need

MAY 9, 2025

1 for that, and understanding among the local jurisdictions. And
2 that segues into just a couple of comments ago we heard staff
3 say they're going to be hiring consultants to help with this
4 but they haven't done that yet and to work through with the
5 various jurisdictions and provide some support. I would remind
6 everybody that when we saw this -- the timeline slide, that
7 we're going to be talking about doing this in 2026. And we're
8 already halfway through 2025. That's a year. And in my
9 experience so far in government -- and I ain't got a lot but I
10 got enough, and a year ain't a lot of time especially to run
11 herd on 108 jurisdictions at minimum just the elected bodies
12 that's not included all the transportation agencies and
13 everybody else that's going to have to be consulted and talked
14 to and to consolidate and collate all comments and all that
15 effort and to bring that forward to a board for the
16 implementation of a true policy and a creation of legislation,
17 that's significant. And I don't know that that timeline is
18 realistic and that we're going to be able to achieve that. So
19 I think we MAY need to look at that piece of this and how
20 we're doing it. And not try to take as big a bite or try to do
21 as quickly as we're trying to right now. That's about all I
22 got for now. **chair mtc pc, eddie ahn:** thank you. Commissioner
23 moulton-peters. **stephanie moulton-peters:** thank you. I want
24 to appreciate the staff for the work brought forward and also
25 the good comments that have been raised today. Many of which I

MAY 9, 2025

1 have as well, I want to start with agreeing with the chair
2 that I would prefer to see this as a carrot program rather
3 than stick I think the made the right comment when said we
4 want incentive and second point is I think we need to
5 understand how the state mandates that have come online since
6 this policy was developed how they overlay or conflict with
7 this policy I think we got in front of many of the state laws
8 and we need to reconcile where these laws impact our policies
9 and work against them in some cases because they are confusing
10 I think to parse that so that would be one of the things I
11 want to understand better. I think that the comment that
12 commissioner ezzy ashcraft made about streamlining to minimize
13 workload, I think streamlining has been done but the point
14 system to get to a score that is actually subjective in the
15 adjustment, at least to this elected official, seems a little
16 challenging unless as commissioner williams said we can give a
17 better idea of what these levels of compliance really mean and
18 what they look like and give partial credit. I think that
19 meeting with the elected officials would be important.
20 Certainly a lot of us are fairly new to this but elected
21 officials in the county in general, I think our planners do a
22 good job but I think we need to take it to the elected's as
23 well. Then, finally, I would like to see us keep moving in
24 this direction but I agree with commissioner mashburn that the
25 time frames seem problematic to me, the work I think we need

MAY 9, 2025

1 to do, kind of update this in light of laws that have changed
2 in two years, get something out there that's workable. I don't
3 know how well it aligns with the obag funding. And because of
4 that, I would like to suggest a portion of the obag funding be
5 dedicated to this purpose for incentive aspirational work, but
6 not the majority of funds. And I don't think staff intend it's
7 the majority of funds but I think we need to make that really
8 clear that it's a portion for incentivizing the right thing.

9 Thank you. **chair mtc pc, eddie ahn:** thank you vice chair.

10 Member rabbitt? **david rabbitt:** thank you very much. I
11 appreciate it. And thank you for all the comments from my
12 colleagues. A lot of good things. You know, just for myself,
13 and I think I was here when we started this adventure. And I
14 agree, I always encourage us to use carrots more than sticks
15 especially as within our role in the region. The state has
16 already got enough sticks we need to provide the carrots to
17 counteract that. And I'm all for aspirational design, as an
18 architect, I appreciate density, the housing, station access,
19 I get it all. I do think, I look at my hometown it's a hotel
20 project but it would have been the same if it was a housing
21 project and you know there is currently a recall effort going
22 on because of the vote that was taken and it wasn't
23 necessarily the height -- the additional height, it was the
24 bonus density, the additional height that was allowed through
25 the state and the fear of that, that was going to change

MAY 9, 2025

1 things. I throw that out there. I have always struggled on the
2 parking issues especially on the suburban side of things. You
3 know, I have been involved in lots of different projects that
4 have had less than 1-to-1 ratio for parking. I understand it.
5 Certainly in san francisco, you can do it. I don't know what
6 our goal overall -- I have never been clear on what the goal
7 overall is. Is it to free up space for housing is it to lower
8 overall cost is it lower cost of housing by not having also
9 being paid for by parking. I know less than 1-to-1 ratio
10 parking spaces are rented separately which actually increases
11 cost overall, for part of the folks that are living in those.
12 So, I know we want to encourage transit and want to do all of
13 the above, but I think you approach each one of those a little
14 bit differently. So, I encourage staff to kind of continue to
15 understand that no one solution is going to satisfy the nine
16 county bay area and the outlying areas where, quite honestly,
17 we have improved our transit immensely with smart. But smart
18 doesn't run all day long. [Laughter] People are still going to
19 have automobiles. I think our goal is to get into those trips,
20 you know, the commute trips, and not necessarily just deny the
21 automobile entirely. But over the course of time, as densities
22 increase and as services are provided closer, you could adjust
23 that going forward. So, I would hope that we have some, sort
24 of, transitional credit, as well, going forward. I think that
25 would be a smart way to make that happen. So, i appreciate the

Meeting Transcript

MAY 9, 2025

1 discussion today. Look forward to it continuing. **chair mtc**
2 **pc, eddie ahn:** thank you. Seeing no other hands raised, s can
3 we go to public comment then? **clerk, martha silver:** and we
4 received written correspondence from the city of campbell, the
5 city of morgan hill, the city of mountain view, santa clara
6 valley transportation authority, the city of palo alto,
7 various organizations, elected officials, and advisory
8 members, as listed in the attachment on the correspondence and
9 the bay area county transportation agency, these written
10 correspondence received are posted online, distributed to all
11 commissioners and all abag committee members. And we have two
12 members of the public in the boardroom wishing to speak on
13 this item. How much time would you like to give? **chair mtc**
14 **pc, eddie ahn:** we'll do two minutes. **clerk, martha silver:**
15 two minutes first up is sebastian petty of spur. Go ahead and
16 turn your mic on. **chair mtc pc, eddie ahn:** sorry. Before you
17 start, is there anybody online? Or is it just -- **clerk,**
18 **martha silver:** yes members of the public in zoom, so far, six.
19 **chair mtc pc, eddie ahn:** ooh, let's do one minute. **clerk,**
20 **martha silver:** one minute. **chair mtc pc, eddie ahn:** thank
21 you. **speaker:** thank you chair and commissioners. Se past an
22 pet owe behalf of spur following mtc's progress on the toc
23 policy for sometime appreciate the tremendous amount of work
24 that's gone into this effort today, the intersection of
25 transit and land use is complex especially in context of

MAY 9, 2025

1 diverse region recognizing importance of working toward a
2 policy that's streamlined, we need to address the crucial
3 nexus if we hope to achieve the bay area's ambitious goals and
4 act as stewards of public funds, transit funding is scarce and
5 investments we are making to operate and improve and expand
6 the system are tremendously costly intensifying land uses
7 around transit is one of the most important things we can do
8 to ensure these costly investment actually deliver their full
9 value and benefit to the public. We urge you to not compromise
10 the goals and functionality and you to improve functionality.

11 **clerk, martha silver:** adina levin. **adina levin:** I'm with
12 peninsula for everyone which is a pro housing organization
13 that participated with a lot of the other housing
14 organizations and support of the approval of the toc policy.
15 In the working out of how to implement the policy, which I
16 will support the previous speaker as being just so important
17 in helping our region to address our housing goals for
18 producing and preserving housing and protecting renters while
19 really taking advantage and supporting our public
20 transportation system. It's challenging. I appreciate the
21 approach to flexibility, and in -- let's see, the approach,
22 you know, back when obag started, that had a requirement to
23 create bicycle and pedestrian advisory committees which really
24 helped uplevel the safety around the region. So I'm hoping
25 this can be worked out in a similar way that can provide

Meeting Transcript

MAY 9, 2025

1 support and implementation more broadly. Thank you. **clerk,**
2 **martha silver:** thank you adina. Our next speaker will be in
3 zoom. We have anil. **speaker:** thank you I'm anil backar on
4 behalf of the california apartments association we want to
5 express our concern over the toc funding proposal, contains a
6 certain preservation protection measure to be eligible for
7 obag grants this mandate by staff is outrageous because it
8 goes beyond state law and many situations there has been zero
9 outreach to cities elect the leaders or organizations like
10 california apartments association who represent housing
11 providers requirements by status essentially holding these
12 obag grants hostage until cities comply with staff's demands
13 and that policies that many voters have rejected for the city
14 to apply for grants must commit to spending millions of
15 dollars in that policies such as legal assistance rental
16 assistance, for example, the city of pal is expected to spend
17 \$5.5 million over four years period which will add to their
18 existing budget deficit. Ensure further outreach is done to
19 all elected officials and organizations that are impacted by
20 the proposal. Thank you. **clerk, martha silver:** thank you next
21 up erica. **speaker:** I am the community development director
22 for city of walnut creek I would like to say thank you to
23 staff for the presentation thank you to the committee members
24 walnut creek is pro transit pro housing pro community and pro
25 region we very much appreciate the committee members comments

MAY 9, 2025

1 about the policy, also thinking about level required in this
2 despite having been provided resources by mtc staff it's
3 almost like doing a mini housing element but most importantly
4 thank you to the elected officials for understanding and
5 realizing and appreciating that stakeholder engagement is a
6 two-way process it's not just education but also hearing about
7 our concerns and looking at ways about how we might be
8 successful together. So, thank you very much. **clerk, martha**
9 **silver:** thank you. Randi kinman followed by amanda chiang.
10 **randi kinman:** thank you. Randi kinman from the policy advisory
11 council and I come to you from a history of preobag. So, I go
12 back quite a ways. What's missing from me in this discussion
13 is how effective we have been in achieving our planned bay
14 area goals and how this policy MAY enhance or detract from our
15 planned bay area obligations. So, I think that that's an
16 important part of a conversation going forward to reassure the
17 public and elected officials. And I do agree with the fact
18 that it's time to get talking to the elected officials,
19 because you have a high turnover every two years. And it takes
20 a lot to have these discussions with them. And it will allow
21 you to move forward and not have the issue of them mistaking a
22 menu of options for demands, which I see and hear quite a lot.
23 So, thank you, everybody, for your effort. **clerk, martha**
24 **silver:** thank you, randi. Amanda chiang followed pie sarah
25 greenwald. **speaker:** hi. Good morning. My name is amanda

Meeting Transcript

MAY 9, 2025

1 chiang. I was born and raised in san mateo county and am a
2 staff member at herba habitat. We have worked with elected
3 staff and advocates and local jurisdictions in san mateo,
4 santa clara and alameda counties that are really working hard
5 to implement the toc policy by doing research applying for the
6 mtc grants and presenting strong policy options to the city
7 councils and board of supervisors, and jurisdictional staff
8 across the bay area have shown initiative getting to the toc
9 compliance 6 of 9 counties applied and received funding to
10 reach toc compliance and we need to be clear that a lot of the
11 delays and staff time wasted has been because of lobbying from
12 corporate interest like the california apartment association
13 causing these unnecessary delays watering down the policies to
14 make them ineffective. We're in a moment mass regulation at
15 the federal level and cannot allow that to be replicated at
16 the regional or local level, we urge you to keep the toc
17 policy as strong as possible and work with at the local level
18 to make sure the policies are being implemented and are
19 strong. Thank you. **clerk, martha silver:** thank you. Sarah.
20 **speaker:** hello my name is sara greenwald I'm a member of 350
21 bay area. I think this policy is greatly improved and more
22 flexible now, the tiers for compliance levels on parking and
23 density make sense as incentives with the incorporation of
24 ways to quantify and deal with partial compliance. I agree
25 with directors who said this partial compliance category won't

MAY 9, 2025

1 help encourage compliance unless toc policy compliance
2 statutes is part of obag four and other discretionary funding
3 that mtc manages to make it referred to as carrot instead of
4 stick. And carrot cake. Thank you. **clerk, martha silver:**
5 thank you. Last speaker is sophia dewitt. **speaker:** good
6 afternoon commissioners. Thank you for hearing public comment.
7 The toc -- the toc policy implementation is imperative to meet
8 the region's climate and transit goals. And I appreciate mtc's
9 ongoing work to move the toc policy forward. I'm speaking
10 today on behalf of the east bay housing organizations. This
11 policy is a landmark regional policy and implementation tool
12 for planned bay area. And successful enforcement of the toc
13 policy is critical to meeting the housing and climate and
14 transportation and equity goals of the region. I support the
15 evaluation framework that mtc staff presented today, and
16 commend mtc for maintaining the integrity of the toc policy.
17 Toc's flexibility is already a compromise. Years of hard work
18 and compromise have gone into developing a robust policy that
19 works for the region. Our diverse bay area region. This
20 flexibility and extensive policy menu make it so that
21 jurisdictions have several ways to meet the toc policy
22 compliance in a way that works for their local context. We
23 welcome the partial compliance category and we do not want to
24 see the thresholds eroded further. And we urge that toc policy
25 compliance be applied to obag other and discretionary funding

MAY 9, 2025

1 sources as intended. The way to hold jurisdictions accountable
2 and hold them to commitments is to incorporate to policy
3 compliance statutes into obag four and other discretionary
4 funding managed by mtc. Thank you so much. **clerk, martha**
5 **silver:** thank you. There are no other members of the public in
6 zoom or the boardroom wishing to speak on this item. **chair**
7 **mtc pc, eddie ahn:** thank you. Looking forward to hearing back
8 on this item. With that we'll go to agenda item nine, which is
9 general public comment, I believe. Is there any general public
10 comment to discuss. **clerk, martha silver:** there is no written
11 -- oh, yes. There is one member of the public that would like
12 to speak on this item. Aleta dupree. The floor is yours you
13 have one minute. **speaker:** thank you. Good afternoon chair
14 eddy and members. Aleta dupree for the record, she and her
15 with team folds. I speak generally, I call myself an expert on
16 housing. I got to listen and hear new things. I don't know
17 much about planning. I'm just an ordinary user of transit
18 systems around the country. But planning is important. And my
19 mindset of planning is I like old, innovative, and expansive
20 planning. I think about to reading about the work of daniel
21 byrne who actually developed a plan for san francisco that
22 wasn't realized. And later on, a little known planner in new
23 york named daniel lawrence turner, was really a driving force
24 between the original planning of the new york city subway,
25 which I'm sure some of you got to use and I use it when I go

Meeting Transcript

MAY 9, 2025

1 to new york. And I ask the viewer of the planning committee to
2 be bold and innovative in your thoughts. Thank you. **clerk,**
3 **martha silver:** thank you. There are no other speakers in the
4 boardroom or zoom. **chair mtc pc, eddie ahn:** thank you moving
5 to agenda item ten which is adjournment. Chair ramos. **chair,**
6 **belia ramos abag ac:** thank you. Next meeting of the
7 administrative committee will be held friday JUNE 13th at 9:40
8 A.M. At the bay area metro center 375 beale street. Any
9 changes to the schedule will be duly noticed to the public..
10 **chair, sue noack:** the next meeting of the mtc planning .
11 **chair mtc pc, eddie ahn:** the next meeting of mtc planning
12 committee will be held JUNE 13th bat the bay area metro center
13 and vice chair burt will take over chairing responsibilities
14 for that particular meeting and
15



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