

**METROPOLITAN
TRANSPORTATION
COMMISSION**
Meeting Transcript



1 **PROGRAMMING AND ALLOCATIONS COMMITTEE**
2 **WEDNESDAY, DECEMBER 13TH, 2023, 9:45 AM**

3
4
5 **CHAIR, CINDY CHAVEZ:** GOOD MORNING. I WOULD LIKE TO CALL TO
6 ORDER THE PROGRAMMING AND ALLOCATIONS COMMITTEE. THIS MEETING
7 IS BEING WEBCAST ON THE MTC WEB SITE. MEMBERS OF THE PUBLIC
8 PARTICIPATING BY ZOOM WISHING TO SPEAK SHOULD USE THE RAISED
9 HAND FEATURE OR DIAL STAR NINE AND I WILL CALL UPON THEM AT
10 THE APPROPRIATE TIME. YES. I SAW THE SIGN GO ON. THE LIGHT GO
11 ON. I'M GOOD. READY FOR PRIME TIME. TELECONFERENCE ATTENDEES
12 WILL BE CALLED UPON BY THE LAST FOUR DIGITS OF THEIR PHONE
13 NUMBER. CLERK WILL YOU PLEASE CALL THE ROLL AND MAKE SURE WE
14 HAVE A QUORUM.

15
16 **CLERK OF THE BOARD:** THANK YOU CHAIR CHAVEZ. PRIOR TO CALLING
17 THE ROLL WE'LL NEED TO DEPUTIZE COMMISSIONER CANEPA AND
18 JOSEFOWITZ IN ORDER TO MAKE QUORUM FOR THIS BODY. I WILL CALL
19 THEIR NAMES DURING THE ROLL. ONE THING WE HAVE REMOTE REQUEST
20 FOR PARTICIPATION UNDER A.B. 2449, JUST CAUSE. DO I HAVE GINA
21 PAPAN TO SPEAK NOW?

22
23 **CLERK OF THE BOARD:** AFTER THE ROLL IS CALLED AND A QUORUM IS
24 ESTABLISHED.

25



1 **CHAIR, CINDY CHAVEZ:** THANK YOU.

2

3 **CLERK OF THE BOARD:** CHAIR CHAVEZ?

4

5 **CHAIR, CINDY CHAVEZ:** HERE.

6

7 **CLERK OF THE BOARD:** CHAIR CHAVEZ IS PRESENT. VICE CHAIR MILEY?

8

9 **V. CHAIR, NATE MILEY:** HERE.

10

11 **CLERK OF THE BOARD:** MILEY IS PRESENT. ABE-KOGA?

12

13 **MARGARET ABE-KOGA:** HERE.

14

15 **CLERK OF THE BOARD:** CANEPA?

16

17 **DAVID CANEPA:** HERE.

18

19 **CLERK OF THE BOARD:** CANEPA PRESENT. EL-TAWANSY NON-VOTING.

20

21 **DINA EL-TAWANSY:** HERE.

22

23 **CLERK OF THE BOARD:** COMMISSIONER FLEMING IS ABSENT. GLOVER IS

24 ABSENT. JOSEFOWITZ?

25



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1 **NICK JOSEFOWITZ:** HERE.

2

3 **CLERK OF THE BOARD:** PAPAN? -- PARDON ME. SORRY. COMMISSIONER
4 RONEN IS ABSENT. COMMISSIONER SCHAFF, NON-VOTING?

5

6 **LIBBY SCHAFF:** HERE.

7

8 **CLERK OF THE BOARD:** COMMISSIONER THAO IS ABSENT. WE DO HAVE
9 QUORUM.

10

11 **CHAIR, CINDY CHAVEZ:** THANK YOU. COMMISSIONER PAPAN?

12

13 **GINA PAPAN:** YES. THANK YOU MADAM CHAIR. I'M REQUESTING TO
14 PARTICIPATE REMOTELY UNDER A.B. 2449, JUST CAUSE, BECAUSE I'M
15 SICK. THERE IS NO ONE PRESENTED IN THE ROOM. AND THAT'S IT
16 THANK YOU.

17

18 **CHAIR, CINDY CHAVEZ:** THAT'S ALL SHE WROTE. ALL RIGHT. YOUR
19 REQUEST IS NOTED AND WE'RE ADDING YOU, COMMISSIONER PAPAN, AT
20 PRESENT TO THE MEETING. I'M NOW GOING TO MOVE TO CONSENT
21 CALENDAR. ITEMS 2A THROUGH 2D. DO I HAVE A MOTION AND SECOND?
22 THANK YOU. MOVED BY CANEPA, SECOND BY ABE-KOGA. ANY COLLEAGUES
23 WHO WOULD LIKE TO MAKE A COMMENT ON THIS? SEEING NONE. MEMBERS
24 OF THE PUBLIC?

25



1 **CLERK OF THE BOARD:** NO MEMBER OF THE PUBLIC IN THE ROOM AND NO
2 MEMBER OF THE PUBLIC ONLINE WHO WOULD LIKE TO PROVIDE PUBLIC
3 COMMENT AND NO WRITTEN CORRESPONDENCE RECEIVED.

4

5 **CHAIR, CINDY CHAVEZ:** THANK YOU. I'M CLOSING PUBLIC COMPONENT
6 OF THIS AND ASK FOR A ROLL CALL VOTE.

7

8 **CLERK OF THE BOARD:** FIRST BY COMMISSIONER CANEPA SECOND BY
9 COMMISSIONER ABE-KOGA. CHAIR CHAVEZ?

10

11 **CHAIR, CINDY CHAVEZ:** YES.

12

13 **CLERK OF THE BOARD:** CHAVEZ AYE. VICE CHAIR MILEY?

14

15 **V. CHAIR, NATE MILEY:** YES.

16

17 **CLERK OF THE BOARD:** ABE-KOGA?

18

19 **MARGARET ABE-KOGA:** AYE.

20

21 **CLERK OF THE BOARD:** COMMISSIONER CANEPA?

22

23 **DAVID CANEPA:** AYE.

24



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1 **CLERK OF THE BOARD:** CANEPA AYE. COMMISSIONER NUB FLEMMING IS
2 ABSENT. GLOVER IS ABSENT. JOSEFOWITZ? JOSEFOWITZ I DON'T HAVE
3 AYE.

4

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

6

7 **GINA PAPAN:** YES.

8

9 **CLERK OF THE BOARD:** COMMISSIONER RONEN IS ABSENT. THAO IS
10 ABSENT. MOTION PASSES UNANIMOUSLY BY ALL MEMBERS PRESENT.

11

12 **CHAIR, CINDY CHAVEZ:** THANK YOU SO MUCH. WE'RE GOING TO MOVE TO
13 ITEM 3A. THIS IS A PUBLIC HEARING ON PROPOSED AMENDMENTS TO
14 THE REGIONAL MEASURE THREE PROGRAM. SO I'M GOING TO OPEN THE
15 PUBLIC HEARING. MY NAME, AGAIN, IS CINDY CHAVEZ. I AM THE
16 CHAIR OF THE PROGRAMMING AND ALLOCATIONS COMMITTEE. AND I
17 WOULD LIKE TO BEGIN THIS PUBLIC HEARING ON THE PROPOSED
18 AMENDMENTS TO THE REGIONAL MEASURE THREE PROGRAM THE PUBLIC
19 HEARING IS NOW OPEN AND WE HAVE A CERTIFIED SHORTHAND REPORTER
20 HERE TO TRANSCRIBE THE PROCEEDINGS. IF YOU WISH TO TESTIFY
21 PLEASE SUBMIT A SPEAKER CARD WE ASK THAT EACH SPEAKER BE BRIEF
22 AND CONCISE AND TO KEEP COMMENTS TO TWO MINUTES. PURPOSE IS TO
23 RECEIVE COMMENTS ON THE PROPOSED FUNDING CHANGES TO THE
24 REGIONAL MEASURE THREE PROGRAM WHICH WAS RELEASED FOR PUBLIC
25 REVIEW ON NOVEMBER 30TH, 2023. FORMAL ADOPTION OF THE REGIONAL



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1 MEASURE THREE OF PROGRAM AMENDMENTS WILL BE CONSIDERED BY THE
2 COMMISSION AT ITS JANUARY 24TH MEETING, 2024. NOTE THE PUBLIC
3 COMMENT PERIOD STARTED ON NOVEMBER 30TH AND CLOSES DECEMBER
4 30TH. WRITTEN COMMENTS MUST BE RECEIVED BY MTC NO LATER THAN
5 FIVE ON DECEMBER 30TH, 2023 IN ORDER TO BE CONSIDERED. ORAL
6 COMMENTS WILL BE RECEIVED UNTIL THE CLOSE OF THIS HEARING.
7 WRITTEN COMMENTS CAN BE SUBMITTED TO MTC'S PUBLIC INFORMATION
8 OFFICE BY E-MAIL OR BY MAIL, ACTUALLY, IF ANYBODY WANTS TO DO
9 THAT I'LL ASK MTC STAFF TO PROVIDE OVERVIEW OF PROPOSED
10 AMENDMENTS TO THE REGIONAL MEASURE THREE PROGRAM. FOLLOWING
11 THE PRESENTATION IF YOU WISH TO COMMENT PLEASE SUBMIT A
12 SPEAKER CARD TO THE CLERK ON THE COMMITTEE NOTING THE
13 PROVISION OF YOUR NAME ON THE BLUE CARD, PLEASE USE THE RAISED
14 HAND FEATURE OR DIAL STAR NINE AND WE WILL CALL UPON YOU TO
15 SPEAK. ALL RIGHT. I ALREADY SAID SOME OF THAT. OKAY. STAFF?
16
17 **KENNETH KAO:** GOOD MORNING COMMISSIONERS. KENNETH KAO MTC
18 STAFF. REGIONAL MEASURE THREE WAS APPROVED BY VOTERS IN 2018
19 AND IDENTIFIES CAPITAL PROJECTS TO BE FUNDED BY INCREASED
20 BRIDGE TOLLS. STATE STATUTE ALLOWS THE COMMISSION TO MODIFY
21 THE RM3 PROGRAM AFTER CONDUCTING A PUBLIC HEARING STAFF
22 RECOMMENDS RECOMMENDED MODIFICATIONS FIVE CAPITAL PROJECTS
23 SPECIFICALLY NUMBER ONE TO REDIRECT \$16.7 MILLION FROM THE
24 SOLANO COUNTY QUICK 8012 INTERCHANGE PROJECT WHICH IS RM3
25 PROJECT 21 TO THE SOLANO I80 EXPRESS LANES TOLL SYSTEMS



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1 PROJECT WHICH IS PART OF THE BAY AREA CORRIDOR EXPRESS LANES
2 SUITE OF PROJECTS WHICH IS RM PROJECT TWO, I BELIEVE. FOR THE
3 STATE TRANSPORTATION IMPROVEMENT PROGRAM STIP LOAN BACK IN
4 2020, \$16.7 MILLION OF STIP FUNDS ORIGINALLY PROGRAMMED TO I80
5 EXPRESS LANES PROJECT SOLANO WAS MOVED TO COVER COST INCREASE
6 ON I-880 INTERCHANGE PROJECT TRANSFER WILL RESULT IN NET ZERO
7 FUNDING CHANGE AND DOES NOT PROVIDE NEW FUNDING TO EITHER
8 PROJECT. SECOND IS MODIFY THE SCOPE OF THE SONOMA-MARIN AREA
9 RAIL TRANSIT PROJECT TO CLARIFY ELIGIBILITY OF THE MULTI-USE
10 PATHWAY ALONG THE SMART RIGHT OF WAY BEING ELIGIBLE FOR THAT
11 PROJECT THIRD IS TO MODIFY SCOPE OF US101 PROJECT 20 TO 20ED
12 THE NORTHERN PROJECT LIMITS FROM PETALUMA BOULEVARD SOUTH TO
13 PETALUMA BOULEVARD NORTH AND PETALUMA AND SOUTHERN SEGMENT
14 LIMITS ATHERTON AVENUE TO STATE ROUTE 37 NOVATO THIS IS A
15 CORRECTION TO REFLECT THE PROJECT LIMITS AND TO ADD MTC AS THE
16 JOINT PROJECT SPONSOR STATE ROUTE 37 IMPROVEMENT PROJECT 23
17 THIS IS RECOGNIZING MTC IS LEADING IMPLEMENTATION IN THE
18 PORTIONS OF THE PROJECT MTC HAS CONSULTED WITH THE PROJECT
19 SPONSORS AND TOGETHER AGREED TO RECOMMEND THE PROPOSED ACTIONS
20 TO THE COMMISSION FOR CONSIDERATION IN JANUARY UPON CLOSING OF
21 THE PUBLIC COMMENT PERIOD. NOTE THE MEMO DOES HAVE A TYPO
22 INCORRECTLY FIRST END OF PUBLIC COMMENT IS 31 OF DECEMBER.
23
24 **CHAIR, CINDY CHAVEZ:** IF YOU WISH TO SPEAK PLEASE FILL OUT A
25 SPEAKER CARD OR DIAL STAR NINE. THE CLERK WILL CALL UPON YOU.



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1 WE ASK EACH SPEAKER TO BE BRIEF AND CONCISE AND KEEP COMMENTS
2 TO TWO MINUTES. DO WE HAVE PUBLIC COMMENT.

3

4 **CLERK OF THE BOARD:** WE HAVE PUBLIC COMMENT ONLINE. HOW MUCH
5 TIME WOULD YOU LIKE TO PROVIDE.

6

7 **CHAIR, CINDY CHAVEZ:** TWO MINUTES.

8

9 **CLERK OF THE BOARD:** ALETA DUPREE, PLEASE GO AHEAD.

10

11 **SPEAKER:** ALETA DUPREE FOR THE RECORD SHE AND HER. DON'T HAVE
12 MUCH EXPERIENCE WITH PUBLIC HEARINGS. HAVE DONE A FEW. AND I
13 DON'T HAVE MUCH EXPERIENCE WITH SOLANO COUNTY. BUT I DO SEE
14 SOME CONGESTION MANAGEMENT AIMS WITH THIS AMENDMENT. I'M VERY
15 INTERESTED IN THE IDEA OF MULTI-USE PATHWAYS, ESPECIALLY ALONG
16 RAILROADS. I HAVE ONLY USED THE SMART TRAIN ONCE. I ENJOYED
17 IT. BUT I JUST DON'T GET UP THAT WAY MUCH. BUT I THINK THERE
18 IS A REGIONAL BENEFIT TO THIS. I THINK EXPRESS LANES ARE
19 IMPORTANT. I HAVE BEEN ON ROADS WITH EXPRESS LANES, BUT I
20 HAVEN'T EVER ACTUALLY DIRECTLY PARTICIPATED IN THAT, BECAUSE I
21 DON'T HAVE A CAR. SO I'M RIDING ON THE BUSES, AND DON'T KNOW
22 IF ANY OF MY OCCASIONAL RIDE-SHARE HAVE USED EXPRESS LANES.
23 BUT I BELIEVE IN THE IMPORTANCE OF A COMPREHENSIVE REGION-WIDE
24 EXPRESS LANE NETWORK. A LITTLE TONGUE TIED HERE TODAY. SO, I
25 MEAN, YEAH, WE ARE TAKING SOME MONEY FROM INTERCHANGE, BUT I



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1 THINK THERE IS GOING TO BE SOME GREATER BENEFIT HERE, AND WE
2 CAN ALWAYS REVISIT AN INTERCHANGE. BECAUSE CONGESTION IS AN
3 ISSUE. AND WE WANT TO PROMOTE MIXED USES AND HIGH CAPACITY
4 TRANSPORTATION AND FUNDING TO BE ABLE TO KEEP OUR PUBLIC ROADS
5 IN A STATE OF GOOD REPAIR. SO, I DON'T HAVE ANY PROBLEMS OR
6 CONCERNS WITH THIS IDEA THAT THIS BE PROPOSED HERE. AND I
7 THANK YOU.

8

9 **CLERK OF THE BOARD:** THANK YOU CALLER. I DO NOT -- PARDON ME.
10 WE DO HAVE ONE ADDITIONAL PUBLIC COMMENTER ONLINE. HOWARD
11 WONG, PLEASE GO AHEAD.

12

13 **SPEAKER:** HOWARD WONG.

14

15 **CLERK OF THE BOARD:** YES. HOWARD WONG, YOU CAN GO AHEAD AND
16 PROVIDE PUBLIC COMMENT.

17

18 **SPEAKER:** HOWARD WONG, MEMBER OF THE POLICY ADVISORY COUNCIL
19 SPEAKING AS AN INDIVIDUAL. I DO [INDISCERNIBLE] OF POLLING OF
20 RECENT REGIONAL MEASURE THREE WHERE TRANSPORTATION AND TRANSIT
21 IS VERY IMPORTANT TO CITIZENRY, IT'S NOT THE HIGHEST PRIORITY
22 -- [AUDIO DISTORTION]. -- HOMELESSNESS, HOUSING --
23 [INDISCERNIBLE] OTHER ISSUES ARE ON THE MIND OF VOTERS, ALSO,
24 ALTHOUGH IT'S IMPORTANT TO HAVE A BROADER ITEM IN THE REGIONAL
25 MEASURE THREE, WE NEED TO ALSO FURTHER THE TRANSPORTATION PLAN



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1 2050 BY MAKING EXPRESS LANES FOR TRANSIT. WE NEED TO START
2 LOOKING AT IT HOW PERHAPS WE CAN INCORPORATE HIGH PRIORITY
3 ISSUES OF HOMELESSNESS, HOUSING, ENVIRONMENT, ECONOMIES, INTO
4 REGIONAL MEASURE THREE BY REALLY LOOKING AT ALL THE AVAILABLE
5 -- [AUDIO DISTORTION] --

6

7 **CLERK OF THE BOARD:** MR. WONG, WE'RE UNABLE TO HEAR YOU ON OUR
8 SIDE. MR. WONG, WE'RE UNABLE TO HEAR YOU. IT SEEMS THE
9 CONNECTION --

10

11 **SPEAKER:** ON BEHALF -- [INDISCERNIBLE] TRANSPORTATION AGENCIES
12 HAVE. [AUDIO DISTORTION] --

13

14 **CHAIR, CINDY CHAVEZ:** WHAT I WOULD JUST RECOMMEND IS THAT WHEN
15 HE SPEAKS -- WHEN HIS TIME IS UP, WE WILL INVITE HIM TO HAND
16 IN A WRITTEN COMMENT, SINCE WE'RE UNABLE TO HEAR HIM.

17

18 **CLERK OF THE BOARD:** OKAY. THERE IS NO OTHER MEMBER OF THE
19 PUBLIC ONLINE THAT WOULD LIKE TO PROVIDE PUBLIC COMMENT. MR.
20 HOWARD WONG SINCE WE WERE UNABLE TO HEAR YOU DUE TO
21 CONNECTIVITY, IF YOU COULD PROVIDE A WRITTEN PUBLIC COMMENT
22 CORRESPOND THAT WOULD BE GREATLY APPRECIATED. ALSO THERE IS NO
23 OTHER MEMBER ONLINE, NO MEMBER OF THE PUBLIC IN THE ROOM, AND
24 NO WRITTEN CORRESPONDENCE RECEIVED FOR THIS ITEM.

25



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1 **CHAIR, CINDY CHAVEZ:** THANK YOU. I'M GOING TO -- I DON'T KNOW --
2 - I'M GOING ASK A PROCEDURAL QUESTION. THERE IS NO -- NOTHING
3 IN MY SCRIPT ABOUT ASKING COLLEAGUES FOR COMMENT. HOW DOES
4 THAT WORK

5

6 **KATHLEEN KANE:** YOU CAN GO AHEAD AND DO THAT AND AS LONG AS WE
7 HAVE OFFICIALLY CLOSED THE PUBLIC HEARING ON THE ITEM. THAT'S
8 THE ONLY THING WE NEED.

9

10 **CHAIR, CINDY CHAVEZ:** SO I'LL ASK FOR TESTIMONY AFTER --

11

12 **NICK JOSEFOWITZ:** I'LL DO IT AFTER THE MEETING IS OVER.

13

14 **CHAIR, CINDY CHAVEZ:** OKAY. THANK YOU. I NOW DECLARE THE
15 HEARING IS CLOSED. HOWEVER, THE PUBLIC COMMENT WILL BE OPEN
16 UNTIL 5:00 P.M. ON DECEMBER THE 30th AND MTC WILL CONTINUE TO
17 ACCEPT WRITTEN COMMENTS UNTIL THEN. NOW, I'LL TURN TO
18 COMMISSIONER JOSEFOWITZ.

19

20 **NICK JOSEFOWITZ:** THANK YOU. WHAT SCOPE DO WE HAVE TO
21 REALLOCATE RM3 FUNDING. IF WE WANT TO REALLOCATE, AND WE'RE
22 CLEARLY REALLOCATING RM3 FUNDING FROM ONE PROJECT TO ANOTHER.
23 BUT LET'S SAY WE WANT TO ALLOCATE TO OTHER PROJECTS THAT ARE
24 FACING FUNDING SHORTFALLS, WHETHER IT'S BART TO SAN JOSE, OR



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1 WHETHER IT'S, YOU KNOW, LIKE, OPERATING DOLLARS FOR, SORT OF,
2 TRANSIT AGENCIES FACING A FISCAL CLIFF?

3

4 **ALIX BOCKELMAN:** THANK YOU VICE CHAIR JOSEFOWITZ. I DON'T HAVE
5 THE STATUTE OPEN. SO I'M GOING TO DO THIS WITHOUT THE STATUTE
6 OPEN AND THEN WE CAN GET YOU A MORE COMPLETE RESPONSE. BUT,
7 GENERALLY, IT DOES -- THE STREETS AND HIGHWAYS CODE DOES TALK
8 ABOUT, YOU KNOW, BEING ABLE TO DO A PUBLIC HEARING. I THINK IF
9 WE ARE TAKING FUNDS FROM A PROJECT AND MOVING THEM TO ANOTHER
10 PROJECT, GENERALLY, YOU KNOW, YOU HAVE ONE EXAMPLE HERE WHERE
11 IT'S REALLY MORE OF AN EXCHANGE WITH A ZERO BALANCE FOR THOSE
12 PROJECTS, BUT IF YOU ARE ACTUALLY MOVING IT, I THINK THERE IS
13 LANGUAGE AROUND A PROJECT NOT BEING ABLE TO MOVE FORWARD,
14 BEING INFEASIBLE TO DELIVER. I KNOW IT'S SIMILAR LANGUAGE TO
15 REGIONAL MEASURE TWO. AND THERE WERE SOME PROJECTS AFTER YEARS
16 AND YEARS AND YEARS THAT REALLY COULDN'T MOVE FORWARD, AND SO
17 THAT ASSESSMENT WAS MADE. I THINK THEY'RE -- THAT'S ON THE
18 CAPITAL SIDE. I THINK IT'S -- ON THE OPERATING SIDE, THERE ARE
19 ADDITIONAL LIMITATIONS IN TERMS OF HOW IT'S WRITTEN, IN TERMS
20 OF, YEAH, THERE IS SOME ADDITIONAL LIMITATIONS, I WOULD SAY SO
21 COULD GET YOU A FULL RESPONSE.

22

23 **NICK JOSEFOWITZ:** YOU DON'T THINK THE SHIFT HERE BETWEEN THE
24 TWO SONOMA PROJECTS IS A SHIFT? BECAUSE IT CERTAINLY SOUNDED
25 LIKE IT WAS A SHIFT IN THE WAY IT WAS PRESENTED. I KNOW TO THE



1 PROJECTS THE MONEY IS -- YOU KNOW, THERE IS A CERTAIN DEGREE
2 OF FUNDABILITY OF THE MONEY BUT FROM A LEGAL PERSPECTIVE IT
3 SEEMS LIKE WE'RE SHIFTING RM3 MONEY FROM ONE PROJECT TO
4 ANOTHER. WHAT HAPPENS OUTSIDE OF THOSE PROJECTS OUTSIDE OF RM3
5 SO IT DOESN'T IMPACT THE RM3 LEGALITY OF DOING THAT IN THE RM3
6 CONTEXT.

7

8 **KENNETH KAO:** OKAY. I'LL TRY TO TAKE THAT. I'LL PREFACE IT TO
9 SAY THAT I'M NOT A LAWYER. BUT WHAT WE DID IN JUNE OF 2020,
10 THERE WAS AN ISSUE WITH THE INTERCHANGE PROJECT THAT HAD A
11 COST INCREASE. SO WOULD NORMALLY COME FROM RM3, BUT IT WAS
12 UNDER LITIGATION. SO, WE HAD TO MOVE STIP FUNDS OVER TO COVER
13 THAT. THIS RECOGNIZES AND RECONCILES THAT. THE STATUTE, IT
14 DOES SAY THAT IF THERE ARE NO LONGER ANY KIND OF NEEDS ON
15 THAT, AND SO THAT PROJECT -- THAT'S WHERE IT FALLS UNDER -- I
16 DID PULL UP THE STATUTE AND IT DOES SAY IF IT HAS COST SAVINGS
17 AFTER COMPLETION OR TAKING INTO ACCOUNT CONSTRUCTION COST AND
18 ESTIMATE OF FUTURE PLANS OR CANNOT BE COMPLETED OR CANNOT
19 CONTINUE DUE TO DELIVERABLE FINANCING OBSTACLES, SO THAT
20 ALLOWS US TO MOVE THINGS WITHIN THE PROGRAM AND TO ADD, THE
21 INTERCHANGE PROJECT NO LONGER NEEDS THE MONEY BECAUSE THAT WAS
22 COVERED THROUGH THE STIP SO WE'RE ABLE TO MOVE THAT MONEY OVER
23 TO COVER WHERE THAT LOAN CAME FROM WHICH IS FROM THE EXPRESS
24 LANES PROJECT.

25



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1 **NICK JOSEFOWITZ:** THANK YOU. THAT MAKES SENSE. I HAD ONE MORE
2 QUESTION. I THOUGHT THE 101, THE MARIN SONOMA NARROWS PROJECT
3 HAD BEEN COMPLETED SOUTH OF ATHERTON AVENUE?

4
5 **KENNETH KAO:** THAT PROJECT IS SUBSTANTIALLY COMPLETE. SOUTH OF
6 -- SO WE WANTED TO MAKE IT VERY OPEN IN TERMS OF MATCHING THE
7 LEGISLATION LANGUAGE TO THE ACTUAL LIMITS OF THE MSN PROJECT.
8 THE ACTUAL LIMITS OF THE MSM PROJECT. LIMITS OF THE MSM START
9 AT 37 AND BOULEVARD NORTH. THAT ALLOWS MATCHING OF THE STATUTE
10 LANGUAGE TO THE ACTUAL WORKING PROJECT LIMITS OF THE PROJECT.

11
12 **NICK JOSEFOWITZ:** OKAY. THANK YOU.

13
14 **CHAIR, CINDY CHAVEZ:** ANY OTHER QUESTIONS FROM MY COLLEAGUES?
15 THERE IS NO FURTHER ACTION ON THIS ITEM. I'LL CLOSE THE PUBLIC
16 HEARING ROBUSTLY. MOVING ON THEN. STAFF, THANK YOU. MOVING TO
17 ITEM 3B REQUEST FOR APPROVAL OF THE SHORT-TERM FINANCIAL PLAN
18 FOR MTC REGION WHICH PROVIDES DOCUMENTATION REQUIRED UNDER
19 SENATE BILL 125 TO CALIFORNIA STATE TRANSPORTATION AGENCY IN
20 EXCHANGE FOR THE RELEASE OF 1.1 BILLION TRANSIT AND INNER CITY
21 RAIL CAPITAL PROGRAM MONEY AND ZERO-EMISSIONS TRANSIT CAPITAL
22 PROGRAM FUNDING TO MTC BETWEEN FISCAL YEAR 2023, 2024, AND
23 FISCAL YEAR '26 AND '27 AND ASSOCIATED REVISIONS TO THE MTC
24 RESOLUTION. I'LL TURN THIS OVER TO BOCKELMAN. BIOTIC BICYCLE
25 WANT TO ACKNOWLEDGE THE DEDICATION AND HARD WORK OF THERESA



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1 AND HER TEAM LED BY SCHRUTI HARI AND RALEIGH MCCOY FOR REALLY
2 SHEPHERDING THIS ITEM THROUGH ITS DEVELOPMENT WITHIN A VERY
3 SHORT TIME FRAME ALSO WANT TO RECOGNIZE TRANSIT OPERATOR STAFF
4 WHO WORKED HAPPENED IN HAND WITH OUR STAFF TOWARD THE
5 DISTRIBUTION FRAMEWORK AND ACCOUNTABILITY MEASURES THAT YOU
6 ADOPTED LAST MONTH NOVEMBER AND AN ACCELERATED COMPLETION OF
7 SHORT RANGE TRANSIT PLAN THAT IS BEFORE YOU TODAY AND
8 OBVIOUSLY IT'S BEEN STEADY DRUMBEAT WE WANT TO CONTINUE TO
9 THANK OUR STATE LEGISLATORS AND ADVOCACY TEAMS THAT REALLY
10 WORKED TO ADVOCATE AND SECURE THESE STATE FUNDS. WANT TO
11 ACKNOWLEDGE THE COLLABORATIVE SPIRIT AMONG THE BAY AREA
12 TRANSIT OPERATORS RELATED TO THIS FUNDING WHICH ADDRESSES THE
13 FISCAL CLIFF. WHILE MANY OPERATORS FACE THE FINANCIAL
14 CHALLENGE MANY OPERATORS REFRAIN FROM SEEKING POTENTIAL FUNDS
15 TO SHORE UP THEIR BUDGETS IN RECOGNITION OF THE LIMITED NATURE
16 OF FUNDING AVAILABLE AND THE FACT THAT A SMALLER SUBSET OF
17 OPERATORS REALLY DO FACE THE MOST ACUTE FISCAL CHALLENGE.
18 WHILE WE HAVE MANY TRANSIT SYSTEMS IN THE BAY AREA, THEY'RE
19 ALL UNIFIED IN THE NEED FOR BAY AREA PUBLIC TRANSIT TO SURVIVE
20 AND THRIVE. WITH THAT I'LL TURN IT OVER TO THERESA.

21

22 **THERESA ROMMELL:** THANK YOU ALIX. FOR YOUR CONSIDERATION AND
23 ACTION TODAY IS THE SHORT-TERM FINANCIAL PLAN THAT WE MUST
24 SUBMIT TO THE CALIFORNIA STATE TRANSIT AGENCY CALSTA IN
25 EXCHANGE FOR APPROXIMATELY \$1.1 BILLION IN TRANSIT CAPITAL AND



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1 OPERATING FUNDING. WE'LL REQUEST APPROVAL OF MINOR REVISIONS
2 TO MTC RESOLUTION 4619 IN RESPONSE TO DIRECTION RECEIVED AT
3 THE NOVEMBER COMMISSION MEETING. NEXT SLIDE. JUST A QUICK
4 REMINDER OF OUR TIMELINE. STAFF FIRST CAME TO THE COMMISSION -
5 - OR COMMITTEE, IN OCTOBER WITH AN INFORMATIONAL UPDATE ON
6 TRANSIT OPERATOR SHORTFALLS AND DRAFT DISTRIBUTION FRAMEWORK
7 FOR SB125 RELATED FUNDS. IN NOVEMBER THE COMMISSION APPROVED
8 THE FINAL DISTRIBUTION AMOUNTS IN ACCOUNTABILITY MEASURES FOR
9 OPERATORS RECEIVING THESE FUNDS. TODAY STAFF ARE REQUESTING
10 APPROVAL OF THE SHORT-TERM FINANCIAL PLAN WHICH MUST BE
11 SUBMITTED TO CALSTA BY DECEMBER 31ST IN ORDER TO ENSURE A
12 TIMELINE ALLOCATION OF FUNDS BY THE SPRING OF 2024. NEXT
13 SLIDE. AS REVIEWED, THE COMMISSION ADOPTED RESOLUTION 4619 IN
14 NOVEMBER. THIS RESOLUTION APPROVED A SET OF PRINCIPLES TO
15 INFORM THE DISTRIBUTION OF SB125 FUNDING. THE FUNDING
16 DISTRIBUTION INCLUDED OPERATOR SPECIFIC FUNDING AMOUNTS AND
17 REGIONAL ACCOUNTABILITY MEASURES FOR OPERATORS RECEIVING SB125
18 FUNDING. IN APPROVING RESOLUTION 4619, THE COMMISSION DIRECTED
19 STAFF TO REQUIRE TRANSIT AGENCY BOARD ACTION TO AFFIRM EACH
20 AGENCY'S COMMITMENT TO THOSE ACCOUNTABILITY MEASURES. STAFF
21 PROPOSED REVISIONS TO ATTACHMENT C OF RESOLUTION 4619, WHICH
22 CODIFIES THE REQUIREMENT THAT TRANSIT AGENCY BOARDS APPROVE
23 ACCOUNTABILITY MEASURES IN ORDER TO RECEIVE ALLOCATION OF
24 FUNDING. NEXT SLIDE. IN ORDER FOR THE STATE TO RELEASE SB125
25 RELATED FUNDS, STATE LEGISLATION REQUIRES REGIONAL AGENCIES



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1 LIKE MTC PROVIDE SUPPORTING DOCUMENTATION TO CALSTA. BY
2 DECEMBER 31ST, WE MUST SUBMIT THE SHORT-TERM FINANCIAL PLAN
3 COVERING MTC'S STRATEGY FOR USING THE FUNDING THROUGH FISCAL
4 YEAR '26. THIS WILL INCLUDE INFORMATION ON THE REGION'S USE OF
5 THE FUNDING FOR CAPITAL AND OPERATING PURPOSES, DISCUSSION OF
6 REGIONAL FUNDING CONTRIBUTION TO ADDRESS THE FUNDING GAP, AND
7 INFORMATION ON FUNDING DISTRIBUTED TO EACH OPERATOR IN A
8 SUMMARY OF THE BENEFITS OF THE STATE FUNDING. ADDITIONALLY,
9 ALL OPERATORS, INCLUDING THOSE NOT RECEIVING FUNDING, ARE
10 ASKED TO PROVIDE INFORMATION ON A VARIETY OF TOPICS, INCLUDING
11 ASSET MANAGEMENT, FARE REVENUE COLLECTION, SAFETY
12 EXPENDITURES, CURRENT AND PLANNED SERVICE LEVELS AND
13 OPPORTUNITIES FOR ENHANCED COORDINATION. THIS REGIONAL TRANSIT
14 OPERATOR DATA WILL INFORM THE STATEWIDE TRANSIT TRANSFORMATION
15 TASK FORCE CREATED AS PART OF SB125. FINALLY BY JUNE OF 2026,
16 REGIONAL AGENCIES WILL BE REQUIRED TO SUBMIT A LONG-TERM
17 FINANCIAL PLAN, WHICH WILL DISCUSS PROGRESS MADE TOWARD
18 IMPLEMENTING RIDERSHIP RECOVERY STRATEGIES AND ALSO FIVE-YEAR
19 FORECAST OF OPERATING FUNDING NEEDS. NEXT SLIDE. ONE OF THE
20 THINGS THAT WE MAKE CLEAR IN THE SHORT-TERM FINANCIAL PLAN IS
21 THAT THE FUNDING ASSOCIATED WITH SENATE BILL 125 IS CRITICAL
22 TO PRESERVING TRANSIT IN OUR REGION AND WILL HELP US STAVE OFF
23 SIGNIFICANT CUTS TO SERVICE. IN CONSULTATION WITH OUR TRANSIT
24 OPERATORS WE ESTIMATE THESE FUNDS WHICH ARE APRIL 450 MILLION
25 IN STATE FUNDS PLUS CONTRIBUTION OF 300 MILLION FROM THE



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1 REGION PLUS INTEREST PROJECTED EARNINGS WILL FULLY COVER
2 STANDARDIZED SHORTFALLS THROUGH END OF FISCAL YEAR 2026, AND
3 HELP US RETAIN OVER 800,000 SERVICE HOURS IN FISCAL YEAR '25
4 AND 2 MILLION SERVICE HOURS IN '26. IF SHORTFALLS WERE NOT
5 ADDRESSED REGIONAL TRANSIT OPERATORS WOULD NEED TO MAKE
6 SIGNIFICANT SERVICE CUTS TO OPERATE WITHIN AVAILABLE REVENUES.
7 AS DISCUSSED WITH THIS COMMITTEE LAST MONTH MTC STAFF HAS
8 INITIATED SEVERAL ACCOUNTABILITY REQUIREMENTS INCLUDING
9 CUSTOMER EXPERIENCE AND EFFICIENCY ENHANCEMENTS IN EXCHANGE
10 FOR SB125 RELATED FUNDING. FOR ALL OPERATORS RECEIVING
11 FUNDING, THESE REQUIREMENTS WILL INCLUDE PARTICIPATION IN
12 ONGOING TRANSIT TRANSFORMATION ACTION PLAN INITIATIVES AND
13 IMPLEMENTATION OF SCHEDULED COORDINATION AND REALTIME TRANSIT
14 DATA IMPROVEMENTS. OTHER ACCOUNTABILITY REQUIREMENTS ARE
15 SPECIFIC TO INDIVIDUAL OPERATORS AND CENTER AROUND SAFETY AND
16 SECURITY, CONSERVATION REDUCTION AND COMPREHENSIVE SERVICE
17 IMPROVEMENTS. ATTACHMENT C OF RESOLUTION 4619 INCLUDES DETAIL
18 ON PROCESS FOR OPERATORS TO REPORT THEIR PROGRESS MADE TOWARDS
19 THESE MEASURES INCLUDING THE REQUIREMENT FOR BOARD APPROVAL OF
20 ACCOUNTABILITY MEASURES. NEXT SLIDE. THIS SLIDE BEGINS TO LAY
21 OUT THE PROCESS FOR IMPLEMENTATION ABOUT OPERATIONS FUNDING
22 AND ACCOUNTABILITY MEASURES. FOR FUNDING WE PLAN TO
23 INCORPORATE SB125 FUNDING IN OUR ANNUAL FUND ESTIMATE. FISCAL
24 YEAR '25 FUND ESTIMATE WILL CONFIRM THE FISCAL YEAR 25
25 OPERATING FUNDING MAXIMUMS THAT ARE INCORPORATED IN RESOLUTION



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1 4619. FOR FISCAL YEAR '26 MTC WILL WORK WITH OPERATORS TO
2 CONFIRM NEEDS AND MAKE REVISIONS TO THE FUNDING FRAMEWORK AS
3 APPROPRIATE. THEN THOSE FUNDING AMOUNTS WILL BE INCORPORATED
4 INTO THE FISCAL YEAR '26 FUND ESTIMATE. WE'RE ASSESSING
5 PROGRESS ON THE ACCOUNTABILITY MEASURES WE PROPOSE HAVING
6 OPERATORS CLAIM THE SB125 FUNDS THROUGH ESTABLISHED PROCESS
7 THEY USE TO CLAIM IS OTHER TRANSIT OPERATING REVENUES. OTHER
8 OPERATORS WOULD SUBMIT A CLAIM SHOULD WOULD HAVE TO BE BOARD
9 APPROVED AND INCLUDE EXPRESSING ACKNOWLEDGMENT OF THE
10 ACCOUNTABILITY RETIRES. OPERATOR CLAIM WOULD INCLUDE REQUIRED
11 PRESENTING PROGRESS TOWARD THE ACCOUNTABILITY MEASURES WHICH
12 WE PLAN TO INCORPORATE INTO OUR ANNUAL PERFORMANCE IMPROVEMENT
13 PROGRAM WE CALL PIP WHICH WILL BE BRINGING TO YOU IN FEBRUARY
14 AS WELL. MTC DETERMINES WHETHER SATISFACTORY PROGRESS ON
15 ACCOUNTABILITY MEASURES, AND IF NOT SPECIFIC REMEDIES COULD BE
16 RECOMMENDED AND FUNDING MAY BE WITHHELD UNTIL PROGRESS IS
17 MADE. NEXT SLIDE. IN CONCLUSION WE ASK YOU REFER THE SHORT-
18 TERM FINANCIAL PLAN FOR THE MTC REGION TO THE COMMISSION FOR
19 APPROVAL SO STAFF MAY TRANSMIT THE PLAN TO CALSTA BY THE
20 DECEMBER 31ST DEADLINE. IN TERMS OF NEXT STEPS, PENDING
21 CALSTA'S REVIEW AND ACCEPTANCE OF THE PLAN WE EXPECT WE WOULD
22 RECEIVE THE FIRST TRANCHE OF SB125 RELATED FUNDING BY APRIL OF
23 2024. THEN FUNDING DISTRIBUTIONS CONTAINED IN MTC RESOLUTION
24 4619 ARE OF COURSE CONTINGENT ON FUTURE VALUATION BY MTC OF
25 TRANSIT OPERATING SHORTFALLS AND MAY BE UPDATED WITH



1 COMMISSION APPROVAL. PROGRAMMING AND ALLOCATION OF STATE
2 REGIONAL CONTRIBUTION FUNDS IN ALIGNMENT WITH RESOLUTION 4619
3 WILL REQUIRE A SEPARATE PROCESS FOR SPECIFIC FUND SOURCE THAT
4 IS BEING USED. AND WITH A LITTLE LUCK ALTERNATIVE FUNDING TO
5 REPLACE IN REGIONAL CONTRIBUTION WILL BE IDENTIFIED TO ADDRESS
6 TRANSIT OPERATING NEEDS, AT WHICH POINT STAFF WOULD RETURN
7 WITH ANY NECESSARY REVISIONS TO THE REGIONAL FUNDING
8 CONTRIBUTION. WITH THAT, I WILL CONCLUDE AND ANSWER ANY
9 QUESTIONS YOU MAY HAVE.

10

11 **CHAIR, CINDY CHAVEZ:** SO, THERESA, I THINK THE UNDERSTATEMENT
12 THERE WAS WITH A LITTLE LUCK. THAT GOES IN THE CATEGORY OF
13 LET'S BE HOPEFUL. WHAT I WOULD LIKE TO DO IS START WITH PUBLIC
14 COMMENT.

15

16 **CLERK OF THE BOARD:** WE HAVE ONE MEMBER OF THE PUBLIC WHO WOULD
17 LIKE TO PROVIDE COMMENT. HOW MUCH TIME WOULD YOU LIKE TO GIVE?

18

19 **CHAIR, CINDY CHAVEZ:** TWO MINUTES PLEASE.

20

21 **CLERK OF THE BOARD:** WE HAVE ALETA DUPREE.

22

23 **SPEAKER:** THANK YOU CHAIR CINDY CHAVEZ. ALETA DUPREE FOR THE
24 RECORD, SHE AND HER. VERY GOOD PRESENTATION. DIGESTING IT ALL.
25 AND THIS IS IMPORTANT. AS A USER OF TRANSIT, I AM PROFOUNDLY



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1 AFFECTED BY MATTERS OF SERVICE AND STATE OF GOOD REPAIR. AND I
2 HOPE THAT WE CAN GET THAT MONEY FLOWING BY APRIL '24. AND I
3 APPRECIATE YOUR EXPECTATIONS OF OVERSIGHT. OVERSIGHT IS
4 ESSENTIAL. I DID READ ABOUT THE BART FARE GATES AND ABOUT MUNI
5 FARE COLLECTION MEASURES, IF I GOT THOSE WORDS RIGHT. THOSE
6 WORDS ARE ESSENTIAL. EVERYBODY NEEDS TO PAY INTO THE SYSTEM.
7 AND THE REASON FOR THAT IS THAT WE DON'T WANT OUR ADDITIONAL
8 FUNDING TO GIVE AN EXCUSE FOR PEOPLE TO AVOID PAYING THEIR
9 DUE. SO, THANK YOU FOR THAT. AND I HOPE THAT THIS WILL LEAD
10 INTO SOMETHING OF MORE LONGER TERM SUSTAINABILITY, LIKE WHAT
11 WE SAW WITH THE DEAL IN NEW YORK, A STATE LEGISLATIVE DEAL TO
12 KEEP SUBWAYS RUNNING. I BELIEVE IT'S FOR THE NEXT FOUR YEARS.
13 SO, I ASK OF YOU, AS BOARD MEMBERS, AND ADMINISTRATIVE STAFF,
14 TO EXPECT THAT OVERSIGHT AND ACCOUNTABILITY. SO THAT WE CAN
15 MAKE SURE THAT THESE FUNDS ARE USED IN THE MOST EFFICIENT WAY
16 POSSIBLE, I CAN ENJOY THE MOST SAFEST AND EFFICIENT TRANSIT
17 SYSTEMS THAT WE CAN HAVE. THANK YOU FOR YOUR ADVOCACY.

18

19 **CLERK OF THE BOARD:** THANK YOU, CALLER. I SEE NO ADDITIONAL
20 PUBLIC COMMENT ONLINE OR IN THE BOARDROOM, AND NO WRITTEN
21 CORRESPONDENCE WAS RECEIVED FOR THIS ITEM

22

23 **CHAIR, CINDY CHAVEZ:** THANK YOU. I'M GOING TO CLOSE THE PUBLIC
24 COMMENT PERIOD AND GO TO MY COLLEAGUES. I'LL START TO MY LEFT.
25 NICK. OH GINA SORRY. GO AHEAD GIN A YOU'RE FIRST.



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1

2 **GINA PAPAN:** NO PROBLEM. THANK YOU, MADAM CHAIR. I DO HAVE A
3 QUESTION. IF YOU COULD BRING UP SLIDE SIX AGAIN? THAT'S EIGHT.
4 THERE WE GO. THANK YOU VERY MUCH. OKAY. MY QUESTION IS, REALLY
5 WHEN WE'RE TALKING ABOUT ACCOUNTABILITY HERE, I UNDERSTAND
6 THAT CALTRAIN HAS BEEN ADAMANT ABOUT NOT BEING LUMPED WITH
7 BART AND SFMTA HERE. THIS AMBASSADOR CRISIS PROGRAM STUFF,
8 RECOMMENDATIONS FOR APPROVAL. I MEAN, CALTRAIN BASICALLY HAS
9 DIFFERENT SAFETY MEASURES, MOST I BELIEVE ARE RELATED TO
10 SUICIDES ON THE CORRIDOR. WE NEED TO BE ACCURATE IN WHAT WE'RE
11 PRESENTING TO THE STATE AND WHEN FUNDING MOVES FORWARD HERE.
12 SO WHY WAS IT CALTRAIN JUST GIVEN ANOTHER LINE FOR THAT?
13 BECAUSE I UNDERSTAND THEY HAVE ASKED AND ASK STAFF TO EXPLAIN

14

15 **THERESA ROMMELL:** FOR PURPOSES OF SAVING SPACE ON THE SLIDE
16 THEY WERE LUMPED TOGETHER BUT IF YOU LOOK AT YOUR ATTACHMENT
17 TO RESOLUTION 4619, WE DID GIVE THEM THEIR OWN LINE. CALTRAIN
18 AND BART SFMTA HAVE THEIR OWN LINED THESE ACCOUNTABILITY
19 MEASURES WILL BE SUBMITTED TO THE STATE AS PART OF OUR SHORT-
20 TERM FINANCIAL PLAN BUT THEY ARE RECORDED IN THE RESOLUTION
21 SEPARATELY.

22

23 **GINA PAPAN:** THAT'S VERY, VERY HELPFUL. I APPRECIATE THAT. I
24 JUST WANTED TO MAKE SURE HERE BECAUSE THE DOCUMENTATION THE



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1 AGENCIES PROVIDE IS IMPORTANT WE WANTED TO BE CONSISTENT.

2 THANK YOU VERY MUCH. I APPRECIATE IT.

3

4 **CHAIR, CINDY CHAVEZ:** THANK YOU. I THINK THAT --

5

6 **NICK JOSEFOWITZ:** I WANT TO THANK STAFF AND COLLEAGUES WHO
7 WORKED SO HARD ON THIS. THIS IS GOING TO BE A REALLY ESSENTIAL
8 PART OF KEEPING TRANSIT GOING. SO, THANK YOU VERY MUCH.

9

10 **DAVID CANEPA:** GO AHEAD. DO YOU WANT TO GO MARGARET? CAN. THANK
11 YOU VERY MUCH. THE WORK IS EXTREMELY IMPORTANT. MY QUESTION TO
12 YOU IS, YOU KNOW, IN TERMS OF THE ACCOUNTABILITY PIECE, WHAT
13 WE CURRENTLY HAVE IN PLACE, DO YOU SEE US NEEDING TOW
14 STRENGTHEN THAT? BECAUSE ONE OF MY CONCERNS IS -- AND I KNOW
15 WE'RE DOING OTHER WORK IN OTHER AREAS -- IS THAT WE HAVE THIS
16 PLAN, YOU KNOW, LAID OUT. AND I THINK WE'RE ALL IN AGREEMENT
17 WITH THE PLAN -- BUT LET'S SAY -- AND I'M NOT SAYING -- LET'S
18 SAY THERE IS A LACK OF COOPERATION. WHAT'S THE PLAN? HOW DO WE
19 DEAL WITH THAT? FROM AN OPERATOR LEVEL?

20

21 **THERESA ROMMELL:** YEAH. I MEAN, IF YOU LOOK AT THE REQUIREMENTS
22 IN ATTACHMENT C, YOU WILL SEE THAT ALL OPERATORS ARE REQUIRED
23 TO ACTIVELY PARTICIPATE, KIND OF IN GOOD FAITH WITH THE
24 TRANSFORMATION ACTION PLAN IMPLEMENTATION AND OTHER
25 COORDINATION ACTIVITIES. SO, WE WILL BE WORKING CLOSELY WITH



1 OUR NETWORK MANAGEMENT TEAM TO MAKE SURE WE'RE MONITORING
2 PROGRESS ON IMPLEMENTATION AND ENSURING THAT OPERATORS ARE,
3 KIND OF, LIVING UP TO THE MEASURES THAT THEY HAVE AGREED TO
4 PRIOR TO ANY ALLOCATION OF FUNDING. AND AS I NOTED IN THE
5 PRESENTATION, WE PLAN TO PUT THESE MEASURES INTO OUR
6 PERFORMANCE IMPROVEMENT PROGRAM? -- PRODUCT IMPROVEMENT
7 PROGRAM, SORRY. MY ACRONYMS ARE A LITTLE BIT SLOW. WE WILL BE
8 PUTTING THOSE INTO THAT PROGRAM WHICH IS ADOPTED BY THE
9 COMMISSION AND IT'S FOLLOWED UP ON MILESTONES INCLUDED SO WE
10 CAN CHECK ON A REGULAR BASIS ON HOW IMPLEMENTATION AND
11 PROGRESS IS GOING.

12

13 **DAVID CANEPA:** AMONGST THE OPERATORS THERE IS A LOT OF
14 COLLABORATION, THEY WELCOME THIS, SORT OF, ACCOUNTABILITY AND
15 OVERSIGHT AND REALLY THEY'RE TRUE PARTNERS IN THE WORK; IS
16 THAT CORRECT? HAS THERE BEEN ANY PUSH BACK? HAS THERE BEEN ANY
17 --

18

19 **THERESA ROMMELL:** I MEAN, THERE IS ALWAYS DISCUSSIONS THAT
20 OCCUR WHEN WE'RE TALKING ABOUT THINGS THAT ARE DIFFICULT TO
21 IMPLEMENT. BUT I THINK FOR THE MOST PART THERE HAS BEEN
22 ADEQUATE COORDINATION AND GOOD FAITH EFFORT TO MOVE THE BALL
23 FORWARD.

24



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1 **DAVID CANEPA:** GREAT. I MEAN, IT'S MY HOPE -- AND THANK YOU
2 FOR, SORT OF, REAFFIRMING MY CONCERN -- IT'S MY HOPE THAT THE
3 OPERATORS REALLY, SORT OF, EMBRACE -- I MEAN, OBVIOUSLY IT'S
4 LEGISLATION. LOOKING FORWARD, I'LL BE ACUTELY, SORT OF, AS A
5 BOARD MEMBER, JUST WATCHING HOW THE PERFORMANCE IS. RIGHT? AND
6 EXPECTING STAFF TO REALLY GET BACK TO US. I DO THINK IF WE'RE
7 GOING TO ADVANCE THIS WORK MOVING FORWARD, THE ACCOUNTABILITY
8 PIECE, TO ME, I KNOW PEOPLE HAVE DIFFERENT -- THERE ARE
9 CARROTS AND STICKS, WHATEVER YOU WANT TO CALL THEM -- BUT I
10 WANT TO MAKE SURE WE'RE ALL ROLLING IN THE SAME DIRECTION AND
11 THE WORK IS GETTING DONE. I BELIEVE PEOPLE, TAXPAYERS, I DO
12 THINK FOLKS IN GENERAL, MYSELF BEING A BOARD MEMBER, BEING A
13 CITIZEN, THAT THE EXPECTATIONS ARE HIGH AROUND THESE CERTAIN
14 ISSUE AREAS THAT NEED TO BE ADDRESSED. AND SO IT'S GOOD TO SEE
15 THAT THE OPERATORS ARE COLLABORATIVE AND LOOKING FORWARD TO
16 WORKING WITH US ON THIS ISSUE.

17

18 **THERESA ROMMELL:** I'LL JUST ALSO NOTE THAT THE SUMMARY SHEET
19 THAT'S IN YOUR ITEM NOTES THAT PRIOR TO ANY ALLOCATIONS BEING
20 MADE, WE WOULD ALSO REPORT ON THE PROGRESS, THE IMPLEMENTATION
21 OF THE ACCOUNTABILITY MEASURES AT THE SAME TIME, SO WE HAVE AN
22 OPPORTUNITY TO REVIEW PROGRESS.

23

24 **DAVID CANEPA:** GREAT. AND I AGREE -- THANK YOU FOR SAYING THAT,
25 YOU SAID THAT A COUPLE TIMES -- THAT IS EXTREMELY IMPORTANT. I



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1 THINK THE BOARD NEEDS TO KNOW IF SOME OF THESE METRICS AREN'T
2 BEING MET, OR THERE ARE SOME ISSUES? I'M SURE YOU'RE GOING TO
3 REPORT BACK TO US IF THEY ARE NOT -- IF IT'S NOT MOVING IN THE
4 RIGHT DIRECTION. THANK YOU.

5

6 **CHAIR, CINDY CHAVEZ:** MARGARET?

7

8 **MARGARET ABE-KOGA:** THANK YOU CHAIR. I HAD SIMILAR QUESTIONS IN
9 REGARDS TO ACCOUNTABILITY. I APPRECIATE THAT THE AGENCIES ARE
10 COOPERATING AND WE NEED THAT CONTINUED COOPERATION. I DO HAVE
11 TO SAY, THOUGH, ONE, I GUESS I WAS JUST HOPING -- OR WANTED TO
12 ASK HOW FREQUENTLY, WE, AS A COMMISSION, WILL GET UPDATES ON
13 THIS? I'M THINKING EVERY QUARTER? EVERY SIX MONTHS? BECAUSE I
14 WANT TO MAKE SURE THAT WE ARE PROGRESSING. AND, FRANKLY, I
15 HAVE HEARD FROM SOME AGENCIES THAT THERE HAS BEEN DELAYS, I
16 GUESS ON OUR END, IN TERMS OF THE TRANSFORMATION ACTION PLAN
17 ITEMS. AND, YOU KNOW, I WAS ALSO WONDERING MYSELF, WE HAVE
18 BEEN TALKING ABOUT MAPPING AND WAYFINDING, WHICH I DON'T THINK
19 IS THAT COMPLICATED. [LAUGHTER] I MEAN IT MAY BE, BUT, YOU
20 KNOW, COLOR CODING, TO START. [LAUGHTER] WITH. I WOULD LIKE TO
21 SEE SOME PROGRESS. AND I DON'T KNOW IF I HAVE MISSED UPDATES?
22 OR WHAT'S HAPPENING THERE? BECAUSE WE GET UPDATES ON THESE
23 ACTION ITEMS THAT WE HAVE PUT FORTH, AND WE'RE EXPECTING
24 AGENCIES TO WORK WITH US ON, BECAUSE I HAVE HEARD THAT THERE
25 HAVE BEEN SOME DELAYS.



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1

2 **ANDREW FREMIER:** THANKS CHAIR ABE-KOGA ANDREW F, EXECUTIVE
3 DIRECTOR. AT REGIONAL NETWORK MANAGEMENT COMMITTEE WE BROUGHT
4 FORWARD THE CHARTER THAT'S GETTING THAT WORK MOVING FORWARD
5 THAT'S THE EFFORT THAT'S A GOOD NUMBER OF GENERAL M MEMBERS
6 AND MYSELF WE HAVE ESTABLISHED A WORK PLAN AND METRICS THAT
7 COME BACK TO THE COMMITTEE ON A REGULAR BASIS. I WOULD ALSO,
8 IN A COUPLE OF MY PREVIOUS COMMENTS MENTIONED THE PROGRESS OF
9 THE VARIOUS PROJECTS AND WE'RE NOT DOING MAPPING AND
10 WAYFINDING BY OURSELVES. IT'S A COLEAD PROJECT IT INDIVIDUALS
11 25 DIFFERENT TRANSIT AGENCIES IT INVOLVES COLOR CODING AND
12 INCORPORATING OPPORTUNITIES FOR PEOPLE TO MOVE AROUND THE
13 SYSTEM MORE EASILY. WE HAVE PROTOTYPES COMING OUT SOON TO A
14 COUPLE LOCATIONS. WE'LL GET PUBLIC FEEDBACK ON IT AND THAT
15 WILL SET THE STANDARDS FOR THE FUTURE. THERE ARE A LOT OF
16 COMPLICATED TIMELINES IN THE TRANSFORMATION ACTION PLAN
17 INCLUDING HIGHWAY PROJECTS WE'RE WORKING ON FOR THE BUS
18 PRIORITY STATE HIGHWAY SYSTEM EVERYTHING IS MOVING AT A PRETTY
19 DECENT CLIP BUT WITH CLIPPER TWO, THEY'RE CHALLENGING AND WILL
20 CONTINUE TO REPORT BACK TO THE COMMISSION ON A REGULARLY BAR
21 BASIS. PROGRESS AS A REGION COOPERATIVE MANNER WITH ALL
22 TRANSIT AGENCIES HELP IT'S A COMPLICATED PIECE OF WORK.

23

24 **MARGARET ABE-KOGA:** I DON'T TRY TO SIMPLIFY IT BY SAYING COLOR
25 CODING I GUESS FOR ME AS MUCH AS A DO APPRECIATE THE



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1 COMPLEXITIES OF IT, I ALSO FEEL THE SENSE OF URGENCY. FRANKLY,
2 I WANT TO MAKE SURE WE'RE DOING OUR PART IN MAKING ALL OF THIS
3 HAPPEN. BECAUSE WE PLAY A BIG ROLE IN THAT COORDINATION. SO
4 THAT'S REALLY WHAT I'M LOOKING FOR. AND WITH CLIPPER TWO. I
5 HAVE SEEN IMPROVEMENTS. I HAVE BEEN RIDING TRANSIT LATELY, AND
6 I HAVE SEEN IMPROVEMENTS, BUT AGAIN, I STILL SEE WHAT CAN
7 HAPPEN AT OTHER PLACES, AND I GUESS I'M JUST NOT -- YOU KNOW,
8 I'M LOOKING FOR MORE, FRANKLY. AND I THINK WE REALLY NEED --
9 YOU KNOW, GIVEN THE TIMELINE THAT WE HAVE, WE JUST NEED OF TO
10 MOVE FASTER. SO WHATEVER THAT TAKES, YOU KNOW, I KNOW THERE
11 WERE SOME STAFFING ISSUES, BUT I WOULD JUST LIKE TO SHARE MY
12 COMMENTS AND MY SENSE OF URGENCY, AND I HOPE THAT WE DO -- WE
13 ARE -- YOU KNOW, WE CAN MOVE AT A FASTER SPEED TO GET ALL OF
14 THIS DONE. THANKS.

15

16 **CHAIR, CINDY CHAVEZ:** THANK YOU MARGARET. I'M GOING TO GO TO
17 COMMISSIONER MILEY THEN COMMISSIONER PAPAN AGAIN AND THEN
18 COMMISSIONER SCHAFF.

19

20 **V. CHAIR, NATE MILEY:** THANK YOU. A COUPLE OF QUESTIONS, OR
21 OBSERVATIONS. OBVIOUSLY WE WANT OUR TRANSIT OPERATORS TO BE
22 SUCCESSFUL. NO DOWNSIDE TO THAT. IT BENEFITS ALL OF US WHETHER
23 WE'RE TRANSIT RIDERS OR NOT. THAT'S FUNDAMENTAL. MY ONLY
24 CONCERN I THINK IS WITH THE ACCOUNTABILITY MEASURES. WHAT'S
25 OUR ABILITY TO ADD ADDITIONAL MEASURES IF WE THINK WE NEED TO



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1 HAVE ADDITIONAL MEASURES? BECAUSE I DON'T KNOW IF THIS LIST IS
2 EXHAUSTIVE? IT PROBABLY IS. BUT I ALWAYS LIKE TO HAVE THE
3 ABILITY TO ADD ON IF NECESSARY. CAN WE DO THAT?

4

5 **THERESA ROMMELL:** YES. I THINK THAT'S ENTIRELY UP TO THE
6 COMMITTEE IF THERE IS A DESIRED AMENDMENT TO THE RESOLUTION.

7

8 **V. CHAIR, NATE MILEY:** I THINK IT'S IMPORTANT FOR THE TRANSIT
9 OPERATORS, AND I'LL ACKNOWLEDGE, I KNOW -- I, AS WELL AS A
10 NUMBER OF FOLKS HAVEN'T RIDDEN TRANSIT IN A LONG TIME, JUST
11 BECAUSE OF THE PROBLEMS WITH TRANSIT. BUT IF THE TRANSIT
12 OPERATORS DON'T GET THEIR ACT TOGETHER, IT'S GOING TO BE
13 DETRIMENTAL TO ALL OF US IN THE REGION. BECAUSE ULTIMATELY THE
14 VOTERS ARE NOT GOING TO SUPPORT A BALLOT MEASURE DOWN THE
15 ROAD.

16

17 **ANDREW FREMIER:** COMMISSIONER, IF I COULD JUST ADD ON TO THAT?
18 YOU KNOW, TO THERESA'S POINT, YOU GET PLENTY OF OPPORTUNITY TO
19 MODIFY AND ADJUST. WE'LL BE BRINGING BACK -- THIS IS NOT A
20 PROGRAMMING DOCUMENT IT'S A PLAN TO MOVE FORWARD. AND IF THE
21 AGENCIES AREN'T MAKING PROGRESS TOWARDS THESE GOALS THEN WE
22 HAVE THE RIGHT TO NOT ISSUE REVENUE TO THEM HOWEVER IF YOU
23 DON'T YOU ALSO POTENTIAL AFFECT SERVICE SO THERE'S A BIG PUSH
24 AND PULL THERE. I DO THINK YOU HAVE THE STRENGTH YOU NEED
25 RIGHT NOW BUT YOU WILL ALSO HAVE PLENTY OF OPPORTUNITY TO



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1 ADJUST AND STRENGTHEN IT AND I THINK THAT'S RELATED TO SOME OF
2 THE CHALLENGES THAT WE TALK ABOUT MORE DIRECTLY AT THE
3 COMMISSION ON HOW TO MAKE CHANGES THAT ARE SUBSTANTIAL, THAT
4 ARE MOVING FASTER, AND ARE HOPEFULLY LESS COMPLICATED AND
5 THAT'S THE CHALLENGE IN FRONT OF US, AND WE'LL CONTINUE TO
6 BRING IT BACK FORWARD TO YOU.

7

8 **CHAIR, CINDY CHAVEZ:** THANK YOU. COMMISSIONER PAPAN?

9

10 **GINA PAPAN:** THANK YOU. I JUST WANTED TO REITERATE WHAT MY
11 COLLEAGUES ARE SAYING RIGHT HERE. WE TALK ABOUT
12 ACCOUNTABILITY. YOU KNOW, IT WOULD BE VERY INTERESTING -- YOU
13 KNOW, WE STARTED WAYFINDING YEARS AGO, AND THE OPERATORS WERE
14 SUPPOSED TO BE WORKING WITH US. I KNOW IF YOU COME TO MY
15 REGION YOU WON'T SEE MUCH OF IT. SO FUNDING IS KIND OF SYSTEM
16 WIDE. AND WE NEED TO INSIST ON ACCOUNTABILITY. AND AS THE
17 DIRECTOR MENTIONED, THE THREAT OF, YOU KNOW, CUTTING BACK
18 SERVICES REALLY IS NOT REALISTIC ANYMORE. I GET IT. BUT IF
19 THEY CAN'T DO IT, OR THEY'RE NOT DOING IT. WHAT DO WE DO? WE
20 ACTUALLY NEED TO HOLD THEM ACCOUNTABLE. AS WAS NOTED, IF THEY
21 WANT TO GET TO A TRANSPORTATION BOND, IF THERE IS NO
22 IMPROVEMENT BECAUSE OF THE ACTIONS OF THE OPERATORS, THEN THIS
23 BOND REALLY DOESN'T STAND A CHANCE MOVING FORWARD HERE. AND I
24 KNOW WE HAVE THE REGIONAL MANAGER COMMITTEE, OR WHATEVER, BUT
25 THAT'S A BUNCH OF FOXES IN THE HEN HOUSE, EXCEPT FOR OUR



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1 EXECUTIVE DIRECTOR. [LAUGHTER] SO, I WOULD SUGGEST THAT WE BE
2 A LOT MORE INSISTENT ON THE RESULTS, AS QUICKLY AS POSSIBLE.
3 BECAUSE IT'S BEEN GOING ON FOR A LONG TIME. THANK YOU.

4

5 **CHAIR, CINDY CHAVEZ:** COMMISSIONER SCHAFF?

6

7 **LIBBY SCHAFF:** YOU KNOW, I'M GOING TO ALSO CHIME IN ON BART.
8 AND THIS IS A DATA POINT OF ONE JUST OF MY OWN PERSONAL
9 EXPERIENCES BUT I WILL SAY I HAVE NOTICED AN IMPROVED RIDER
10 EXPERIENCE AS FAR AS CLEANLINESS AND SAFETY IN MY PERSONAL USE
11 ON BART BUT ONE THING HAS FAILED ME IS CLIPPER. I WAS
12 TREMENDOUSLY IMPRESSED COMING BACK FROM NEW YORK CITY, WHEN I
13 WAS IN NEW YORK, YOU DON'T NEED TO BUY A CARD TO RIDE ON THE
14 SUBWAY, YOU PUT YOUR PHONE ON THE GATE AND YOU GO IN AS A
15 REGION I THINK INCREASINGLY RELYING ON TOURIST AS VISITORS AND
16 OCCASIONAL USERS OF PUBLIC TRANSIT UNLESS ON THAT REGULAR
17 COMMUTER WHO IS WILLING AND EDUCATED AROUND WHAT PARTICULAR
18 CARD TO USE, I HOPE THAT AS WE INVEST IN THE NEXT GENERATION
19 OF CLIPPER AND THE NEW FARE GATES THAT WE'RE ENSURING THAT
20 WHATEVER THIS NEXT ITERATION IS, DOES NOT PRECLUDE US FROM
21 MOVING TO A SYSTEM WHERE A SIMPLE TAP OF YOUR PHONE OR YOUR
22 CREDIT CARD GETS YOU IN. I HOPE WE'RE LOOKING AT THAT. I THINK
23 THAT'S THE WAY OF THE FUTURE. LADIES, I HAVE GIVEN UP CARRYING
24 A PURSE. I AM DONE WITH PURSES. SO, I DON'T WANT CARDS. I
25 DON'T WANT TO HAVE 12 CARDS. LIKE, IT IS ALL JUST IN THIS



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1 LOVELY THING. AND THAT -- IF WE WANT TO ENCOURAGE RIDERSHIP,
2 TO THE EXTENT THAT WE LOWER THE BARRIER TO ENTRY, THE MORE
3 WE'RE GOING TO HAVE MORE RIDERSHIP. SO, I JUST HOPE THAT WE
4 ARE PAYING ATTENTION TO THAT, THAT WE'RE NOT FORECLOSING ANY
5 POTENTIAL AVENUES AS WE INVEST IN BOTH THE NEW FARE GATES AND
6 A NEXT GENERATION OF CLIPPER.

7

8 **ANDREW FREMIER:** THAT'S A GOOD ADVERTISEMENT. WE ARE,
9 COMMISSIONER SCHAFF. THAT COMES WITH THE NEXT GENERATION OF
10 CLIPPER. IT WILL HAVE THE SAME FEATURES. IT'S THE SAME
11 CONTRACTOR AND IS ALMOST THE SAME SYSTEM AS THE NEW YORK
12 SUBWAY SYSTEM. AS A REMINDER WE'RE STILL ON THE EXISTING
13 CLIPPER FORMAT. AND ALL THE PROGRESS WE HAVE MADE WITH NEW
14 EQUIPMENT AND SOME OF THE NEW MOBILE APPS HAVE ACTUALLY BEEN
15 BROUGHT FORWARD A LOT QUICKER THAN WE THOUGHT WE COULD ON THE
16 BACKS OF THE EXISTING SYSTEM. THE PROBLEM IS TECHNICAL. AND
17 THAT IS THE CARD AND THE READER DO ALL THE WORK TODAY. WE'RE
18 CHANGING THAT ENTIRE SYSTEM. SO AS CLIPPER ROLLS OUT NEXT
19 YEAR, ALL OF THE FUNCTIONS THAT YOU ARE SEEING IN NEW YORK
20 OTHER AND PLACES COME WITH IT. SO WE'RE REALLY EXCITED ABOUT
21 THAT CHALLENGE. PEOPLE ARE WORKING 24/7 ON BRINGING IT
22 FORWARD. WE HAVE BEEN VERY CLEAR, THOUGH, WE HAVE A GO-RIGHT
23 SCHEDULE, BUT THINGS ARE PROGRESSING AS YOU HAVE SEEN WITH THE
24 EQUIPMENT THAT'S OUT THERE AND SOME OF THE OTHER TEST THAT'S
25 GOING ON, AND THEN BART IS VERY COMMITTED TO THE FARE GATES



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1 AND THEY ARE PROGRESSING, AGAIN, ANOTHER CHALLENGING PROJECT,
2 BUT WE'RE WORKING WITH THEM TO TRY TO KEEP THING ON THEIR
3 SCHEDULE. AND HOPEFULLY ABOUT A YEAR AFTER WE GET THE CLIPPER
4 ENVIRONMENT UPDATED, THEY WILL HAVE FINISHED THEIR ENTIRE
5 PROGRAM SO WE'RE KEEPING AN EYE ON THAT AND WE'RE VERY
6 CONNECTED WITH BART AND THE REST OF THE OPERATORS AND MAKING
7 SURE THOSE SYSTEMS WORK FOR THE CUSTOMER, AS YOU DESCRIBED.

8

9 **CHAIR, CINDY CHAVEZ:** SO, I'M GOING TO THANK MY COLLEAGUES FOR
10 THEIR COMMENTS. I'M GLAD YOU SAID CLIPPER, NOT ME. EVERY TIME
11 I OPEN MY MOUTH, I CAN SEE ANDY STARTS TO TURN ON HIS LIGHT
12 AND LEAN IN. SO, ANDY, WOULD YOU REMIND ME WHEN THE BOARD WILL
13 GET AN UPDATE ON CLIPPER'S PROGRESS AND UNVEILING? YEAH. I
14 AGREE.

15

16 **ANDREW FREMIER:** COMMISSIONER, WE DID GIVE A GOOD UPDATE TO THE
17 REGIONAL NETWORK MANAGEMENT COMMITTEE BUT WE CAN COME BACK AT
18 ANY TIME AND DO IT AGAIN.

19

20 **CHAIR, CINDY CHAVEZ:** WHAT WAS THAT? I WOULD RECOMMEND, I THINK
21 THE FULL COMMISSION -- I HEAR THIS SO MUCH, WE SHOULD JUST --
22 THAT TIMELINE WHEN IT'S GOING TO HAPPEN, HOW IT'S GOING TO
23 FUNCTION. OTHERWISE WE'RE GOING TO KEEP TALKING TO YOU, SO, IT
24 WILL SAVE YOU HOURS OF YOUR LIFE BACK. LET'S PRESUME.

25



DECEMBER 13, 2023

1 **ANDREW FREMIER:** I'M HAPPY YOU'RE TALKING ABOUT IT. IT'S A GOOD
2 SUBJECT.

3

4 **CHAIR, CINDY CHAVEZ:** [LAUGHTER]. I HEARD A LOT OF FEEDBACK
5 FROM MY COLLEAGUES ABOUT ACCOUNTABILITY, WHAT THE MECHANISMS
6 ARE GOING TO BE AND HOW THOSE GET REPORTED OUT IN REALTIME AND
7 A RECOGNITION THAT A STRATEGY AROUND CLAW BACK IS PROBABLY NOT
8 REAL. AND BASED ON THAT, I THINK IT'S WORTH THE STAFF GIVING
9 US SOME FEEDBACK ABOUT WHAT IS MORE LIKELY TO BE AN
10 OPPORTUNITY FOR THE -- FOR -- YOU KNOW, FOR THIS PARTNERSHIP
11 WITH OUR OPERATORS. I ALSO JUST WANT TO ACKNOWLEDGE COLLEAGUES
12 THAT WE'RE TALKING TO THEM ABOUT OPERATORS THAT THEY'RE NOT IN
13 CHARGE OF, AND THE OPERATORS LOVE, SO YOU'RE NOT THE BOSS OF
14 ME. I WANT YOU TO KNOW HOW MUCH I APPRECIATE THAT YOU'RE
15 SAYING WE'RE GOING TO LEAN IN AND TAKE RESPONSIBILITY.
16 OPERATIONAL QUESTION RELATIVE TO WHAT MY COLLEAGUES HAVE
17 ASKED, WE KNOW THERE ARE HIGH-LEVEL OUTCOMES THAT WE NEED TO
18 HAVE RELATIVE TO SCHEDULE COORDINATION AND FAREBOX, ONE
19 TICKET, ONE RIDE, AND ALL THAT, AND THERE ARE PARTICULAR NEEDS
20 FOR EACH AGENCIES. DOES THAT MEAN THAT EACH AGENCY WILL BE
21 SIGNING AN AGREEMENT WITH MTC RELATIVE TO THE GOALS THAT ARE
22 BEING SET BY THEM? AND HERE'S THE REASON I'M ASKING ABOUT
23 THAT. THE POINT THAT COMMISSIONER ABE-KOGA RAISED ABOUT US
24 BEING SLOW VERSUS AN AGENCY BEING SLOW, WHAT IT SEEMS TO ME,
25 IS IF THERE IS A SET OF AGREEMENTS ABOUT WHAT WE'RE GOING TO



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1 DELIVER AND WHAT THEY'RE GOING TO DELIVER, ON ESSENTIALLY A
2 SHARED CONTRACT FOR -- A CONTRACT FOR PERFORMANCE, THEN I
3 THINK THAT THE -- THAT, AS WE THINK ABOUT WHAT CHANGES WE WANT
4 TO MAKE IN THE LATER YEARS OF THAT AGREEMENT, WHETHER IT'S
5 RESOURCES OR OTHERS, THAT HAVING, ESSENTIALLY, A PERFORMANCE
6 CONTRACT MIGHT BE AN OPPORTUNITY FOR US TO BE MORE CUSTOMIZED
7 TO EACH OF THE FOLKS THAT WE'RE GIVING THIS PARTICULAR TYPE OF
8 MONEY TO, AND RECOGNIZE THAT, YOU KNOW, BART IS GOING TO BE
9 VERY DIFFERENT THAN, YOU KNOW, A SMALLER BUS OPERATOR,
10 RELATIVE TO WHAT YOU'RE GOING TO BE ASKING OUTSIDE OF THE --
11 WHAT I THINK SHOULD BE THE TOP TWO THINGS, WHICH IS WE'RE
12 COORDINATED AND WE HAVE ONE TICKET.

13

14 **ANDREW FREMIER:** MAYBE I COULD TAKE A CRACK AT THIS BRIEFLY.
15 FIRST OF ALL, THE CHALLENGING THAT WE HAVE WITH TRYING TO --
16 REACTING TO HOLDING BACK ON GIVING INDIVIDUAL OPERATORS MONEY
17 IS THAT THE NUMBERS THAT WE PRESENT IN THIS ARE JUST, SORT OF,
18 STATUS QUO, RIGHT? THEY AREN'T TRYING TO PUT ADDITIONAL
19 SERVICE INTO PLAY. IT'S REALLY A VERY LIMITED AMOUNT OF MONEY,
20 AND THAT'S THE REAL CHALLENGE. THIS IS THE, SORT OF, BEAR
21 BONES. THE 600 TO \$750 MILLION A YEAR THAT WE SEE IN THE
22 FUTURE NEEDS IS DESIGNED JUST TO KEEP THE CURRENT STATUS IF WE
23 MAKE MORE IMPROVEMENTS TO THE SCHEDULE THEN YOU ASK OPERATORS
24 TO BE MORE EFFICIENT TO MATCH MORE THAT'S MORE SERVICE THAT
25 COST MORE MONEY. THAT'S ONE CHALLENGE. TO YOUR POINT YOU'RE



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1 MAYBE ADDRESSING THE BIGGEST CHALLENGE WE HAVE, IF WE HAVE 27
2 DIFFERENT AGREEMENTS THAT'S WHY WE GO SLOWER. I WOULD ASK THE
3 REGIONAL NETWORK MANAGEMENT COUNCIL TO GET GOING AND SEE WHAT
4 YOU THINK OF THE WORK PRODUCT AND THE WORK THAT WE'RE
5 PRODUCING AND ALSO REPORT BACK ON THE PROGRESS OF THE WORK
6 BEFORE ADDING MORE CHALLENGES IN HOW DECISIONS ARE MADE AND
7 QUANTIFIED. I THINK THE PERFORMANCE MEASURES ARE KEY AND
8 THAT'S WHAT WE NEED TO BRING BACK TO YOU, AND THAT WILL BE BY
9 OPERATOR. AND HOPEFULLY THAT MAKES THINGS A LITTLE BIT EASIER
10 IN THAT SPACE.

11

12 **CHAIR, CINDY CHAVEZ:** ANDY LET ME JUST -- A DIFFERENT
13 PERSPECTIVE. ONE IS I'M NOT SUGGESTING WE DO THIS WITH ALL 27
14 OPERATORS. WE'RE NOT GIVING 27 OPERATORS HALF A MILLION
15 DOLLARS. SO I'M REALLY SAYING THAT WE HAVE SOME BACKBONE
16 COMPONENTS TO OUR SYSTEM. BART IS A BACKBONE COMPONENT. AND I
17 -- LET ME JUST SAY, I'M STUNNED AT HOW -- HOW -- HOW MUCH
18 ATTENTION IS PAID TO EVERY SINGLE THING THEY EVER DO WRONG. SO
19 THIS ISN'T ME TO JUMPING ON THAT AT ALL. I ACTUALLY AM
20 IMPRESSED GIVEN WHAT THEY DO GIVEN HOW MANY PEOPLE USE THE
21 SYSTEM, AND THEY HAVE GOT CHALLENGES. I'M SUGGESTING THAT WE
22 WHILE WE RELY ON THE BACKBONE PARTS OF OUR SYSTEM AND YOU ALL
23 HAVE EMPHASIZED TO ME FOR YEARS NOT EVEN PREDECESSORS -- WELL
24 PREDECESSORS ACTUALLY -- ABOUT THE IMPORTANCE OF MAKING SURE
25 WE'RE MAINTAINING THAT BACKBONE SYSTEM. SO WHAT I'M SUGGESTING



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1 IS WHERE WE'RE MAKING INVESTMENTS IN THE CATEGORY OF MY MIND
2 OF TOO BIG TO FAIL, THE EXPECTATIONS AROUND THAT RESOURCE BE
3 CRYSTAL CLEAR. WE'RE NOT SURPRISING ANYBODY THEY'RE NOT
4 SURPRISING US, AND AS IT RELATES TO BART SPECIFICALLY, I THINK
5 YOU RAISED A POINT ABOUT THE SMALLER BUS SYSTEM TRYING TO DO
6 THE COORDINATION, BUT FRANKLY, UNDERSTANDING CONCERNS AND
7 CONSIDERATIONS, I'M SUGGESTING THE BIGGER PLAYERS IN THE
8 RELATIONSHIP START TO SHIFT IN A WAY THAT THERE IS MORE AGREED
9 UPON SUPPORT. NOT YOU PERFORM FOR ME, BUT WHAT WE'RE DOING TO
10 HELP GET ACROSS THE FINISH LINE. LET ME TELL WHAT YOU HCD IS
11 DOING TO ALL OF US, AND I'M SAYING TO ALL OF US BECAUSE I
12 THINK IT'S A BIG EXPERIMENT WE'RE GOING IN THE RIGHT DIRECTION
13 AND I WANT TO SUPPORT THAT, IN EVERY STATE, IF YOU DO NOT SHOW
14 PROGRESS TO MEETING YOUR GOALS BY THE MID-TIME, WHICH IS GREAT
15 -- INSTEAD OF WAITING UNTIL THE END -- YOU WILL NOT BE
16 ELIGIBLE FOR CERTAIN GRANTS. FOR THE CITIES AND COUNTIES THAT
17 I REPRESENT, THAT'S, LIKE, TERRIFYING FOR THEM NOT TO BE ABLE
18 TO GET A GRANT THAT GOES IN THIS BUCKET. SO I THINK WE CAN BE
19 CREATIVE ABOUT HOW WE PRIORITIZE WHAT AND WHOM WE INVEST IN
20 AND NOT IN A PUNISHMENT WAY, BECAUSE WITH HCD, IN A WAY IT'S A
21 LITTLE BIT PUNISHING BUT ALSO AN INCENTIVE WHICH IS WE'RE
22 COMPETING ACROSS THE STATE WE'RE GOING TO DO WHATEVER WE CAN
23 TO MEET HOUSING DEADLINES SO WE CAN DRAWDOWN THE ADDITIONAL
24 MONEY AND BE READY TO BUILT. I'M NOT WEDDED TO WHAT I SAID IN
25 THE PROCESS, I THINK THE MUTUALITY OF THE NETWORK MANAGEMENT



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1 COULD BE EXPRESSED IN A DIFFERENT WAY TO DEMONSTRATE MOVING IN
2 THE RIGHT DIRECTION.

3

4 **ANDREW FREMIER:** WE SIGNED CONTRACTS WITH A COUPLE OF EMPLOYERS
5 AND THAT CHALLENGE WITH PRICE POINT WE HAD A PRETTY EASY TIME
6 WITH THE BART COMPONENT, BUT OTHERS IT'S CHALLENGING BECAUSE
7 OF FEAR OF LOST REVENUE.

8

9 **CHAIR, CINDY CHAVEZ:** I THINK IF WE WANT ONE TICKET, I THINK WE
10 NEED TO PUT ALL THE MONEY UP FRONT INTO THE AGENCIES WITHOUT
11 WITHHOLDING WHAT WE THINK WE NEED TO MOVE EVERYBODY IN THAT
12 DIRECTION BECAUSE IT'S GOING TO TAKE A WHILE FOR PEOPLE TO BE
13 ABLE TO, ALL OF THESE AGENCIES TO GET ON THAT ONE TICKET. AS
14 YOU MOVE FORWARD TO BRING FORWARD THESE FINAL AGREEMENTS,
15 WITHHOLDING MONEY FOR THAT PURPOSE. I KNOW THERE WAS SOME
16 WITHHELD, THEN IT GOT THROWN BACK IN. I THINK WE'RE GOING TO
17 HAVE TO PAY FOR THIS CHANGE. WE ARE. AND ESPECIALLY IF WE
18 DON'T WANT MORE AGENCIES ON THE FISCAL CLIFF LINING UP
19 AFTERWARDS BECAUSE WE'RE GOING TO PUSH THEM INTO THAT WHAT
20 WE'RE DOING IS PREVENTATIVE AND STRUCTURAL AS PART OF THE
21 CHANGES THAT YOU'RE ALREADY TRYING TO MAKE. THAT'S BROAD
22 THINKING ABOUT IT AND WHEN WE ARE -- WHAT I HOPE IS AS WE'RE
23 TAKING FINAL VOTES ON AGREEMENTS OR HOWEVER YOU DECIDE TO
24 PROCEED THAT WE HAVE GOT A POT AND PLAN FOR THAT. BECAUSE I
25 THINK IF WE DON'T, WE'RE JUST -- I WANT TO JUST SAY -- I WANT



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1 TO REINFORCE WHAT COMMISSIONER SCHAFF JUST SAID ABOUT THAT
2 EXPERIENCE OF I JUST WANT TO SEE A BUS. I WANT TO BE ABLE TO
3 GET ON IT. MY LIGHT RAIL CLIPPER CARD -- I WAS LOW ON CLIPPER,
4 AND I COULD SEE THE DUTIFUL GUY OVER THERE, SAYING I KNOW
5 YOU'RE -- YOU PAY FOR IT SO ANYWAY MY POINT, EASE, AND IF
6 WE'RE GOING TO PRIORITIZE ANYTHING THAT WOULD BE MY
7 RECOMMENDATION.

8

9 **ANDREW FREMIER:** I THINK WE'RE ON THE SAME PAGE. I BELIEVE WE
10 ARE. I REALLY DO.

11

12 **CHAIR, CINDY CHAVEZ:** ALL RIGHT. I THINK WE HAVE TALKED TO
13 STAFF AROUND THE MULBERRY BUSH A FEW TIMES. I DON'T THINK WE
14 NEED TO MAKE ANY CHANGES TO THE RESOLUTION, BUT I WANT TO LIFT
15 UP THE POINT YOU RAISED ABOUT WHETHER OR NOT THERE CAN BE
16 UPDATES TO THE METRICS. AND I THINK THAT, OF ALL OF THE -- I
17 THINK THE OTHER THINGS YOU HEARD WERE MORE IN HELPING YOU
18 THINK JUST ABOUT WHAT COMES BACK TO THE BOARD IN THE FUTURE.
19 DO YOU FEEL LIKE THAT -- HOW WOULD WE CHANGE THE MOTION -- THE
20 RESOLUTION TO ADDRESS THAT FLEXIBILITY? YOU DON'T THINK WE
21 NEED TO? OKAY. DO YOU THINK WE NEED TO?

22

23 **ALIX BOCKELMAN:** L WELL, SO, IF YOU WOULD LIKE, IF YOU HAVE
24 SPECIFIC IDEAS, YOU WOULD HAVE AN OPPORTUNITY BEFORE NEXT
25 WEDNESDAY TO MAKE CHANGES. HOWEVER, YOU ALSO, WHEN WE COME



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1 BACK AT THE TIME OF THE FUND ESTIMATE, WHICH IS IN FEBRUARY,
2 YOU HAVE ANOTHER OPPORTUNITY TO KIND OF --

3

4 **CHAIR, CINDY CHAVEZ:** IF IT DOESN'T GET ADDRESSED?

5

6 **ALIX BOCKELMAN:** YOU WOULD ALSO HAVE TIMELY -- IN FEBRUARY,
7 HAVE ANOTHER OPPORTUNITY TO GET THAT ADDRESSED, AND ALSO
8 BEFORE WEDNESDAY.

9

10 **CHAIR, CINDY CHAVEZ:** I THINK FROM A PERSPECTIVE TALKING ABOUT
11 ACCOUNTABILITY, AND MUTUALITY AND FLEXIBILITY THAT YOU MAY
12 NEED TO ADD ADDITIONAL METRICS AND IF YOU WOULD CONSIDER THOSE
13 AS PART OF YOUR THINKING OVER THE NEXT FEW MONTHS THAT WOULD
14 BE HELPFUL. IS THAT ALL RIGHT COLLEAGUES?

15

16 **ANDREW FREMIER:** I THINK WE CAN DO THAT AND I THINK THAT'S
17 CONSISTENT, COMMISSIONER CHAVEZ WITH WHAT THE COMMITTEE'S
18 DIRECTION WAS ON FRIDAY. SO, I -- YOU KNOW, THEY HAVE ASKED US
19 TO, YEAH, YOU'RE DOING WELL IN, SORT OF, THE CONSENSUS MODEL,
20 BUT WE WANT YOU TO MAKE LOOK AT BEING MORE AGGRESSIVE IN SOME
21 PLACES AND THAT WAS THE CHALLENGE THAT WE WERE ASKED TO COME
22 BACK WITH IN THE NEW YEAR. SO AGAIN I THINK WE'RE ON THE SAME
23 PATH AND WE UNDERSTAND WHAT THE DIRECTION IS THAT THE
24 COMMISSION WOULD LIKE US TO DO BUT TO ALIX'S POINT, IF THERE



1 IS ANYTHING SPECIFIC, THIS IS YOUR TIME TO CHANGE IT BEFORE
2 THE COMMISSION ACTS ON WEDNESDAY.

3

4 **CHAIR, CINDY CHAVEZ:** YEAH I THINK THESE ARE MORE THEMATIC.

5

6 **ANDREW FREMIER:** I AGREE.

7

8 **CHAIR, CINDY CHAVEZ:** DID WE I HAVE MOTION? I'M SORRY. IT WAS A
9 WHILE AGO. NO? CLERK, DID I HAVE A MOTION?

10

11 **CLERK OF THE BOARD:** NO YOU DIDN'T.

12

13 **CHAIR, CINDY CHAVEZ:** I'M GOING TO ASK FOR A MOTION AND SECOND
14 TO APPROVE MTC RESOLUTION 4619 AND ASK STAFF TO CONSIDER
15 THEMES THAT WERE BROUGHT UP BY THE COMMITTEE. DO I HAVE A
16 MOTION?

17

18 **DAVID CANEPA:** SO MOVED.

19

20 **CHAIR, CINDY CHAVEZ:** THANK YOU COMMISSIONER CANEPA. DO I HAVE
21 A SECOND?

22

23 **V. CHAIR, NATE MILEY:** SECOND.

24



1 **CHAIR, CINDY CHAVEZ:** THANK YOU. COMMISSIONER MILEY. PLEASE
2 TAKE THE ROLL.

3

4 **CLERK OF THE BOARD:** FIRST BY CANEPA AND SECOND MILEY. CHAVEZ?

5

6 **CHAIR, CINDY CHAVEZ:** AYE.

7

8 **CLERK OF THE BOARD:** MILEY?

9

10 **V. CHAIR, NATE MILEY:** AYE.

11

12 **CLERK OF THE BOARD:** ABE-KOGA?

13

14 **MARGARET ABE-KOGA:** AYE.

15

16 **CLERK OF THE BOARD:** COMMISSIONER CANEPA?

17

18 **DAVID CANEPA:** AYE.

19

20 **CLERK OF THE BOARD:** FLEMING IS ABSENT. COMMISSIONER GLOVER IS
21 ABSENT. COMMISSIONER JOSEFOWITZ?

22

23 **NICK JOSEFOWITZ:** AYE.

24

25 **CLERK OF THE BOARD:** COMMISSIONER PAPAN?



1

2 **GINA PAPAN:** YES.

3

4 **CLERK OF THE BOARD:** PAPAN AYE. COMMISSIONER RONEN IS ABSENT.

5 AND COMMISSIONER THAO IS ABSENT. MOTION PASSES UNANIMOUSLY BY

6 ALL MEMBERS PRESENT.

7

8 **CHAIR, CINDY CHAVEZ:** THANK YOU SO MUCH. WE'RE GOING MOVE TO

9 ITEM 4A. MTC RESOLUTION 4603 REVISED. THIS IS THE REGIONAL

10 TRANSPORTATION IMPROVEMENT PROGRAM POLICIES AND PROCEDURES AND

11 PROGRAM PROJECTS FOR THE 2024 RTIP UPDATES TO THE REGIONAL --

12 ACRONYMS, IS IT RTIP? RTIP. POLICIES AND PROCEDURES AND

13 PROGRAMS FOR THE PROJECT FOR 2024 TOTALING 226 MILLION IN NEW

14 PROGRAMMING FOR THE BAY AREA. KARL, THE STAGE IS YOURS.

15

16 **KARL ANDERSON:** THANK YOU. I'M KARL ANDERSON WITH MTC STAFF.

17 ITEM 4A IS AN ACTION ITEM TO UPDATE ON THE 2024 REGIONAL

18 TRANSPORTATION IMPROVEMENT PROGRAM, OR RTIP, POLICIES AND

19 PROCEDURES CONSIDERATION OF PROGRAM PROJECTS FOR 2024 RTIP. IN

20 SEPTEMBER, THE COMMISSION APPROVED RTIP POLICIES AND

21 PROCEDURES INCLUDING MINOR CHANGES FROM 2022 RTIP POLICIES,

22 INCLUDING UPDATES TO MAKE POLICY PROCEDURES CONSISTENT WITH

23 ADOPTED REGIONAL PLANS AND POLICIES AND RETAIN POLICY

24 ENCOURAGING POTENTIAL SB1 COMPETITIVE PROGRAM APPLICANTS

25 LEVERAGE AVAILABILITY RTIP FUNDS FOR APPLICATIONS. PROGRAMMING



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1 FOR SAN FRANCISCO COUNTY TO REFLECT THE COUNTY'S NEW
2 COMMITMENT PLAN AND SECOND UPDATE ORIENTED POLICIES TO ALIGN
3 LANGUAGE WITH FINAL DRAFT GUIDANCE REQUIRING PROJECT SPONSORS
4 TO COMPLY WITH THE RELEVANT TOC POLICY REQUIREMENTS FOR MTC
5 ADOPTION OF THE 2026 STIP. MTC'S 2024 RTIP PROPOSES 226
6 MILLION IN NEW PROGRAMMING OVER THE NEXT FIVE YEARS FOR THE
7 NINE COUNTY BAY AREA REGION AVAILABLE FUNDING FOR COUNTY
8 TRANSPORTATION AUTHORITY CTA PROVIDING MTC WITH ITS FINAL
9 PROJECT LET'S IN NOVEMBER PROGRAM PROJECTS INCLUDED AS
10 ATTACHMENT ONE TO THE MEMO ATTACHMENT INCLUDES SUMMARY CHARTS
11 OF PROPOSED PROGRAM VARIOUS INDICATORS ATTACHMENT THREE
12 SUMMARIZES CHANGES CTAS REQUESTED PROGRAM PROJECTS. BAY AREA
13 COUNTIES PROPOSED NEW PROJECTS FOR FUNDING ALAMEDA, SAN MATEO,
14 SAN FRANCISCO, SANTA CLARA COUNTIES ADDED NEW CAPACITY ALREADY
15 EXISTING COMMITMENTS ALAMEDA AND SAN MATEO COUNTIES PROPOSED
16 USING RTIP FUNDS AS MATCHED SB1 PROJECT APPLICATIONS AND MARIN
17 AND SOLANO COUNTIES DID NOT PROPOSE NEW PROGRAMMING. SCHEDULED
18 ADOPTION 2024 STATE TRANSPORTATION PROGRAM AT THEIR MARCH
19 MEETING IN SAN JOSE. NEXT I WOULD LIKE TO HIGHLIGHT SPECIFIC
20 ITEMS OF INTEREST IN THE 2024 RTIP. FIRST REGIONAL SET ASIDE
21 PROGRAMMING. THE ITEM IDENTIFIES MTC'S REGIONAL CAPACITY OF 46
22 MILLION OF WHICH THE COMMISSION ORIGINALLY RESERVED FOR THE
23 HOUSING INCENTIVE POLL PROGRAM SINCE RESULTS WILL NOT BE
24 FINALIZED UNTIL SPRING OPERATING PROGRAM PROJECTS IN THE STIP
25 WOULD BE PART OF 2026 RTIP FULL PROGRAMMING \$46 MILLION



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1 REGIONAL SET ASIDE CYCLE EXPEDITING PROGRAMMING DELIVERY OF
2 PROJECTS. NAPA VALLEY TRANSPORTATION AUTHORITY AND VTA
3 REQUESTED ADVANCING RTIP FUNDS FORWARD 2024 RTIP. NVTA REQUEST
4 \$2 MILLION TO THE CONSTRUCTION PHASE FOR THE NAPA VALLEY VINE
5 TRAIL PROJECT FOR THE ST. HELENA TO YOUNTVILLE SEGMENT. THE
6 PROGRAMMING REQUEST AS RESULT OF STIP PROJECT SAVINGS FROM
7 SR912 TO 21 JUNCTION PROJECT WHICH RETURNED TO THE COUNTY STIP
8 SHARE FOR FUTURE PROGRAMMING. PROPOSED COUNTY SHARE
9 ADVANCEMENT IS CONSISTENT WITH ACTION TAKEN IN JUNE OF 2022.
10 NEXT, SB1 COMPETITIVE APPLICATION CONTINGENCY PROJECTS: IN
11 EVENT CTC DOES NOT RECOMMEND ALAMEDA SAN MATEO SB1 COMPETITIVE
12 APPLICATIONS FUNDING MTC PROPOSE SUBSTITUTE STIP PROJECTS TO
13 REPLACE STIP FUNDS MATCHING NOMINATED PROJECTS. MTC MAY WORK
14 WITH COUNTIES ON PROJECTS AND MAY RETURN TO THIS COMMITTEE VIA
15 STIP AMENDMENT. FINALLY, UNPROGRAMMED CAPACITY. STAFF RECEIVED
16 A REQUEST FROM THE CITY AND COUNTY ASSOCIATION OF GOVERNMENTS
17 OF SAN MATEO COUNTY TO PROGRAM THEIR UNPROGRAMMED BALANCE OF
18 2.3 MILLION. BUT MTC STAFF IS WAITING ON A FORMAL DIRECTION
19 CCAG TO ACCOMMODATE CHANGE. MTC STAFF WILL CONTINUE TO WORK
20 WITH CCAG STAFF TO ENSURE ALL POLICIES AND PROCEDURES ARE MET
21 ACCORDING TO RTIP POLICIES AND PROCEDURES. IN CLOSING WITH
22 THAT STAFF RECOMMENDS REFERRING RESOLUTION 4603 REVISED TO THE
23 COMMISSION FOR APPROVAL AND DIRECT STAFF TO TRANSMIT THE DRAFT
24 RTIP LIST TO THE CALIFORNIA TRANSPORTATION COMMISSION AFTER



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1 COMMITTEE REFERRAL. THAT CONCLUDES MY PRESENTATION AND I'M
2 HAPPY TO ANSWER ANY QUESTIONS.

3

4 **CHAIR, CINDY CHAVEZ:** THANK YOU VERY MUCH FOR THE PRESENTATION.
5 I'M GOING TO SEE IF THERE IS ANY PUBLIC SPEAKERS ON THIS ITEM.

6

7 **CLERK OF THE BOARD:** THERE ARE NO MEMBERS OF THE PUBLIC ONLINE.
8 NO MEMBERS OF THE PUBLIC IN THE BOARDROOM WHO WOULD LIKE TO
9 PROVIDE PUBLIC COMMENT AND NO WRITTEN CORRESPONDENCE WAS
10 RECEIVED.

11

12 **CHAIR, CINDY CHAVEZ:** THANK YOU. WE'RE GOING TO CLOSE THE
13 PUBLIC COMMENT PERIOD I'M GOING TO COLLEAGUES FOR COMMENTS OR
14 QUESTIONS. SEEING NONE. CAN I GET A MOTION TO APPROVE?

15

16 **MARGARET ABE-KOGA:** MOTION. ABE-KOGA.

17

18 **CHAIR, CINDY CHAVEZ:** MAY I HAVE A SECOND? BUELLER? [LAUGHTER]

19

20 **V. CHAIR, NATE MILEY:** SECOND.

21

22 **CHAIR, CINDY CHAVEZ:** THANK YOU. I HAVE A SECOND FROM
23 COMMISSIONER MILEY. ROLL CALL VOTE.

24



1 **CLERK OF THE BOARD:** THANK YOU CHAIR. FIRST BY COMMISSIONER
2 ABE-KOGA AND SECOND BY VICE CHAIR MILEY. CHAIR CHAVEZ?

3

4 **CHAIR, CINDY CHAVEZ:** YES.

5

6 **CLERK OF THE BOARD:** VICE CHAIR MILEY?

7

8 **V. CHAIR, NATE MILEY:** YES.

9

10 **CLERK OF THE BOARD:** ABE-KOGA?

11

12 **MARGARET ABE-KOGA:** AYE.

13

14 **CLERK OF THE BOARD:** ABE-KOGA AYE. CANEPA?

15

16 **DAVID CANEPA:** AYE.

17

18 **CLERK OF THE BOARD:** FLEMING IS ABSENT. GLOVER IS ABSENT.

19 JOSEFOWITZ? JOSEFOWITZ AYE. COMMISSIONER PAPAN?

20

21 **GINA PAPAN:** YES. YES. YES.

22

23 **CLERK OF THE BOARD:** PAPAN AYE. COMMISSIONER RONEN IS ABSENT.

24 AND COMMISSIONER THAO IS ABSENT. MOTION PASSES UNANIMOUSLY BY

25 ALL MEMBERS PRESENT.



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1

2 **CHAIR, CINDY CHAVEZ:** MOVING TO ITEM FIFE A INCENTIVE HOUSING
3 POOL AND HOUSING ELEMENT INCLUDES MTC RESOLUTION 405 REVISED
4 REVISION TO MTC'S ONE BAY AREA GRANT PROGRAM UPDATE HOUSING
5 ELEMENT COMPLIANCE REQUIREMENTS RESOLUTIONS 4202 REVISED AND
6 4348 REVISED REVISIONS TO MTC'S HOUSING INCENTIVE POOL TO
7 ADOPT ELIGIBILITY AND PROGRAMMING GUIDELINES AND UPDATE OF THE
8 FINAL YEAR OF 2022, AND 2022 PRELIMINARY LIST JURISDICTION TO
9 2018 TO 2022. HELLO THOMAS.

10

11 **SPEAKER:** THANK YOU FOR TEEING UP THIS ITEM WITH YOUR ANALOGY
12 IN THE PREVIOUS ITEM TALKING ABOUT HOUSING. I'M THOMAS,
13 FUNDING POLICY AND PROGRAM STAFF. THIS IS A COMBINED
14 PRESENTATION ON ITEM 5A, PARTS 1 AND 2, WHICH ARE INTERRELATED
15 AND COVER THE HOUSING INCENTIVE POOL AND MTC'S HOUSING ELEMENT
16 POLICY RELATED TO THE HIP AND FUNDING PROGRAMS. I WANT TO
17 PREFACE THIS NOTING MTC AND ABAG STAFF HAVE BEEN COORDINATING
18 WITH LOCAL JURISDICTIONS ON THESE IN VARIOUS FORMS, INCLUDING
19 PRESENTATIONS IN THE BAY AREA PARTNERSHIP BOARD WORKING GROUP
20 MEETINGS AND INDIVIDUAL MEETINGS WITH JURISDICTIONS. I'LL
21 INTRODUCE ITEMS WITH REQUEST WITH A BRIEF REMINDER, MTC
22 EFFORTS TO INTEGRATE AFFORDABLE HOUSING LAND USE
23 TRANSPORTATION FUNDING PROGRAMS. ESTABLISHING A SERIES OF
24 AMBITIOUS STRATEGIES TO ADDRESS THE REGION'S AFFORDABLE
25 HOUSING CRISIS DETAILED ON THE SCREEN TO THE RIGHT. MTC'S ONE



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1 BAY AREA GRANT OR OBAG PROGRAM LEVERAGES REGIONAL
2 DISCRETIONARY FUNDS TO IMPLEMENT THE PLAN'S INTERRELATED
3 TRANSPORTATION AND LAND USE GOALS SINCE THE FIRST OBAG CYCLE
4 IN 2013 -- SORRY. I ACCIDENTALLY MUTED MYSELF. SINCE THE FIRST
5 OBAG CYCLE IN 2013 JURISDICTIONS HAVE BEEN REQUIRED TO HAVE A
6 STATE APPROVED HOUSING ELEMENT TO BE ELIGIBLE FOR OBAG FUNDS,
7 STAFF CONTINUED REQUIREMENT IN OBAG THROUGH RECOGNIZING STATE
8 PROCESS FOR HOUSING ELEMENT APPROVAL WOULD BE MORE RIGOROUS
9 THIS CYCLE. IN ADDITION TO HOUSING ELEMENT REQUIREMENTS WHICH
10 INCENTIVE JURISDICTIONS TO PLAN FOR HOUSING THE COMMISSION
11 ESTABLISHED THE HOUSING INCENTIVE POOL OR HIP PROGRAM WHICH
12 REWARDS JURISDICTIONS WHO PRODUCE OR PRESERVE AFFORDABLE
13 HOUSING. TODAY'S RECOMMENDATIONS RELATED TO HIP PROGRAM AND
14 MTC'S HOUSING ELEMENT POLICIES WHICH ARE SEPARATE BUT AGAIN
15 RELATED APPROACHES TO OUR OVERALL HOUSING GOALS. NEXT SLIDE
16 PLEASE. GREAT. I'LL START WITH THE HOUSING INCENTIVE POOL.
17 THIS WAS ADOPTED IN 2018 AS A PILOT PROGRAM TO INCENTIVIZE
18 JURISDICTIONS TO ACCELERATE THEIR AFFORDABLE HOUSING
19 PRESERVATION AND PRODUCTION. THE PROGRAM WILL DISTRIBUTE \$71
20 MILLION IN TRANSPORTATION FUNDS TO THE TOP 15 JURISDICTIONS
21 THAT PRODUCED OR PRESERVED THE MOST AFFORDABLE HOUSING. TO
22 QUALIFY FOR THE HIP PROGRAM UNITS NEEDED TO BE DEED RESTRICTED
23 AFFORDABLE PRODUCED BETWEEN 2018 AND 2022, PRODUCED OR
24 PRESERVED BETWEEN 2018 AND 2022, LOCATED IN GROWTH GEOGRAPHIES
25 PRIORITY DEVELOPMENT AREAS PDAS TRANSIT PRIORITY AREAS TPAS



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1 ELIGIBLE JURISDICTIONS NEED TO COMPLY WITH STATE HOUSING LAWS
2 INCLUDING STATE HOUSING ELEMENT APPROVAL NOW THE FINAL YEAR
3 HOUSING DATA IS AVAILABLE STAFF ARE BRINGING DRAFT TIP AWARDS
4 TO THE COMMITTEE FOR APPROVAL, FUND SOURCE CHANGE TO SWAP OUT
5 THE \$46 MILLION AND REGIONAL TRANSPORTATION IMPROVEMENT
6 PROGRAM FUNDS WHICH ARE ORIGINALLY DEDICATED TO THE HIP
7 PROGRAM WITH OBAG AND OTHER FUNDING SOURCES WHICH WILL ALLOW
8 SPONSORS TO ACCESS THEIR AWARDS AS SOON AS POSSIBLE STAFF ARE
9 RECOMMENDING AN OPPORTUNITY FOR JURISDICTIONS TO REVIEW
10 HOUSING DATA BEFORE THE AWARDS ARE FINALIZED STAFF SENT OUT
11 HIP DATA LAST WEEK AND JURISDICTIONS WILL HAVE UNTIL THE END
12 OF NEXT MONTH TO SUBMIT ANY CORRECTIONS FINALLY FOLLOWING DATA
13 REVIEW JURISDICTIONS WOULD HAVE UNTIL THE END OF THE YEAR TO
14 SUBMIT PROJECT IDEAS TO MTC FOR PROGRAMMING AND FINALLY STAFF
15 ARE RECOMMENDING UPDATING HOUSING ELEMENT COMPLIANT POLICIES
16 FOR THE HIP PROGRAM TO ALIGN WITH THE PROGRAMS. FIRST SUMMARY
17 OF THE TOP 15 HIP RECIPIENTS BASED ON DRAFT HOUSING DATA THIS
18 IS PRELIMINARY AND SUBJECT TO CHANGE BASED ON CORRECTIONS THAT
19 JURISDICTIONS PROVIDE OVER THE NEXT COUPLE OF MONTHS THE CHART
20 ON THE SLIDE SHOWS AFFORDABLE HOUSING PRODUCTION BY COUNTY
21 DURING THE HIP PERIOD DARK BLUE BARS SHOW ELIGIBLE UNITS IN
22 GROWTH GEOGRAPHIES TAKE AWAY HERE IS COUNTIES PRODUCED
23 AFFORDABLE HOUSING DURING THIS PERIOD AND MANY OF THOSE UNITS
24 WILL COUNT TOWARDS THE HIP PROGRAM AND MORE DETAILS ON THE
25 HOUSING PRODUCTION BY YEAR AND TYPE ARE PROVIDED IN THE STAFF



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1 REPORT. ELEMENT POLICIES CURRENT POLICY REQUIRES THAT
2 JURISDICTIONS HAVE THEIR HOUSING ELEMENT CERTIFIED BY
3 CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HCD
4 BY END OF THIS YEAR, DECEMBER 31ST AND OUR DEADLINE, AFTER
5 HCD'S ORIGINAL SUBMISSION DEADLINE AGAIN RECOGNITION THE
6 THRESHOLD FOR CERTIFICATION WAS SIGNIFICANTLY HIGHER THIS
7 CYCLE HALF OF OUR JURISDICTIONS ARE STILL NOT CERTIFIED
8 PROCESS HAS TAKEN LONGER THAN JURISDICTIONS EXPECTED AND
9 REQUIRES A LOT OF STAFF TIME DURING THE PERIOD WHEN MANY
10 JURISDICTIONS ARE EXPERIENCING STAFF SHORTAGES HIGH TURNOVER
11 AS THIS OF THIS MORNING 58 OF THE 109 JURISDICTIONS NOW
12 CERTIFIED UP TO 53 SHOWN ON YOUR SLIDE AGAIN THE REMAINDER ARE
13 LIKELY TO MISS THE DEADLINE IN ADDITION NEARLY HALF OUR
14 JURISDICTIONS WE NEED TO COMPLETE REZONING BY END OF JANUARY
15 TO BECOME OR REMAIN CERTIFIED BY HCD UNDER THESE CURRENT
16 POLICIES JURISDICTIONS THAT MISSED THE DEADLINE WOULD LOSE
17 AWARDS FOR PROGRAMS. THE AMOUNT AND SHARED FUNDING FOR EACH
18 PROGRAM IS SHOWN IN THE CHART. NEXT SLIDE PLEASE. SO, TO
19 ADDRESS THESE ISSUES, STAFF ARE PROPOSING A ONE YEAR GRACE
20 PERIOD FOR HOUSING ELEMENT COMPLIANCE UNDER THE PROPOSAL
21 JURISDICTIONS THAT FAILED TO MEET THE DEADLINE WOULD HAVE
22 AWARDS WITHHELD UNTIL THEY BECOME CERTIFIED JURISDICTIONS
23 WOULD HAVE UNTIL NEXT DECEMBER TO RECEIVE HCD APPROVAL. END OF
24 GRACE PERIOD OUT OF COMPLIANCE WOULD HAVE AWARDS PERMANENTLY
25 RESCINDED RECOMMENDATION INCLUDES EXCEPTIONS THAT ALIGN WITH



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1 MTC'S GOALS GIVEN FOR PDA PLANNING GRANTS THAT SPECIFICALLY
2 ADVANCE APPROVAL OR IMPLEMENTATION OF A JURISDICTION'S HOUSING
3 ELEMENT AND ALSO PROJECTS WITH ADDITIONALLY STATE OR FEDERAL
4 DISCRETIONARY FUNDS. STAFF ANTICIPATE THAT THESE REVISIONS
5 WOULD CONTINUE TO INCENTIVIZE HOUSING ELEMENT APPROVAL BY
6 WITHHOLDING FUND FROM NON-COMPLIANT JURISDICTIONS UNTIL THEY
7 RECEIVE HCD APPROVAL AND ALSO SUPPORTING REQUIRED REZONING
8 EFFORTS THROUGH PDA PLANNING GRANTS. PROPOSED APPROACH IS
9 DESIGNED TO RETAIN FUNDING FOR IMPORTANT PROJECTS THAT PROVIDE
10 BENEFITS TO THE REGION AROUND SAFETY EQUITY CLIMATE AND OTHER
11 BENEFITS. THE BALANCED PROPOSAL IS AN ATTEMPT TO RETAIN MTC'S
12 ORIGINAL POLICY OBJECTIVES WHILE SUPPORTING OUR PARTNER
13 AGENCIES AND CONTINUING TO DELIVER THESE IMPORTANT PROGRAMS.
14 NEXT SLIDE PLEASE. I'LL LEAVE YOU WITH A SUMMARY OF OUR
15 RECOMMENDED ACTIONS FOR THESE TWO ITEMS. THESE INCLUDE THE HIP
16 PROJECT SELECTION POLICIES AND PRELIMINARY AWARDS AND HOUSING
17 ELEMENT GREAT PERIOD APPROACH FOR BOTH THE HIP AND OBAG
18 PROGRAMS. INVOLVE REVISIONS TO VARIOUS MTC RESOLUTIONS AS
19 LISTED ON THE SLIDE WITH THE HIP PROGRAM OBAG 2 AND 3 AND
20 STAFF RECOMMEND THAT YOU REFER THESE REVISED RESOLUTIONS TO
21 THE COMMISSION FOR APPROVAL. WITH THAT I'M AVAILABLE FOR ANY
22 QUESTIONS
23
24 **CHAIR, CINDY CHAVEZ:** THANKS. FIRST I'M GOING SEE IF THERE ARE
25 ANY COMMENTS FROM THE PUBLIC



1

2 **CLERK OF THE BOARD:** WE HAVE ONE MEMBER OF THE PUBLIC ONLINE TO
3 PROVIDE PUBLIC COMMENT HOW MUCH TIME WOULD YOU LIKE TO GIVE.

4

5 **CHAIR, CINDY CHAVEZ:** TWO MINUTES.

6

7 **CLERK OF THE BOARD:** OKAY. CALLER MATT TOGGLE?

8

9 **SPEAKER:** YEAH. HI. GOOD MORNING. THANK YOU, COMMISSIONERS, FOR
10 HEARING ME. AND THANKS THOMAS FOR THE NOTICE ABOUT THIS. I'M
11 WITH SOLANO COUNTY. WE DO HAVE PROJECTS IN THE MIX. SOLANO
12 COUNTY HAS BEEN IN THE REVIEW CYCLE WITH HCD FOR ABOUT TEN
13 MONTHS. WE ARE HOPING TO HEAR ON DECEMBER 18TH THAT OUR THIRD
14 REVISION IS APPROVED. AND THAT WAS SOME MINOR CORRECTIONS FROM
15 THE SECOND ROUND OF REVIEW FOR US. I THINK THE ISSUE IS, WHILE
16 THIS IS A GRACE PERIOD, IT DOES PUT A FUNDING HOLD ON OUR
17 MONEY, OUR FUNDS FROM OUR FEDERAL PROJECTS, AND WHAT THAT WILL
18 MEAN IS THAT EVEN IF WE RECEIVE HCD APPROVAL, WE HAVE TO GO TO
19 OUR PLANNING COMMISSION AND OUR BOARD, JUST LIKE EVERYONE
20 ELSE, AND THEN WE HAVE TO RESUBMIT FOR OUR FINAL
21 CERTIFICATION. WE DON'T ANTICIPATE GETTING THAT UNTIL MARCH OR
22 APRIL. WHAT THAT WILL DO IS, OUR PROJECTS WILL BE REMOVED FROM
23 THE TIP EVEN AFTER APPROVAL FINAL CERTIFICATION WE WOULD THEN
24 HAVE TO RESUBMIT OUR -- A REQUEST TO GET OUR PROJECT'S TIP
25 LISTED. IF YOU CAN IMAGINE THAT CREATES QUITE A BIT OF DELAY,



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1 AND THIS IS AN AGENCY THAT'S BEEN IN A VERY LONG TIMELINE FOR
2 REVIEW. I KNOW OTHER AGENCIES ARE IN THE SAME BOAT. ABOUT HALF
3 THE REGION. IT'S A LOT OF MONEY THAT WOULD POTENTIALLY BE
4 MINIMALLY PAUSED, REMOVED, AND THEN THERE IS ALSO THE FAIL
5 CRITERIA AT THE END OF THE CYCLE. THESE EARLY DELAYS CREATE
6 DELIVERY PROBLEMS AT THE END. WE HOPE THAT THIS COMMITTEE AND
7 THE COMMISSION WILL CONSIDER A PAUSE AT LEAST AHOLD ON THE
8 AGENCIES ARE IN CURRENT REVIEW OR IN THE SUBSEQUENT REVIEW
9 PROCESS WITH HCD. THANK YOU.

10

11 **CLERK OF THE BOARD:** THANK YOU CALLER. I SEE ADDITIONAL PUBLIC
12 COMMENT ONLINE. THERE IS NO MEMBER IN THE BOARDROOM THAT WOULD
13 LIKE TO PROVIDE PUBLIC COMMENT AND NO WRITTEN CORRESPOND
14 RECEIVED.

15

16 **CHAIR, CINDY CHAVEZ:** THANK YOU. I'M GOING TO FIRST LET STAFF
17 RESPOND TO THE CALLER THEN GO TO COMMISSIONER CANEPA,
18 COMMISSIONER JOSEFOWITZ.

19

20 **SPEAKER:** WE COULD PROBABLY TAKE A LOT OF THIS DISCUSSION
21 OFFLINE BUT THE COUNTY'S PROJECT THAT WOULD BE SUBJECT TO THIS
22 PROSED GRACE PERIOD ISN'T PROGRAMMED INTO THIS FISCAL YEAR SO
23 ANTICIPATE THE SOLANO TRANSIT CENTER WE'LL WORK WITH STAFF BUT
24 LIKELY THERE WILL NOT BE DELIVERY IMPACTS IF THEY GOT THEIR
25 HOUSING ELEMENT APPROVED BY APRIL.



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1

2 **CHAIR, CINDY CHAVEZ:** I THINK THE QUESTION THAT THE SPEAKER
3 SPECIFICALLY RAISED WAS WHETHER OR NOT THERE WAS SOMETHING
4 BETWEEN FINAL CERTIFICATION AND BEING CURRENTLY IN REVIEW THAT
5 YOU ALL HAVE CONSIDERED? I THINK THAT'S WHAT HE WAS ASKING?

6

7 **SPEAKER:** SURE YES. SORRY. TO SPEAK TO THAT POINT, ALL
8 JURISDICTIONS HAVE SUBMITTED AT LEAST AN INITIAL DRAFT TO HCD
9 PROPOSE THE EXCEPTION WOULD --

10

11 **CHAIR, CINDY CHAVEZ:** WE GOT THAT GOING FOR US. COMMISSIONER
12 SCHAFF?

13

14 **LIBBY SCHAFF:** I WANT TO ACKNOWLEDGE HCD IS TAKING A LONG TIME
15 IN A LOT OF VERY WELL INTENTIONED JUDGED ACTING JURISDICTIONS
16 ARE SIMPLY VICTIMS OF THAT DELAY. ON THE OTHER HAND, I DO
17 THINK IT IS REALLY IMPORTANT THAT MTC CONTINUE ITS LEADERSHIP
18 ROLE IN ACTUALLY PUTTING SOME TEETH ON TO HOUSING ELEMENT
19 COMPLIANCE. AND I GUESS MY QUESTION IS -- AND I WANT TO
20 ACKNOWLEDGE IT'S A LITTLE MORE WORK FOR STAFF. [LAUGHTER] --
21 BUT WOULD THERE BE -- WHAT IMPACT IF ANY, THROUGH THE CHAIR,
22 WOULD THERE BE IF THE GRACE PERIOD WAS SLIGHTLY AMENDED SUCH
23 THAT IT'S A SIX-MONTH GRACE PERIOD WITH AN AUTOMATIC REQUEST
24 FROM STAFF TO THE BOARD FOR APPROVAL FOR ANOTHER SIX MONTH
25 EXTENSION AND AFTER THAT SIX MONTH PERIOD WE WOULD BE ASKING



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1 YOU AS STAFF TO KIND OF CONFIRM THAT YOU BELIEVE ALL THE
2 EXTENSIONS THAT YOU ARE REQUESTING ARE FOR JURISDICTIONS WHO,
3 IN GOOD FAITH, ARE TRYING TO COMPLY. I THINK IN SIX MONTHS
4 WE'LL HAVE A BETTER UNDERSTANDING IF IT'S JUST BUREAUCRACY IN
5 SACRAMENTO, OR RESISTANCE. SECOND PART OF MY QUESTION IS KIND
6 OF HOLDING ON FREEZING ALLOCATIONS, THE OPPORTUNITY AT THAT
7 SIX MONTH PERIOD IS IF THERE REALLY ARE PEOPLE THAT ARE NOT IN
8 GOOD FAITH TRYING TO COMPLY WITH THE HOUSING ELEMENT, WHAT
9 WOULD THE POTENTIAL BE TO REALLOCATE THOSE FUNDS TO A
10 JURISDICTION, THAT IS? THOSE ARE MY QUESTIONS. AND I APOLOGIZE
11 FOR NOT WARNING YOU THAT I WAS GOING TO ASK THEM.

12

13 **CHAIR, CINDY CHAVEZ:** COMMENTS? ARE YOU PHONING A FRIEND?

14 [LAUGHTER] ALIX?

15

16 **ALIX BOCKELMAN:** I WANT TO MAKE SURE I'M UNDERSTANDING YOUR
17 PROPOSAL. YOU'RE SAYING, INSTEAD OF THE ONE-YEAR EXTENSION, WE
18 WOULD DO A SIX MONTH EXTENSION SO THAT WE COULD REPORT BACK TO
19 THIS BOARD ON PROGRESS. I ASSUME THAT WOULD STILL INCLUDE THE
20 STAFF PROPOSAL, WHICH IS FOLKS THAT ARE NOT IN COMPLIANCE
21 WOULD HAVE THEIR FUNDS REMOVED FROM THE TIP UNTIL THEY COME
22 INTO COMPLIANCE?

23

24 **LIBBY SCHAFF:** I'M NOT -- I UNDERSTAND THAT ISSUE WAS RAISED,
25 AND OTHER COMMISSIONERS MIGHT WANT TO ASK ABOUT THAT, BUT I'M



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1 ACTUALLY NOT ADDRESSING THAT PARTICULAR ISSUE AT THIS TIME.
2 BUT, I GUESS MY DISH WOULD LIKE TO KIND OF KEEP SOME FLAME TO
3 THE FEET. AND I ALSO AM CURIOUS. AND SO THERE IS A SUGGESTION,
4 AND THERE IS A QUESTION. THE SUGGESTION IS THAT WE -- AND JUST
5 SO THAT PEOPLE AREN'T GOING TO HAVE A HEART ATTACK, I STILL
6 SEE THIS AS A ONE YEAR GRACE PERIOD. IT'S JUST AT THE SIX
7 MONTH POINT YOU HAVE TO GET PERMISSION TO GET YOUR GRACE
8 PERIOD RENEWED FOR ANOTHER SIX MONTHS. BUT, IN OTHER WORDS,
9 THE RESOLUTION WOULD MAKE IT CLEAR THAT THAT RENEWAL PROCESS
10 AUTOMATICALLY WOULD COME BEFORE THE BOARD AT THE SIX MONTH
11 PERIOD. SO THAT THE OVERALL INTENTION OF A ONE YEAR GRACE
12 PERIOD IS THERE. BUT JUST -- YOU'RE GOING TO KNOW MORE AT SIX
13 MONTHS ABOUT WHO IS REALLY TRYING AND WHO ISN'T. AND WE NEED
14 TO MAINTAIN OUR LEADERSHIP AS REALLY TAKING RHNA SERIOUSLY AND
15 PUTTING TEETH TO IT. AND I WOULD HATE FOR THOSE RESOURCES, OUR
16 GRANT FUNDS, TO GO UNUTILIZED IN THE MIDDLE OF A HOUSING
17 CRISIS WHILE WE WAIT AN EXTRA SIX MONTHS FOR JURISDICTIONS
18 THAT WE KNOW ARE NOT MAKING GOOD FAITH EFFORTS. TO THE EXTENT
19 THERE MIGHT BE. THAT'S MY PROPOSAL THEN THE QUESTION WHETHER
20 OR NOT THERE IS A PROCESS FOR REALLOCATING THOSE SUSPENDED
21 FRONT FUNDS?

22

23 **ALIX BOCKELMAN:** I'M GOING TO SEE IF DANIEL OR THOMAS WOULD TO
24 ADD IN. WE DID LOOK AT MAKING THE PERIOD SHORTER SO WE DON'T
25 LAND ON ANOTHER YEAR.



1

2 **SPEAKER:** WE DID MEET WITH SOME JURISDICTIONS THAT WERE ON THE
3 LAGGING END OF HOUSING APPROVAL AND SIX MONTHS WOULD BE
4 CUTTING IT CLOSE FOR SOME JURISDICTIONS WE THINK EVERYONE
5 SHOULD HAVE A FAIR SHOT WITHIN A YEAR OF GETTING CERTIFIED.
6 WE'RE ALREADY 11 MONTHS AFTER THE INITIAL SUBMISSION DATE AT
7 OUR CURRENT DEADLINE MAYBE DANIEL CAN CLARIFY SOME OF THE
8 CHALLENGES THAT JURISDICTIONS ARE HAVING.

9

10 **LIBBY SCHAFF:** YOU'RE NOT ACTUALLY GETTING TO MY QUESTION, IF
11 YOU DON'T MIND. DO YOU BELIEVE THAT THERE ARE JURISDICTIONS
12 THAT REALLY AREN'T -- DO YOU BELIEVE THAT A YEAR FROM NOW
13 WE'RE GOING TO HAVE JURISDICTIONS THAT ARE NOT IN COMPLIANCE
14 OF THE HOUSING ELEMENT?

15

16 **SPEAKER:** I WOULD DEFER TO CAN YELL ON THAT ONE. I WOULD SAY IN
17 OUR MEETINGS WITH STAFF, IT -- I DON'T KNOW REALLY WANT TO
18 OPINE ON GOOD FAITH EFFORT BUT JURISDICTIONS ARE TRYING TO GET
19 THEIR HOUSING ELEMENTS CERTIFIED.

20

21 **CHAIR, CINDY CHAVEZ:** IT'S BEEN A CHALLENGE. YEAH.

22

23 **SPEAKER:** DANIEL DO YOU HAVE ANYTHING.

24



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1 **DANIEL SAVER:** THROUGH THE CHAIR THIS IS DANIEL SAVER ASSISTANT
2 DIRECTOR FOR HOUSING AND LOCAL PLANNING. ONE OF THE FEATURES
3 OF THE CHALLENGE, WE HAVE JURISDICTIONS AT THIS POINT THAT
4 HAVE SUBMITTED A DRAFT IT'S COMMON ACROSS THE STATE FOR THERE
5 TO BE AN ITERATIVE PROCESS WITH STATE REGULATORS TO GET THOSE
6 DRAFTS APPROVED SO WE'RE NOT OUT OF THE ORDINARY HERE IN THE
7 BAY AREA. ADDITIONAL COMPLICATION AS THOMAS NOTED IN THE
8 PRESENTATION IS THAT AT THE END OF JANUARY OF 2024, MANY
9 JURISDICTIONS THAT HAVE ACHIEVED CERTIFICATION WILL ALSO NEED
10 TO COMPLETE REZONING. SO WE DO ANTICIPATE KIND OF EARLY IN
11 2024 HAVING A BETTER UNDERSTANDING OF WHETHER WE HAVE SOME
12 JURISDICTIONS THAT MAY CURRENTLY BE IN COMPLIANCE BUT ARE AT
13 RISK OF FALLING OUT OF COMPLIANCE. AND SO ALLOWING KIND OF
14 EXTRA TIME, A FULL YEAR THERE, ALSO, GIVES MORE FLEXIBILITY
15 FOR JURISDICTIONS THAT NEED MORE TIME TO COMPLETE THE
16 REZONING.

17

18 **LIBBY SCHAFF:** ALL RIGHT BUT I'M NOT SURE THAT YOU GUYS ARE
19 HEARING MY QUESTION. I'M STILL SUGGESTING A ONE YEAR PERIOD.
20 I'M SUGGESTING THAT HALFWAY THROUGH THAT ONE YEAR PERIOD WE
21 HAVE A CHECK IN. YOU KNOW, HAVE A, WE'RE REALLY LOOKING AT YOU
22 TO SEE IF YOU'RE SERIOUS ABOUT THIS. [LAUGHTER] I MEAN, YOU'RE
23 NOT -- YOU'RE DECLINING TO ANSWER MY QUESTION ABOUT WHETHER OR
24 NOT YOU BELIEVE THERE ARE ANY JURISDICTIONS THAT ARE ACTUALLY
25 NOT GOING TO GET INTO COMPLIANCE WITHIN A YEAR.



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1

2 **CHAIR, CINDY CHAVEZ:** MAY I FOLLOW UP -- GO AHEAD ALIX.

3

4 **ALIX BOCKELMAN:** I WAS GOING TO SAY IF THIS COMMITTEE WOULD
5 LIKE TO DO THE SIX -- IF YOU WOULD LIKE TO DO THAT WE CAN COME
6 BACK AND PROVIDE THAT INFORMATION IN SIX MONTHS IT'S REALLY UP
7 TO THIS BODY. WE'RE NOT CONCERNED ABOUT ADDITIONAL WORK WE
8 WANT TO MAKE SURE EVERYBODY HAS GOOD INFORMATION ABOUT
9 PROGRESS. IN FACT I THINK THROUGH VARIOUS OTHER COMMITTEES
10 WE'RE PROVIDING ONGOING UPDATES ON COMPLIANCE. SO, I STILL
11 DON'T KNOW IF THAT'S YOUR QUESTION, BUT WE'RE OPEN TO GETTING
12 DIRECTION FROM THIS BODY TO TAKE ADDITIONAL TRANCHES WITH SOME
13 ADDITIONAL INFORMATION.

14

15 **CHAIR, CINDY CHAVEZ:** I THINK ONE OF THE QUESTIONS -- SO I'M --
16 YEAH, IT WAS REALLY FUNNY EVERYONE WAS SHAKING THEIR HEADS IN
17 DIFFERENT DIRECTIONS IT WAS CONFUSING FOR A MOMENT FROM YOU
18 TWO. IF YOU COULD RESPOND TO OTHER QUESTIONS, I THINK THE MAIN
19 ISSUE IS -- I THINK WHAT COMMISSIONER SCHAFF IS ASKING THAT
20 MAKES A LOT OF SENSE IS WITH THE SIX MONTH CHECK IN
21 MAINTAINING THE ONE YEAR, DOES IT INCENTIVE SOME JURISDICTIONS
22 TO BE MORE URGENT BECAUSE THEY DO SEE THAT THEY HAVE OBAG
23 MONEY COMING? THAT'S REALLY WHAT THE QUESTION IS. LET YOU
24 NOODLE ON THAT. I'LL GO COMMISSIONER CANEPA, THEN JOSEFOWITZ,
25 THEN YOU GINA.



1

2 **DAVID CANEPA:** THANK YOU VERY MUCH FOR THE PRESENTATION. I
3 THINK WE SHOULD MOVE FORWARD WITH A GRACE PERIOD. I'M GOING TO
4 SAY THIS. I UNDERSTAND WHERE PEOPLE ARE COMING FROM. THE SIX
5 MONTHS MAKES SENSE TO ME. I THINK WE HAVE A REAL PROBLEM HERE.
6 WE HAVE 56 CITIES THAT ARE UNCERTIFIED. THE OTHER ISSUE
7 THAT'S, SORT OF, IN THE BACKDROP IS, YOU KNOW, WHAT HAPPENS IN
8 FEBRUARY. I GUESS WHAT I WOULD LIKE TO UNDERSTAND FROM STAFF
9 IS, HOW DID WE COME UP WITH THIS ONE YEAR GRACE PERIOD?

10

11 **SPEAKER:** THANK YOU. WE MET WITH JURISDICTIONS ON THE LAGGING
12 EDGE OF GETTING HOUSING ELEMENTS APPROVED.

13

14 **CHAIR, CINDY CHAVEZ:** HE'S LOOKING AT ME BY THE WAY --

15

16 **SPEAKER:** NOT ON PURPOSE.

17

18 **CHAIR, CINDY CHAVEZ:** [LAUGHTER]

19

20 **SPEAKER:** SIX MONTHS WOULD BE CUTTING IT CLOSE FOR A FEW
21 JURISDICTIONS. NINE MONTHS WOULD PROBABLY BE ENOUGH BUT AGAIN
22 IT'S HARD TO PREDICT THIS ITERATIVE PROCESS WITH HCD SO WE
23 FELT A YEAR WAS A SAFE -- WOULD CAPTURE EVERYONE WHO IS MAKING
24 GOOD FAITH EFFORT TO MAKE THEIR HOUSING ELEMENT.

25



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1 **DAVID CANEPA:** COULD YOU TALK ABOUT THE ECONOMIC IMPACT IN
2 REGARDS TO FUNDING? WHAT THAT NUMBER LOOKS LIKE? IN THE CASE,
3 YOU KNOW, THERE ISN'T COMPLIANCE?

4

5 **SPEAKER:** SURE. SO, I CAN GET BACK TO YOU WITH MORE DETAILS IF
6 YOU DON'T HAVE THE NUMBERS YOU'RE LOOKING FOR. BUT IT WAS
7 AROUND \$115 MILLION THAT WOULD BE RESCINDED UNDER THE CURRENT
8 POLICY, JUST ABOUT HALF OF THE JURISDICTIONS IF WE JUST DID
9 NOTHING WOULD LOSE THEIR FUNDING. AND THEN A SMALLER SUBSET OF
10 THAT, JURISDICTIONS ARE PLANNING TO USE IN THE NEXT YEAR. SO
11 THAT ARE THE PROJECTS THAT WOULD HAVE OPPORTUNITY TO BE
12 DELAYED, ESSENTIALLY, RIGHT? BECAUSE THEY'RE PLANNING ON USING
13 THE MONEY THIS YEAR AND WE WOULD BE WITHHOLDING IT. I THINK
14 THAT'S SOMEWHERE TO THE TUNE OF \$20 MILLION, IF THAT HELPS
15 ANSWER THE QUESTION?

16

17 **DAVID CANEPA:** YEAH. SO, THOSE ARE REALLY SIGNIFICANT NUMBERS.
18 YOU KNOW, I HEAR FROM MY COLLEAGUES, AND I AGREE WITH THEM
19 OBVIOUSLY WE HAVE TO MOVE. SOME CITIES THERE HAS TO BE SOME
20 URGENCY. I HAVE SOME EMPATHY TO SOME CITIES THAT MAY NOT HAVE
21 THE TECHNICAL EXPERTISE OR THERE MAY BE A DELAY. I'M HOPEFUL.
22 I'M ALSO OPTIMISTIC THAT CITIES ARE REALLY TRYING TO FIGURE
23 THIS OUT AND TO MOVE INTO THE RIGHT DIRECTION. DIRECTION OF
24 COMPLIANCE. IF YOU ARE A LARGER CITY, YOU HAVE THE STAFFING,
25 YOU HAVE THE ABILITY TO PUT ALL OF THIS TOGETHER, RIGHT?



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1 REALLY, MAYBE A LITTLE BIT EASIER THAN IF YOU ARE A CITY THAT
2 MAY NOT HAVE THE STAFFING LEVELS, OR YOU OUTSOURCE YOUR
3 STAFFING. YOU KNOW, WHERE I LAND ON THIS IS, REALLY, I THINK
4 WHAT YOU PUT FORTH TODAY MAKES A LOT OF SENSE. BUT I DO
5 BELIEVE THAT YOU MAY HAVE TO CHECK IN WITH US, WHETHER IT'S
6 THE SIX MONTHS. BUT IT MAY BE A YEAR. THERE MAY BE SOME THAT
7 MAY NOT BE COMPLIANT. AND I WOULD BE CURIOUS TO KNOW WHY,
8 AFTER THE GRACE PERIOD. MAYBE IT'S INTENTIONAL. MAYBE IT'S NOT
9 INTENTIONAL. BUT I THINK WHAT'S BEFORE US IS TRULY A BALANCED
10 APPROACH. IT'S AN APPROACH THAT I COULD SUPPORT AND THAT I
11 UNDERSTAND IN TERMS OF THE STAFF THINKING YEAH, WE HAVE --
12 THIS IS STATE LAW, RIGHT, WHEN WE TALK ABOUT HCD. THESE ARE
13 STATE REQUIREMENTS. BUT AT THE SAME TIME, JUST WANT TO MAKE
14 SURE WITH THE CITIES THAT WE CONTINUE TO WORK WITH THEM AND
15 REALLY GETTING THEM IN THE RIGHT DIRECTION. I THINK WHAT'S
16 BEFORE US IS QUITE REASONABLE IN GETTING US THERE.

17

18 **CHAIR, CINDY CHAVEZ:** LIBBY WANTED TO CLARIFY A LITTLE BIT.

19

20 **LIBBY SCHAFF:** I SAW COMMISSIONER PAPAN'S HEAD SHAKING A BIT. I
21 HAVE -- I'M -- I'M ANTICIPATING WHAT YOUR CONCERNS ARE, AND
22 I'M GOING TO TRY AND ADDRESS THEM. COMMISSIONER PAPAN, THOUGH,
23 YOU CAN LISTEN TO ME? SINCE I'M -- THIS IS FOR YOU. [LAUGHTER]
24 HERE IS ANOTHER WAY TO ADDRESS MY CONCERN, IN A WAY THAT MIGHT
25 BE LESS TROUBLESOME TO PEOPLE WHICH IS WE KEEP IT A ONE YEAR



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1 GRACE PERIOD. BUT WE REQUEST THAT YOU REPORT TO US IN SIX
2 MONTHS ON EVERYONE'S PROGRESS. IN ADDITION TO REPORTING ON THE
3 PROGRESS TOWARDS CERTIFICATION OF HOUSING ELEMENTS COULD YOU
4 ALSO AT THAT TIME REPORT ON ANY STRATEGIC EXCEPTIONS BECAUSE I
5 THINK IT WOULD BE HELPFUL FOR US TO HAVE THE ASSURANCE THAT
6 THESE STRATEGIC EXCEPTIONS ARE NOT UNDERMINING OUR OVERALL
7 POLICY. NOW, AT THAT TIME, AT THAT SIX MONTH CHECK IN, THEN IT
8 WOULD BE AN OPPORTUNITY FOR US IF WE BELIEVE THAT THE ONE YEAR
9 WAS TOO LONG FOR CERTAIN JURISDICTIONS, WE ALWAYS COULD TAKE
10 ACTION TAD AT THAT TIME, I BELIEVE THAT WOULD ADDRESS MY
11 CONCERNS ARE AND ON PROGRESS TOWARDS CERTIFICATION AND THEN
12 STILL ONE YEAR GRACE PERIOD AND I'M HOPING THAT WILL MAKE
13 COMMISSIONER PAPAN SHAKE HER HEAD LESS.

14

15 **CHAIR, CINDY CHAVEZ:** COMMISSIONER JOSEFOWITZ?

16

17 **NICK JOSEFOWITZ:** YOU CAN FIND IS THERE ANYTHING IN COMMON THAT
18 MANY OF THE JURISDICTIONS THAT ARE NOT IN COMPLIANCE SHARE AND
19 THOSE IN COMPLIANCE SHARE? I COULDN'T HELP BUT NOTICE THAT 90%
20 OF THE HIP FUNDING, WHICH IS AFFORDABLE HOUSING BUILT NEAR
21 TRANSIT WAS GOING TO JURISDICTIONS THAT ARE IN COMPLIANCE
22 WHICH MIGHT INDICATE THAT WHILE THERE MIGHT BE SOME PEOPLE WHO
23 ARE JUST STUCK IN A PROCESS, THERE ALSO SEEMS TO BE SOMETHING
24 ABOUT JURISDICTIONS THAT ARE COMING INTO COMPLIANCE, PRODUCING



1 MORE AFFORDABLE -- PRODUCING AND PRESERVING MORE AFFORDABLE
2 HOUSING NEAR TRANSIT.

3

4 **SPEAKER:** THROUGH THE CHAIR. THANK YOU COMMISSIONER. I CAN
5 START OUT AND MAYBE DANIEL CAN HELP ME OUT WITH THIS ONE TOO.
6 THERE WERE TWO THEMES, ONE WAS STAFFING AND THE OTHER WAS
7 ABILITY TO MOVE THIS ALONG AS QUICKLY AS NEEDED. NOT REALLY
8 WILL, BUT RESOURCES TO DO IT THEN WE HAVE RESPONSIVENESS FROM
9 HCD AROUND ADVOCACY AND HOUSING ELEMENTS. HOUSING ELEMENTS
10 HAVE RECEIVED PARTICULAR ATTENTION FROM ADVOCATES AND HAVE
11 REQUIRED MORE CYCLES TO ADDRESS THOSE COMMENTS. BUT DANIEL
12 MIGHT WANT TO ADD MORE.

13

14 **DANIEL SAVER:** THROUGH THE CHAIR, I CONCUR WITH THOSE POINTS
15 AND TO UNDERSCORE THE CAPACITY ISSUE WE HAVE MANY LOCAL
16 GOVERNMENTS THAT ARE EXTREMELY STRAINED IN TERMS OF THEIR
17 STAFF CAPACITIES, WITH VACANCIES, THERE IS ALSO CHALLENGES IN
18 THE CONSULTING MARKET WE HAVE JURISDICTIONS THAT HAVE PUT OUT
19 RFPS FOR HOUSING CONSULTANTS AND GOT NO BIDS ON THEM. I WOULD
20 NOTE A TREND, THERE WERE JURISDICTIONS THAT DIDN'T GET STARTED
21 IN THIS PROCESS UNTIL QUITE LATE FOR THOSE JURISDICTIONS IT'S
22 CHALLENGING TO MEET TIMELINES BECAUSE THERE IS A LOT OF
23 ANTICIPATED BACK AND FORTH IN THE STATUTORY STRUCTURE. YOU
24 HAVE TO SUBMIT A DRAFT. HCD HAS 90 DAYS TO COMMENT ON THE
25 DRAFT. THEN YOU HAVE TO SUBMIT A FINAL. HCD HAS 60ED DAYS TO



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1 COMMENT ON EACH FINAL SUBMITTED DRAFT SO GETTING A LATE START
2 IS GOING TO -- WE SEE A LOT OF JURISDICTIONS CHALLENGED THERE,
3 DISADVANTAGED BY NOT HOPPING ON THIS EARLY. THAT MAY BE A
4 CONSEQUENCE OF THEIR STAFFING CONSEQUENCE AND ABILITY TO DO
5 SO.

6

7 **NICK JOSEFOWITZ:** PLEASANTON IS CERTIFIED, DUBLIN IS NOT ORINDA
8 IS, LAFAYETTE IS NOT. THERE ARE? CERTIFIED SOME ARE NOT.
9 SPECIFICALLY TALKING TO THE HIP ALLOCATION, IS IT A
10 COINCIDENCE THOSE ARE THE CERTIFIED PRODUCING ALL THE REGIONS
11 AFFORDABLE HOUSING NEAR TRANSIT? IS THAT SOMETHING INDICATIVE
12 THOSE ARE THE CHARACTERISTICS OF THE JURISDICTIONS NOT GETTING
13 CERTIFIED TODAY AND ARE ALSO NOT ONES WHO ARE ENABLING
14 AFFORDABLE HOUSING NEAR TRANSIT?

15

16 **SPEAKER:** THROUGH THE CHAIR, I WOULD SAY THE HIP PROGRAM IS
17 CHARACTERIZE BY SAN FRANCISCO RECEIVING 50% IF YOU ARE LOOKING
18 AT PERCENTAGES MAYBE SET THAT ASIDE AS A UNIQUE CASE. BUT I
19 DON'T THINK I'M PREPARED TO COMMENT ON WHETHER OR NOT THE HIP
20 JURISDICTIONS ARE DOING BETTER ON THEIR HOUSING ELEMENT
21 PROCESS. BUT THAT'S SOMETHING TO LOOK INTO.

22

23 **NICK JOSEFOWITZ:** BECAUSE I KNOW FOR INSTANCE IN SAN FRANCISCO
24 THE REASON WE MIGHT NOT HAVE COME INTO COMPLIANCE WITH OUR
25 HOUSING ELEMENT, OBVIOUSLY NOT TO DO WITH STAFFING, PLENTY OF



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1 THAT -- IT WAS VERY MUCH DUE TO A DESIRE NOT TO COME INTO
2 COMPLIANCE BY CERTAIN, SORT OF, MEMBERS OF THE -- DECISION
3 MAKERS, I SHOULD SAY. [LAUGHTER] WHO HAD A ROLE TO PLAY HERE.
4 AND I THINK, FORTUNATELY, WE ARE CURRENTLY IN COMPLIANCE, BUT
5 IT FEELS LIKE A WEEK TO WEEK THING SOMETIMES. AND NOT BECAUSE
6 I THINK HCD DELAYS OR ANYTHING LIKE THAT. I'M -- I APPRECIATE
7 THAT THERE ARE SOME JURISDICTIONS, MAYBE MANY JURISDICTIONS
8 THAT ARE VERY -- THAT HAVE DONE EVERYTHING THAT THEY CAN. THIS
9 IS A COMPLICATED PROCESS. IT IS THE FIRST TIME THAT THIS IS
10 HAPPENING, WITH THE LEVEL OF INTENSITY THAT IT'S HAPPENING.
11 SOME JURISDICTIONS MAY NOT HAVE APPRECIATED THAT THIS WAS
12 GOING TO BE AS COMPLICATED AND DIFFICULT AS IT WAS. BUT, I AM
13 NOT GOING TO VOTE FOR, JUST A, SORT OF, BLANKET ONE MONTH, ONE
14 YEAR EXTENSION. I THINK THAT WE SHOULD BE FINDING A WAY TO
15 KIND OF ALIGN OUR EXTENSIONS WITH THE KIND OF THE -- WITH THE,
16 SORT OF, -- AND HAVE, SORT OF, CHECK-INS LONG THE WAY TO MAKE
17 SURE THAT WE ARE PROVIDING THE, SORT OF, THE APPROPRIATE --
18 THE INCENTIVE THAT WE HAD INTENDED TO PROVIDE BY PUTTING THIS
19 REQUIREMENT IN FOR THE CITIES TO COMPLY WITH STATE LAW. AND I
20 KNOW THAT IN SAN FRANCISCO, THE THREAT OF LOSING FUNDING WAS
21 ONE OF THE BIG INCENTIVES FOR SAN FRANCISCO TO COME INTO
22 COMPLIANCE WITH STATE HOUSING ELEMENTS. OF COURSE, BUILDERS
23 REMEDY BEING ONE OF THEM. AND I FEEL THAT WE ARE, TO A CERTAIN
24 EXTENT, UNDERMINING STATE LAW BY GRANTING THIS UNILATERAL
25 EXTENSION. COULD YOU GIVE ME -- COULD YOU ALSO HELP ME



1 UNDERSTAND WHAT THE -- THERE WAS TWO EXEMPTIONS, THE PA
2 PLANNING GRANTS, OBVIOUSLY HOUSING ELEMENTS MAKES SENSE, THE
3 STATE FEDERAL DISCRETIONARY FUNDS HOW MUCH ARE WE TALKING
4 ABOUT THERE AND WHAT ARE SOME OF THESE PROJECTS?

5

6 **SPEAKER:** YES. CERTAINLY, THROUGH THE CHAIR. I BELIEVE THERE
7 ARE FIVE PROJECTS THAT QUALIFY FOR THAT EXEMPTION. AND THEY
8 TOTAL AROUND ABOUT \$40 MILLION AND WE WOULD BE, SORT OF,
9 PRESERVING A SIMILAR AMOUNT, ABOUT \$40 MILLION OF OTHER
10 COMPETITIVE FUND FIGURE WE WERE TO REMOVE THAT FUNDING FROM
11 THE TIP, THAT WOULD JEOPARDIZE THE STATE AND FEDERAL GRANTS TO
12 THOSE PROJECTS AND THEREFORE TO THE REGION.

13

14 **NICK JOSEFOWITZ:** IF YOU COULD FOLLOW UP WITH US WHAT THOSE
15 PROJECTS ARE, THAT WOULD BE HELPFUL.

16

17 **SPEAKER:** ABSOLUTELY.

18

19 **CHAIR, CINDY CHAVEZ:** THANK YOU VERY MUCH. GINA?

20

21 **GINA PAPAN:** THANK YOU.

22

23 **LYNDA HOPKINS:** LOOK THE REALITY FOR THOSE IN THE REALM RIGHT
24 NOW, IS HCD IS UNDERSTAFFED, FIRST AND FOREMOST, AND THEY KEEP
25 CHANGING STAFF, WHEN A CITY COMPLIES THEN THEY KEEP CHANGING



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1 THE RULES. I CAN TELL YOU FOR A FACT THAT LEGISLATORS ARE
2 TRYING TO DEAL WITH HCD BECAUSE THEY KEEP CHANGING THE RULES,
3 AND THIS BOARD SHOULD NOT BE CHANGING -- HCD ACTUALLY HAS AN
4 ENFORCEMENT ASPECT TO IT. THEY SHOULD BE WORKING CLOSELY WITH
5 JURISDICTIONS TO GET PEOPLE INTO ON COMPLIANCE. BUT THE FACT
6 IS THEY HAVE BEEN COMPLETELY INCONSISTENT. WHEN PEOPLE SUBMIT
7 THEIR ELEMENTS THEY HAVE BEEN PASTING AND COPYING RESPONSES
8 THAT MAKE NO SENSE, WHATSOEVER. SO, PLEASE, UNDERSTAND MOST
9 EVERY JURISDICTION IS TRYING TO COMPLY. AND AS DANIEL SAID
10 EARLIER, ACTUALLY GETTING QUALIFIED STAFF TO HELP A
11 JURISDICTION HAS BEEN DIFFICULT. HAS BEEN VERY, VERY
12 DIFFICULT. WE ALL HAVE THOUSANDS OF HOUSING UNITS WHICH ARE
13 INSTALLED, THAT WE WANT TO MOVE ALONG HERE. SO, A YEAR, I
14 THINK ONE OF THE SLIDES THAT WAS PRESENTED -- I THINK FOSTER
15 CITY WAS GIVEN A YEAR BY HCD. SO WHY ARE WE COULD HOLIER THAN
16 THOU, TO SAY, AND ASSUME THAT JURISDICTION JURISDICTIONS ARE
17 NOT TRYING THEIR HARDEST TO COMPLY, BECAUSE I ASSURE YOU THEY
18 REALLY ARE. IF YOU WANT A SIX-MONTH CHECK-IN, FINE. I HAVE NO
19 PROBLEM WITH THAT. BUT FIND OUT EXACTLY WHY. THAT IS ONLY FAIR
20 AND APPROPRIATE HERE. THIS BODY IS NOT THE ONE TO ENFORCE
21 STATE LAW. HCD IS DOING THAT. THAT'S WHAT THEY ARE TRYING TO
22 DO. FUNDING IS DIRECTLY TIED TO THAT. AND WE ALL WANT THE
23 FUNDING. TRUST ME. WE WANT TO MAKE THESE THINGS HAPPEN. I HAVE
24 GOT 488 UNITS INSTALLED, BECAUSE OF HIGH SPEED RAIL. IT'S
25 TOTALLY APPROVED. SO, LET'S NOT BE PRESUMPTUOUS IN OUR



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1 ASSUMPTIONS ABOUT JURISDICTIONS. IF YOU WOULD LIKE TO HAVE A
2 SIX MONTH CHECK-IN, I THINK THAT'S FINE. BUT IT LOOKED LIKE,
3 FROM THE SLIDES, THAT HCD IS EXTENDING SOME OF THE COMPLIANCE
4 PERIODS, AND WE NEED TO RESPECT THAT. WE DO NOT NEED TO ADD
5 ADDITIONAL PRESSURE TO THE JURISDICTIONS. BECAUSE, BELIEVE ME,
6 WE'RE ALL TRYING TO FIGURE OUT -- JURISDICTIONS ARE SPENDING
7 THOUSANDS -- ALMOST HUNDREDS OF THOUSANDS OF DOLLARS TO
8 COMPLY. AND YOU NEED TO REALIZE THAT, THAT'S FUNDING THAT CAN
9 BE USED IN SO MANY DIFFERENT WAYS FOR OUR JURISDICTIONS. SO,
10 LET'S NOT BE PRESUMPTUOUS. IF YOU WANT SIX MONTH CHECK-INS,
11 THAT'S TOTALLY FINE, BUT DO NOT INSERT OURSELVES INTO THE
12 PROCESS WHICH HCD HAS RIGHT NOW, THEY HAVE ENFORCEMENT ARM. SO
13 LET'S BE FAIR AND APPROPRIATE HERE HOW WE PROGRESS. SO, THE
14 STAFF REPORT, I THINK IS APPROPRIATE. ONE YEAR, IF YOU WOULD
15 LIKE TO ADD IN SOME, SORT OF, SIX-MONTH CHECK-IN TO BE
16 EDUCATED, BECAUSE I'M SURE YOU WILL FIND OUT WHY SOME
17 JURISDICTIONS HAVEN'T HAD THE CERTIFICATION YET. AND A LOT OF
18 IT IS RELATED TO HCD STAFF. SO, PLEASE, THE FACTS ARE VERY
19 SIMPLE WHEN YOU'RE IN THE PROCESS. WHEN YOU ARE OUTSIDE
20 LOOKING IN, WE'RE MAKING A LOT OF ASSUMPTIONS THAT DO NOT
21 EXIST.

22

23 **CHAIR, CINDY CHAVEZ:** GINA THANK YOU. AND I KNOW I MADE YOU
24 WAIT. WE'RE GOING LOSE OUR QUORUM IN 30 SECONDS. WHAT I WANT
25 TO DO IS, I STILL HAVE FOLKS WHO WANT TO WEIGH IN. I'M GOING



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1 TO ASK COMMISSIONER SCHAFF AND COMMISSIONER MILEY TO BE BRIEF
2 AND THEN WE'RE GOING TO TAKE A VOTE.

3

4 **LIBBY SCHAFF:** ALL RIGHT. I THINK THE GOT THE QUESTION. THE SO,
5 A SIX MONTH CHECK-IN. I THINK WE MIGHT WANT TO NOTICE IT NOT
6 JUST AS AN INFORMATIONAL REPORT, BUT AS A REPORT WITH POSSIBLE
7 ACTION SO THAT WE HAVE THE OPPORTUNITY TO REAFFIRM THE POLICY
8 WITH REGARD TO THE ONE-YEAR -- THE -- BOTH THE EXCEPTIONS THAT
9 ARE BEING GRANTED. SO I JUST WANT IT NOTED SUCH THAT WE CAN --
10 PART OF THE IDEA IS TO REAFFIRM THAT THOSE POLICIES ARE
11 WORKING. SO IT'S A CHECK-IN, IT'S A REAFFIRMING OF THE POLICY.
12 AND THAT ADDRESSES MY CONCERNS. THANK YOU.

13

14 **V. CHAIR, NATE MILEY:** YEAH. I JUST WANTED TO SAY THAT I WOULD
15 BE REMISS IF I DIDN'T WEIGH IN. BECAUSE IN ALAMEDA COUNTY, OUR
16 PLANNING DIRECTOR, PUBLIC WORKS DIRECTOR, WE WANT TO COMPLY.
17 IT'S A STAFFING ISSUE. AND IT'S A WORKLOAD ISSUE.

18

19 **CHAIR, CINDY CHAVEZ:** AND IT'S AN INCONSISTENCY ISSUE. IT'S ALL
20 THE THINGS. OKAY. SO, MAY I GET A MOTION ON THE FLOOR?

21

22 **DAVID CANEPA:** THROUGH THE CHAIR. YOU CAN CLARIFY -- I'M SORRY.
23 CAN YOU CLARIFY THAT AGAIN, I JUST WANT TO UNDERSTAND, IT'S A
24 YEAR GRACE PERIOD, AND THEN IT'S JUST A CHECK-IN. MEANING
25 THERE IS NO ACTION, JUST A STAFF REPORT BACK TO US? THANK YOU.



1

2 **LIBBY SCHAFF:** I'M NOT A VOTING MEMBER, JUST A COMMENT, ASK FOR
3 STAFF TO FORWARD THE RECOMMENDATION TO THE COMMISSION AND
4 REQUEST IN SIX MONTHS A REPORT ON JURISDICTIONS STILL WITHOUT
5 CERTIFICATION, AND WHICH EXCEPTIONS HAVE BEEN GRANTED WITH AN
6 OPPORTUNITY TO REAFFIRM THOSE POLICIES.

7

8 **DAVID CANEPA:** OKAY. OF I'LL MOVE THAT ITEM.

9

10 **CHAIR, CINDY CHAVEZ:** WE HAVE A MOTION AND WE HAVE A SECOND.
11 THANK YOU. ANY OTHER DISCUSSION ON THE MOTION? I'M GOING TO
12 ASK FOR A ROLL CALL VOTE.

13

14 **CLERK OF THE BOARD:** THANK YOU, CHAIR. WITH A FIRST BY
15 COMMISSIONER CANEPA, AND SECOND BY COMMISSIONER MILEY. CHAIR
16 CHAVEZ?

17

18 **CHAIR, CINDY CHAVEZ:** AYE.

19

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

21

22 **V. CHAIR, NATE MILEY:** AYE.

23

24 **CLERK OF THE BOARD:** ABE-KOGA?

25



1 **MARGARET ABE-KOGA:** AYE.

2

3 **CLERK OF THE BOARD:** COMMISSIONER CANEPA?

4

5 **DAVID CANEPA:** AYE.

6

7 **CLERK OF THE BOARD:** COMMISSIONER FLEMING IS ABSENT.

8 COMMISSIONER GLOVER IS ABSENT. COMMISSIONER JOSEFOWITZ?

9

10 **NICK JOSEFOWITZ:** NAY.

11

12 **CLERK OF THE BOARD:** COMMISSIONER JOSEFOWITZ NAY. COMMISSIONER

13 PAPAN?

14

15 **GINA PAPAN:** PAPAN AYE. AND COMMISSIONER RONEN IS ABSENT.

16 COMMISSIONER THAO IS ABSENT. THAT IS FIVE AYES, ONE NAY, AND

17 FOUR ABSENT. THE MOTION PASSES.

18

19 **CHAIR, CINDY CHAVEZ:** THANK YOU. WE'RE GOING TO GO TO ITEM SIX.

20 CAN WE STILL MEET? DID OUR MEETING JUST END? ACTUALLY ONE

21 OTHER PERSON JUST LEFT.

22

23 **KATHLEEN KANE:** THE WAY WE HAVE BEEN DOING THIS IS TO SAY THAT

24 FOR MEMBERS OF THE PUBLIC WHO HAVE TUNED IN FOR INFORMATIONAL



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1 ITEM WE CAN GO AHEAD WITH THE PRESENTATION BUT THERE SHOULDN'T
2 BE EXTENDED COLLOQUY WITH REMAINING MEMBERS. COMMITTEE.

3

4 **CHAIR, CINDY CHAVEZ:** IF IT'S OKAY, WE'RE GOING TO HAVE OUR
5 PRESENTATION ON THE CALIFORNIA TRANSPORTATION COMMISSION AND
6 THEN WRAP UP WITH PUBLIC COMMENT.

7

8 **SPEAKER:** THANK YOU COMMISSIONERS I'LL MAKE IT BRIEF. CTC IN
9 THE LAST WEEK IN RIVERSIDE AND I WANT TO HIGHLIGHT ONE GOOD
10 NEWS STORY. WE GOT \$56 MILLION ALLOCATED TO THE REGION FROM
11 THE LOCAL TRANSPORTATION CLIMATE ADAPTATION PROGRAM. A NEW
12 PROGRAM WITH STATE AND FEDERAL FUNDS. 6 MILLION TO A BART
13 PROJECT, AND 50 MILLION FOR THE SR37 PROJECT IN THE NORTH BAY.
14 SO, I WANTED TO REPORT ON THAT. THE NEXT MEETING WILL BE AT
15 THE END OF JANUARY IN MODESTO. THANK YOU.

16

17 **CHAIR, CINDY CHAVEZ:** EXCELLENT. THANK YOU. AND THEN WE'RE
18 GOING SEE IF ARE THERE ANY PUBLIC SPEAKERS FOR PUBLIC COMMENT

19

20 **CLERK OF THE BOARD:** THERE IS NO PUBLIC COMMENT ONLINE. NO
21 MEMBER OF THE PUBLIC IN THE ROOM THAT WOULD LIKE TO PROVIDE
22 PUBLIC COMMENT AND NO WRITTEN CORRESPOND WAS RECEIVED.

23

24 **CHAIR, CINDY CHAVEZ:** CLOSING PUBLIC COMMENT. I'M GOING TO
25 ADJOURN OUR MEETING. THANK YOU ALL VERY, VERY MUCH. STAFF DID



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1 A GREAT JOB. AND ANYTHING ON CONSENT, IT WAS EASY TO READ AND
2 WE WEREN'T GOING TO TORTURE YOU ALL. THANK YOU, ALL.
3 [ADJOURNED]
4



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