

**METROPOLITAN  
TRANSPORTATION  
COMMISSION**  
**Meeting Transcript**



OCTOBER 13, 2023

1 **JOINT MTC PLANNING COMMITTEE AND ABAG ADMINISTRATIVE COMMITTEE**

2 **FRIDAY, OCTOBER 13<sup>TH</sup>, 2023, 9:45 AM**

3

4

5 **JAMES P. SPERING, MTC CHAIR:** GOOD MORNING, EVERYONE. I WOULD  
6 LIKE TO CALL THE JOINT MEETING OF PLANNING COMMITTEE WITH THE  
7 ABAG ADMINISTRATIVE COMMITTEE. THIS MEETING IS BEING WEBCAST  
8 ON THE MTC ABAG WEB SITE CONSISTING OF SIMULTANEOUS  
9 TELECONFERENCE LOCATIONS AS INDICATED ON THE AGENDA. JESSE IS  
10 PRESENT. THANK YOU, JESSE. MEMBERS OF THE PUBLIC PARTICIPATING  
11 BY ZOOM WISHING TO SPEAK SHOULD USE THE RAISED HAND FEATURE OR  
12 DIAL STAR 9 AND I WILL CALL UPON THEM AT THE APPROPRIATE TIME.  
13 TELECONFERENCE ATTENDEES WILL BE CALLED UPON BY THE LAST FOR  
14 DIGITS OF THEIR PHONE NUMBER. A ROLL CALL VOTE WILL BE TAKEN  
15 FOR ACTION ITEMS DUE TO REMOTE COMMITTEE MEMBER PARTICIPATION.  
16 JESSE WITH YOUR OKAY I'LL CALL THE ROLL CALL FOR THE PLANNING  
17 COMMITTEE. MTC PLANNING COMMITTEE. WE'LL DO OUR CONSENT  
18 CALENDARS THEN I'LL TURN IT OVER TO YOU.

19

20 **JESSE ARREGUIN, ABAG CHAIR:** THANK YOU.

21

22 **JAMES P. SPERING, MTC CHAIR:** OKAY. WITH THAT TAKE THE ROLL  
23 PLEASE OF THE MTC PLANNING COMMITTEE. CLERK, MARTHA SILVER:  
24 CHAIR SPERING?

25



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1 **JAMES P. SPERING, MTC CHAIR:** PRESENT. CLERK, MARTHA SILVER:  
2 VICE CHAIR AHN?

3

4 **V. CHAIR, EDDIE AHN, MTC:** HERE. CLERK, MARTHA SILVER: CANEPA?

5

6 **DAVID CANEPA:** HERE DUTRA-VERNACI IS ABSENT. GIACOPINI? YOU  
7 HAVE TO UNMUTE YOURSELF BUT WE'LL LOOP BACK.

8

9 **CAROL DUTRA-VERNACI:** HERE. CLERK, MARTHA SILVER: COMMISSIONER  
10 MAHAN IS ABSENT. MOULTON-PETERS?

11

12 **STEPHANIE MOULTON-PETERS:** HERE. CLERK, MARTHA SILVER: NOACK?

13

14 **SUE NOACK:** HERE. CLERK, MARTHA SILVER: WE HAVE A QUORUM.

15

16 **JAMES P. SPERING, MTC CHAIR:** NEXT ITEM IS THE MTC PLANNING  
17 COMMITTEE CONSENT CALENDAR. MOTION TO APPROVE?

18

19 **SPEAKER:** MOTION.

20

21 **SPEAKER:** SECOND.

22

23 **JAMES P. SPERING, MTC CHAIR:** IS THERE ANY PUBLIC COMMENTS OR  
24 ANY SPEAKERS? CLERK, MARTHA SILVER: THERE WAS NO WRITTEN



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1 CORRESPOND RECEIVED ON THIS ITEM NO MEMBERS IN ZOOM WISHING TO  
2 SPEAK AND NO ONE IN THE BOARDROOM WISHING TO SPEAK.

3

4 **JAMES P. SPERING, MTC CHAIR:** IF WE HAVE A MOTION AND SECOND  
5 THERE IS NO FURTHER DISCUSSION TAKE THE ROLL PLEASE. CLERK,  
6 MARTHA SILVER: SPERING?

7

8 **JAMES P. SPERING, MTC CHAIR:** YES. CLERK, MARTHA SILVER: AHN?

9

10 **V. CHAIR, EDDIE AHN, MTC:** AYE. CLERK, MARTHA SILVER: CANEPA?

11

12 **DAVID CANEPA:** AYE. CLERK, MARTHA SILVER: DUTRA-VERNACI IS  
13 ABSENT. NOACK? RABBITT?

14

15 **DAVID RABBITT:** AYE. CLERK, MARTHA SILVER: MOTION PASSES  
16 UNANIMOUSLY BY ALL MEMBERS PRESENT.

17

18 **JAMES P. SPERING, MTC CHAIR:** JESSE?

19

20 **JESSE ARREGUIN, ABAG CHAIR:** CALLING THE ADMIN COMPLETED TO  
21 ORDER. ROLL CALL. CLERK, MARTHA SILVER: ARREGUIN.

22

23 **JESSE ARREGUIN, ABAG CHAIR:** PRESENT. CLERK, MARTHA SILVER:  
24 EKLUND?

25



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1 **PAT ECKLUND:** PRESENT. CLERK, MARTHA SILVER: LEE IS NOT PRESENT  
2 BUT THE TELECONFERENCE LOCATION IS ACTIVE. SUPERVISOR RABBITT?

3

4 **DAVID RABBIT, MTC V. CHAIR:** PRESENT. CLERK, MARTHA SILVER:  
5 RAMOS?

6

7 **BELIA RAMOS, ABAG V. CHAIR:** HERE. CLERK, MARTHA SILVER:  
8 ROMERO?

9

10 **CARLOS ROMERO:** PRESENT. CLERK, MARTHA SILVER: SILVA? IS  
11 ABSENT. QUORUM IS PRESENT.

12

13 **JESSE ARREGUIN, ABAG CHAIR:** THANK YOU VERY MUCH. WE'LL MOVE TO  
14 ITEM FIVE, THE ABAG COMPENSATION ANNOUNCEMENT. IF THE CLERK  
15 COULD PLEASE READ THE COMPENSATION ANNOUNCEMENT? CLERK, MARTHA  
16 SILVER: ACCORDING TO STATE LAW I AM MAKING THE FOLLOWING  
17 ANNOUNCEMENT, THE MEMBERS OF THE ABAG BOARD IN ATTENDANCE AT  
18 THIS MEETING ARE ENTITLED TO RECEIVE PER DIEM AN AMOUNT OF  
19 \$150 AS A RESULT OF CONVENING A MEETING FOR WHICH EACH MEMBER  
20 IS ENTITLED TO COLLECT PER DIEM. THANK YOU.

21

22 **JESSE ARREGUIN, ABAG CHAIR:** THANK YOU VERY MUCH. WE'LL GO TO  
23 ITEM SIX, OF THE ABAG ADMINISTRATIVE COMMITTEE CONSENT  
24 CALENDAR. WE HAVE A RATHER EXTENSIVE CONSENT CALENDAR TODAY  
25 BECAUSE UNFORTUNATELY WE WERE NOT ABLE TO HAVE OUR EXECUTIVE



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1 BOARD MEETING LAST MONTH FOR THE VERY ISSUE COMMISSIONER  
2 SPERING HAD JUST TALKED ABOUT BECAUSE WE HAD A MEMBER WHO HAD  
3 POSTED A TELECONFERENCE LOCATION AND WAS NOT ABLE TO COME  
4 ONLINE. SO WE'RE TAKING THESE ACTIONS ON BEHALF OF THE  
5 EXECUTIVE BOARD AS THE ADMINISTRATIVE COMMITTEE. I WOULD LIKE  
6 TO FIRST ASK IS THERE ANY ITEM A MEMBER WOULD LIKE TO PULL FOR  
7 DISCUSSION? I DO NOT SEE RAISED HANDS ON ZOOM. FRED, ANY  
8 MEMBERS IN THE BOARDROOM? CLERK, MARTHA SILVER: THERE ARE NO  
9 MEMBERS IN THE BOARDROOM FOR PUBLIC COMMENT NO WRITTEN  
10 COMMENTS RECEIVED AND LOOKING AT THE ZOOM SPACE AT THE  
11 TELECONFERENCE LOCATIONS NO PUBLIC MEMBERS THERE FOR PUBLIC  
12 COMMENT THANK YOU.

13

14 **JESSE ARREGUIN, ABAG CHAIR:** ASSUMING THERE IS NO MEMBER  
15 WISHING TO PULL AN ITEM FOR FURTHER DISCUSSION WITH RESPECT TO  
16 ADOPTION OF ELECTION OF CALENDAR FOR ELECTION OF PRESIDENT AND  
17 VICE PRESIDENT AND RATIFICATION OF APPOINTMENTS OF THE  
18 CANVASSING COMMITTEE I WOULD LIKE TO THANK YOU FOR THEIR  
19 AGREEMENT TO PARTICIPATE IN THE CANVASSING COMMITTEE DAVID  
20 RABBITT AND COUNCIL MEMBER ROMERO TO THE CANVASSING COMMITTEE  
21 I WOULD LIKE TO ASK IS THERE A THIRD VOLUNTEER THAT WOULD LIKE  
22 TO SERVE ON THE CANVASSING COMMITTEE? OKAY. FRED DO WE NEED TO  
23 HAVE THREE PEOPLE? OR IS TWO -- CLERK, MARTHA SILVER: YES. THE  
24 POLICY STATES AT LEAST THREE CANVASSING COMMITTEE MEMBERS.

25



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1 **KATHLEEN KANE:** THROUGH THE CHAIR YOU CAN PEND THAT APPOINTMENT  
2 AND MAKE IT NECESSARY LATER.

3

4 **JESSE ARREGUIN, ABAG CHAIR:** WE'RE NOT CONVENING THE CANVASSING  
5 COMMITTEE UNTIL NOVEMBER I'LL NOTE WE'RE APPOINTING SUPERVISOR  
6 RABBITT AND ROMERO TO THE CANVASSING COMMITTEE AND I'LL  
7 ENTERTAIN A MOTION ON THE CONSENT CALENDAR.

8

9 **KATHLEEN KANE:** IF I COULD THROUGH THE CHAIR MAKE ONE  
10 ADDITIONAL SUGGESTION FOR THAT ITEM IS THAT IT INCLUDES THE  
11 DELEGATED AUTHORITY OF YOU MAKING THAT THIRD APPOINTMENT  
12 WITHOUT HAVING TO BRING IT BACK TO ANOTHER COMMITTEE ACTION SO  
13 YOU COULD JUST DO IT ADMINISTRATIVELY AND RECORD IT WITH THE  
14 CLERK.

15

16 **JESSE ARREGUIN, ABAG CHAIR:** OKAY. MOTION ON THE CONSENT  
17 CALENDAR WITH THAT ADDITION.

18

19 **CARLOS ROMERO:** I MOVE APPROVAL WITH COUNSEL'S ADDITION.

20

21 **BELIA RAMOS, ABAG V. CHAIR:** SECOND, RAMOS.

22

23 **JESSE ARREGUIN, ABAG CHAIR:** THANK YOU VERY MUCH. ANY  
24 DISCUSSION ON THE CONSENT CALENDAR? OKAY. IF NOT, FRED, YOU



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1 HAD SAID THERE IS NO PUBLIC COMMENT ON THE CONSENT CALENDAR?

2 CLERK, MARTHA SILVER: THAT IS CORRECT.

3

4 **JESSE ARREGUIN, ABAG CHAIR:** OKAY. WITH THAT WE'LL CALL THE  
5 ROLL ON APPROVING ITEM SIX, THE ABAG ADMINISTRATIVE COMMITTEE  
6 CONSENT CALENDAR. CLERK, MARTHA SILVER: MOTION ROMERO SECOND  
7 RAMOS. ARREGUIN?

8

9 **JESSE ARREGUIN, ABAG CHAIR:** YES. CLERK, MARTHA SILVER: EKLUND?

10

11 **PAT ECKLUND:** YES. CLERK, MARTHA SILVER: LEE? IS NOT PRESENT.  
12 IS ABSENT. SUPERVISOR RABBITT?

13

14 **DAVID RABBIT, MTC V. CHAIR:** AYE. CLERK, MARTHA SILVER: RAMOS?

15

16 **BELIA RAMOS, ABAG V. CHAIR:** YES. CLERK, MARTHA SILVER: COUNCIL  
17 MEMBER ROMERO?

18

19 **CARLOS ROMERO:** YES. CLERK, MARTHA SILVER: SILVA? I SEE MAYOR  
20 SILVA, BUT SHE IS AT A -- NOT AT A TELECONFERENCE LOCATION  
21 THAT'S POSTED ON THE ABAG ADMINISTRATIVE COMMITTEE AGENDA.  
22 THANK YOU. MOTION PASSES BY FIVE VOTES. THANK YOU.

23

24 **JESSE ARREGUIN, ABAG CHAIR:** OKAY. THANK YOU VERY MUCH. I'LL  
25 TURN IT BACK OVER TO CHAIR SPERING.



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1

2 **JAMES P. SPERING, MTC CHAIR:** THANK YOU, MAYOR. WE'RE ON ITEM  
3 SEVEN MTC APPROVE RESOLUTION 4530 REVISED TRANSIT ORIENTED  
4 COMMUNITIES POLICY REVISIONS AND DISCUSSIONS ON COMPLIANCE.  
5 AND BEFORE I TURN IT OVER TO GILLIAN THERE, I WOULD JUST LIKE  
6 TO MAKE A FEW COMMENTS. I WOULD LIKE TO SHARE WITH THE  
7 COMMITTEE HERE THIS MORNING. AS MOST OF YOU KNOW THIS TOC  
8 POLICY WAS APPROVED BY THE COMMISSIONS A YEAR AGO AND THE  
9 APPROVAL ITEM BEFORE US TODAY RELATED TO ONE CORE ISSUE, HOW  
10 WE USE THE POLICY IN THE UPCOMING MONTHS WHEN WE HAVE  
11 DECISIONS TO MAKE ABOUT ALLOCATING REGIONAL DOLLARS TO TRANSIT  
12 EXTENSION PROJECTS. YOU HAVE HEARD ME SAY MANY TIMES THAT I  
13 CERTAINLY SUPPORT THIS POLICY. I THINK WE'RE HEADED IN THE  
14 RIGHT DIRECTION. BUT WE ALSO -- I ALSO HAVE SOME CONCERNS ON  
15 SOME OF THE MAJOR PROJECTS, BART TO SILICON VALLEY IS ONE OF  
16 THEM. IT'S A PROJECT WE HAVE BEEN WORKING ON FOR PROBABLY  
17 CLOSE TO 30 YEARS AND, ESPECIALLY THAT PROJECT. YOU KNOW, IT'S  
18 A PROJECT THAT ANY OF THOSE LARGE PROJECTS THAT ARE CURRENTLY  
19 UNDER CONSTRUCTION WE JUST DON'T WANT TO SEE THEM DELAYED OR  
20 JEOPARDIZED ANY FUNDING OPPORTUNITIES IN THE FUTURE. I THINK  
21 STAFF'S PRESENTATION TODAY DOES A GOOD JOB CLARIFYING THAT  
22 THOSE TYPES OF PROJECTS IN THE CONSTRUCTION PHASE WON'T BE  
23 HAMPERED BY THIS POLICY. AND FOR SOME PROJECTS IN THE EARLIER  
24 PHASES THOSE JURISDICTIONS IN THOSE STATION AREAS ARE GOING TO  
25 HAVE TO MAKE SOME COMMITMENTS THAT THEY'RE GOING TO GET THERE



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1 BY 2026. I ALSO THINK THAT STAFF PRESENTATION DOES A GOOD JOB  
2 WALKING THROUGH THIS IDEA OF COMPLIANCE WHICH A LOT OF US HAVE  
3 BEEN VERY CONCERNED ABOUT ON THE COMPLIANCE FACE AN AREA THAT  
4 WE'RE NOT LOOKING AT 100% BUT MEANINGFUL PROGRESS IN THIS  
5 AREA. WE ALL KNOW YOU'RE IN THE NOT GOING TO GET 100% ALL THE  
6 TIME. STAFF IS GOING TO KEEP RETURNING TO US HAD TO CLARIFY  
7 COMPLIANCE AND LOOKING AT IT WE'RE GOING TO GET MORE  
8 INFORMATION FROM THE LOCALS ON YOU HOW WE'RE DEALING WITH THIS  
9 ISSUE. I DON'T WANT THE COMMITTEE TO THINK WE'RE SOLVING  
10 EVERYTHING TODAY ABOUT THE COMPLIANCE ISSUE. I WANT TO COMMEND  
11 STAFF REALLY DOING A TREMENDOUS OUTREACH ON THIS TALKING WITH  
12 MANY OF OUR PLANNING DIRECTORS MEETING WITH CITIES AND  
13 COUNTIES GREAT OUTREACH AND A LOT OF INPUT AND IT HAS  
14 INFLUENCED SOME OF THIS BEFORE US TODAY. I WANT TO SAY AT THE  
15 OUTSET I SUPPORT MOVING FORWARD. IT'S IMPORTANT WE MOVE THIS  
16 ITEM FORWARD THIS MORNING WITH THE STAFF RECOMMENDATIONS BUT  
17 ALSO WANT TO HEAR FROM THE COMMITTEE MEMBERS ON YOUR THOUGHTS  
18 ON THIS POLICY AND AREAS WHERE STAFF SHOULD BE CONTINUING TO  
19 WORK ON. I WANT TO PERSONALLY THANK OUR STAFF. THEY HAVE PUT  
20 IN A LOT OF EFFORTS IN, STAFF HAS REALLY LISTENED THERE HAS  
21 BEEN COMMISSIONERS THAT HAVE RAISED A LOT OF ISSUES. AND  
22 STAFF, I THINK HAS -- WHEN YOU SEE THE PRESENTATION TODAY, YOU  
23 WILL SEE THAT THEY HAVE RESPONDED TO MANY OF THE CONCERNS WE  
24 HAVE. THE OTHER PIECE THAT IS VERY MUCH APPRECIATED IS THAT  
25 THEY PUT FLEXIBILITY INTO THIS. THEY'RE GOING TO BE WORKING



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1 WITH THE LOCAL JURISDICTIONS, COMING BACK TO US. COMMISSIONERS  
2 YOU'RE GOING TO HAVE TO STAY ENGAGED AS ISSUES COME FORWARD  
3 YOU'RE GOING TO HEAR SOME OF THESE ISSUES COMING FORWARD.  
4 THANK YOU STAFF FOR A JOB WELL DONE AND GETTING US TO THIS  
5 POINT. I'LL PASS IT TO MTC STAFF, GILLIAN ADAMS. IF YOU ARE  
6 READY. I KNOW IT'S BEEN A CHALLENGE. THANK YOU.

7

8 **GILLIAN ADAMS:** GILLIAN A, PRINCIPLE PLANNER. CALL UP THE  
9 SLIDES, PLEASE. NEXT SLIDE, PLEASE. SO OUR PRESENTATION TODAY  
10 COVERS TWO TOPICS, FIRST A REQUEST THAT YOU TAKE ACTION ON A  
11 PROPOSED AMENDMENT TO RESOLUTION 4530 RELATING TO TRANSIT  
12 EXTENSIONS AND FUNDING CONDITIONING. SECOND WE'RE GOING TO  
13 CONTINUE THE DISCUSSION THAT WE BEGAN IN SEPTEMBER ABOUT HOW  
14 TO DEFINE COMPLIANCE WITH THE TOC POLICY. NEXT SLIDE PLEASE.  
15 THIS SLIDE IS UNCHANGED FROM THE SEPTEMBER PRESENTATION. IT  
16 HIGHLIGHTS THE FACT THAT THE EXISTING TOC POLICY RESOLUTION  
17 ONLY OFFERS A PHASE IN PERIOD WITH COMPLIANCE WITH A POLICY  
18 FOR TRANSIT EXTENSION PROJECTS THAT WERE SUBJECT TO MTC  
19 RESOLUTION 3434. ALL OTHER TRANSIT EXTENSION PROJECTS WOULD  
20 HAVE TO COMPLY IMMEDIATELY WITH THE TOC POLICY BEFORE  
21 RECEIVING REGIONAL DISCRETIONARY FUNDING OR AN ENDORSEMENT.  
22 THE CONCERN IS THAT THE CURRENT LANGUAGE IN THE RESOLUTION MAY  
23 DISADVANTAGE SOME PROJECTS THAT ARE INCLUDED IN PLANNED BAY  
24 AREA 2050 AND ARE CRITICAL TO BOOSTING LOCAL TRANSIT  
25 RIDERSHIP. TO REMEDY THIS STAFF DRAFTED A PROPOSED REVISION TO



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1 THE TOC POLICY RESOLUTION TO BETTER ALIGN THE TOC'S POLICY  
2 PURPOSE WITH THE REALITIES OF THE PROJECT TRANSIT PROJECT  
3 DELIVERY TIMELINES. NEXT SLIDE PLEASE. SO THIS SLIDE IS VERY  
4 SIMILAR TO WHAT STAFF PRESENTED IN SEPTEMBER WITH A KEY CHANGE  
5 TO THE EXPECTATIONS FOR PROJECTS IN STAGE TWO. THE FRAMEWORK  
6 IN THE PROPOSED AMENDMENT WOULD APPLY TO TRANSIT EXTENSIONS  
7 FROM NOW TO 2026 AND TO ENDORSEMENTS STARTING IN 2026. FOR  
8 PROJECTS IN STAGE ONE PROJECT DEVELOPMENT IN ENVIRONMENTAL  
9 REVIEW PROJECT SPONSORS IN LOCAL JURISDICTIONS WOULD NEED TO  
10 SUBMIT A LETTER ACKNOWLEDGING THAT FUTURE ALLOCATION REQUESTS  
11 TO MTC WILL BE SUBJECT TO THE TOC POLICY FOR LATER PHASES FOR  
12 PROJECTS IN PHASE TWO PROJECT DESIGN IN EARLY RIGHT OF WAY  
13 ACQUISITION JURISDICTIONS MUST COMMIT IN WRITING TO TAKE STEPS  
14 TO ACHIEVE COMPLIANCE FOR 2026 FOR STATION AREAS SEEKING  
15 FUNDING COMPARED TO WHAT WE WERE SEEKING IN SEPTEMBER THE  
16 CHANGE HERE IS INSTEAD OF TYING THE DEADLINE FOR COMPLIANCE TO  
17 A FUTURE PROJECT DELIVERY MILESTONE TARGET DATE FOR ALL  
18 JURISDICTIONS WITH THE STATION IN THIS PROJECT DELIVERY STAGE  
19 IS 2026. THIS CHANGE WAS MADE IN RESPONSE TO FEEDBACK FROM THE  
20 COMMITTEE ABOUT THE IMPORTANCE OF PROVIDING CLARITY ABOUT WHEN  
21 JURISDICTIONS WILL BE IMPLEMENTING CHANGES TO COMPLY WITH THE  
22 TOC POLICY PARTICULARLY ANY NECESSARY ZONING UPDATES. FOR  
23 PROJECTS IN STAGE THREE, PROJECT CONSTRUCTION, THE  
24 EXPECTATIONS PROPOSED IN SEPTEMBER REMAIN UNCHANGED. SO  
25 JURISDICTIONS DO NOT NEED TO SUBMIT A LETTER OF COMMITMENT BUT



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1 THEY SHOULD WORK WITH MTC STAFF TO ACHIEVE COMPLIANCE BY 2026.  
2 LASTLY, THE TOC POLICY WILL ALSO BE A FACTOR IN MAJOR PROJECT  
3 ADVANCEMENT POLICY VALUATION OR UPDATES. CHANGES IN A  
4 PROJECT'S MAP STAGE GATE WILL BE AN OPPORTUNITY TO ENSURE  
5 PROJECTS ARE TOC COMPLIANT AS APPROPRIATE. NEXT SLIDE PLEASE.  
6 SO STAFF TESTED THE PROPOSED FRAMEWORK USING EXISTING TRANSIT  
7 EXTENSION PROJECTS AND I WANT TO NOTE THERE HAS BEEN A RECENT  
8 -- THERE MAY BE A RECENT CHANGE TO WHAT'S SHOWN HERE AS THE  
9 STATUS OF THE MISSION BAY FERRY LANDING IS NOW RESCOPING  
10 PROJECTS STAFF WILL WORK WITH THEM TO EVALUATE IMPACT OF  
11 CHANGES FRAMEWORK WOULD APPLY TO TRANSIT EXTENSIONS FROM NOW  
12 TO 2026 FOR PROJECTS IN DESIGN AND RIGHT OF WAY AFTER 2026 MTC  
13 WILL CONDITION REGIONAL DISCRETIONARY FUNDING FOR PROJECT  
14 ENDORSEMENTS FOR PROJECTS IN THE DELIVERY STAGE ON RELEVANT  
15 JURISDICTIONS IN COMPLIANCE WITH THE TOC POLICY FOR PROJECTS  
16 CURRENTLY IN THE PROJECT CONSTRUCTION STAGE EVEN AFTER 2026  
17 FUNDING ENDORSEMENTS FOR TRANSIT EXTENSION PROJECTS WILL NOT  
18 BE CONDITIONED ON THE TOC POLICY HOWEVER FUTURE OBAG FUNDING  
19 FOR JURISDICTIONS WHERE STATIONS ARE LOCATED WOULD BE SUBJECT  
20 TO TOC COMPLIANCE. NEXT SLIDE PLEASE. SO, THIS CONCLUDES THE  
21 FIRST PART OF OUR PRESENTATION ON THE PROPOSED AMENDMENT  
22 RELATED TO TRANSIT EXTENSIONS. WE'LL TURN NEXT TO OUR  
23 CONTINUATION OF THE DISCUSSION ABOUT HOW TO DEFINE COMPLIANCE.  
24 AND THEN FOLLOWING THE CONCLUSION OF THE PRESENTATION, STAFF  
25 RESPECTFULLY REQUESTS THAT YOU REFER MTC RESOLUTION NUMBER



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1 4530 REVISED TO THE COMMISSION FOR APPROVAL. NEXT SLIDE,  
2 PLEASE. ONE MORE, PLEASE. SO, AS WE NOTED AT YOUR LAST MEETING  
3 THE TOC POLICY DOES NOT DEFINE HOW COMPLIANCE WILL BE MEASURED  
4 FOR MTC FUNDING DECISIONS. THE DIRECTION THAT STAFF TOOK FROM  
5 THE COMMITTEE'S DISCUSSION IS THAT YOU WANTED TO MAINTAIN THE  
6 STANDARDS IN THE ADOPTED TOC POLICY THAT ALLOW JURISDICTIONS  
7 SOME FLEXIBILITY IN MEETING THOSE STANDARDS WE ALSO HEARD TWO  
8 GUIDING PRINCIPLES FOR THE PROCESS THAT MTC STAFF WILL USE TO  
9 VERIFY COMPLIANCE. ONE THAT WE PROCEED IN A WAY THAT ADVANCES  
10 THE TOC POLICY GOALS AND IS INFORMED BY A JURISDICTION'S LOCAL  
11 CONTEXT. TWO, WE ENSURE THERE IS ROW COMMUNICATION AND  
12 TRANSPARENCY PROCESS FOR JURISDICTIONS AS WELL AS COMMITTEE  
13 MEMBERS. NEXT SLIDE PLEASE. SO, AS WE CONSIDER WAYS TO OFFER  
14 JURISDICTIONS FLEXIBILITY IN MEETING TOC POLICY REQUIREMENTS,  
15 ONE POINT RAISED AT THE SEPTEMBER MEETING WAS THAT THE ADOPTED  
16 POLICY WAS THE RESULT OF SIGNIFICANT DELIBERATION AND  
17 COMPROMISE. THIS SLIDE HIGHLIGHTS WAYS FLEXIBILITY HAS BEEN  
18 EMBEDDED IN THE POLICY TO REFLECT DIFFERENCES AMONG LOCAL  
19 JURISDICTIONS. FOR DENSITY THE REQUIRED THRESHOLDS VARY BASED  
20 ON THE TYPE OF TRANSIT SERVING THE AREA. ADDITIONALLY,  
21 JURISDICTIONS ARE NOT REQUIRED TO ADOPT MAXIMUM DENSITY  
22 THRESHOLDS. AND LASTLY, THE TOC POLICY ALLOWS SMALL  
23 JURISDICTIONS THOSE WITH 30,000 PEOPLE OR FEWER THAT HAVE TOC  
24 AREAS IN TRANSIT TIER THREE TO MEET LOWER DENSITY RESIDENTIAL  
25 DENSITY REQUIREMENTS FOR TIER FOUR STATIONS. FOR THE



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1 AFFORDABLE HOUSING POLICY REQUIREMENTS, JURISDICTIONS CAN  
2 CHOOSE FROM A MENU OF 26 POLICY OPTIONS THERE ARE SEVEN POLICY  
3 OPTIONS FOR THE THREE P'S, PRODUCTION PRESERVATION AND  
4 PROTECTION AND MOST OUT OF THE CITY OF THE 26 DO NOT REQUIRE  
5 JURISDICTIONS TO MAKE AIR FINANCIAL REQUIREMENT FOR POLICIES  
6 THAT REQUIRE FUNDING JURISDICTIONS HAVE BEEN SORTED INTO SEVEN  
7 TIERS THAT EACH REQUIRE A DIFFERENT FUNDING AMOUNT  
8 ADDITIONALLY AT THE REQUEST OF LOCAL GOVERNMENTS THE TOC  
9 POLICY ADMINISTRATIVE GUIDANCE ALLOWS JURISDICTIONS TO  
10 IMPLEMENT POLICIES COLLABORATIVELY AS A WAY TO REDUCE COSTS OF  
11 ADMINISTERING POLICIES AND PROGRAMS. SIMILAR TO THE DENSITY  
12 REQUIREMENTS THE STANDARDS FOR PARKING MAXIMUMS ALSO VARY  
13 BASED ON THIS TYPE OF TRANSIT SERVING THE TOC AREA. THE FACT  
14 THAT JURISDICTIONS CAN MEET THE PARKING STANDARDS THROUGH  
15 CREATION OF A PARKING DISTRICT, OFFERS ADDITIONAL FLEXIBILITY.  
16 JURISDICTIONS CAN CHOOSE FROM A MENU OF OPTIONS TO MEET THE  
17 REQUIREMENTS OF HAVING A PARKING MANAGEMENT POLICY. FOR  
18 STATION ACCESS AND CIRCULATION COMPLIANCE WITH MTC'S COMPLETE  
19 STREETS POLICY IS ALREADY REQUIRED FOR OBAG FUNDING. AND THE  
20 ADMINISTRATIVE GUIDANCE ALLOWS JURISDICTIONS TO SUBMIT A  
21 VARIETY OF TYPES OF LOCAL PLANS AND DOCUMENTS TO DEMONSTRATE  
22 COMPLIANCE. NEXT SLIDE, PLEASE. SO BASED ON THE FLEXIBILITY  
23 ALREADY INTEGRATED INTO THE TOC POLICY, AND THE RESPONSE TO  
24 WHAT WE HEARD FROM THE COMMITTEE, STAFF PROPOSES AN APPROACH  
25 THAT REWARDS EVIDENCE BASED DEMONSTRATION OF MEANINGFUL



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1 PROGRESS ON THE TOC POLICY WITH TOLERANCE FOR VARIANCES BASED  
2 ON LOCAL CIRCUMSTANCES. SPECIFICALLY, A TOC AREA WOULD BE  
3 CONSIDERED IN COMPLIANCE IF A JURISDICTION CAN DEMONSTRATE IT  
4 MEETS 85% OF REQUIREMENTS FOR DENSITY AND PARKING MANAGEMENT  
5 COMPONENTS AS WELL AS 100% OF THE REQUIREMENT FOR THE HOUSING  
6 AND COMMERCIAL POLICY AND STATION ACCESS AND CIRCULATION  
7 COMPONENTS. MTC STAFF WILL DEVELOP A METHODOLOGY FOR SCORING  
8 REQUIREMENTS FOR THESE TWO COMPONENTS OF THE TOC POLICY. TWO  
9 COMPONENTS WHERE FLEXIBILITY WOULD BE ALLOWED ARE ONES WHERE  
10 JURISDICTIONS HAVE EXPRESSED CONCERN ABOUT DURING OUR  
11 ENGAGEMENT PROCESS WE ALSO HAVE NUMERICAL STANDARDS THAT  
12 SHOULD MAKE IT EASIER TO CREATE TARGETS SCALED TO 85%. NEXT  
13 SLIDE PLEASE. USING A PROPOSED APPROACH FOR COSIGNING  
14 COMPLIANCE JURISDICTIONS WOULD BE SORTED INTO THREE CATEGORIES  
15 100% OF ALL THOSE THAT MEET THE TOC POLICY STANDARDS THOSE  
16 THAT MEET 85% OF DENSITY PARKING STANDARDS AND 80 TO 100% FOR  
17 OTHERS AND THOSE THAT FAIL TO MEET TOC POLICY STANDARDS THE  
18 COMMISSION WILL DECIDE HOW TO INCORPORATE TOC COMPLIANCE INTO  
19 THE OBAG FOUR PROGRAM STAFF PROPOSES THE FLEXIBLE APPROACH TO  
20 DEFINING COMPLIANCE WOULD APPLY TO OBAG FOUR AND THE  
21 COMMISSION WOULD REEVALUATE FOR FUTURE OBAG CYCLES. NEXT SLIDE  
22 PLEASE. FOR EVALUATING COMPLIANCE WE ANTICIPATE RATHER THAN  
23 HAVING JURISDICTIONS FILL OUT AN APPLICATION AND SUBMIT IT  
24 WOULD BE AN ONGOING PROCESS FOR MTC STAFF TO PROVIDE  
25 SIGNIFICANT SUPPORT TO LOCAL STAFF WE'RE PROVIDING AN ONLINE



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1 SUBMISSION PORTAL A SINGLE PLACE FOR LOCAL STAFF TO COMPILE  
2 INFORMATION NEEDED TO DEMONSTRATE COMPLIANCE ALSO PROPOSING  
3 FORMATION OF A KITCHEN CABINET OF JOINT COMMITTEE MEMBERS WHO  
4 WOULD SUPPORT STAFF RESPONDING TO CHALLENGING SITUATIONS.  
5 LASTLY TO ENSURE TRANSPARENCY THROUGHOUT THE SUBMISSION OF  
6 VERIFICATION PROCESS STAFF WILL PROVIDE REGULAR REPORTS TO THE  
7 COMMITTEE ABOUT SUBMISSIONS. NEXT SLIDE PLEASE. SO, IN CLOSING  
8 I WANT TO LOOK AT THE NEXT STEPS. WE'RE HERE AT THE PLANNING  
9 COMMITTEE LOOKING FOR ACTION ON OUR PROPOSED AMENDMENTS AND  
10 ALSO INTERESTED IN HEARING YOUR FEEDBACK ON THE PROPOSED  
11 EVALUATION FRAMEWORK. WE HAVE JUST CLOSED A COMMENT PERIOD ON  
12 OUR MISTAKE GUIDANCE SO WE'RE GOING TO BE RESPONDING TO THE  
13 MOST RECENT FEEDBACK THAT WE HAVE HEARD AND WE WILL BE DOING  
14 ADDITIONAL OUTREACH JURISDICTIONS, WE'RE HOPING THEY CAN HELP  
15 US TEST OUT OUR SUBMISSION TOOL AND GIVE US FEEDBACK TO MAKE  
16 IT EASIER TO USE. IN DECEMBER AND JANUARY HOPE TO FINISH UP  
17 THE FINAL DRAFT, FINAL VERSION OF THE ADMINISTRATIVE GUIDANCE  
18 AND OUR SUBMISSION PORTAL. AND THEN LOOKING AHEAD, AS I  
19 MENTIONED, WE'RE GOING TO BE WORKING WITH JURISDICTIONS ON AN  
20 ONGOING BASIS WORKING TO SUPPORT THEM AS THEY WORK THROUGH  
21 DEMONSTRATING COMPLIANCE WITH THE POLICY. WITH THAT, HAPPY TO  
22 TAKE ANY QUESTIONS.

23

24 **JAMES P. SPERING, MTC CHAIR:** GILLIAN, CAN YOU EXPAND ON THE  
25 KITCHEN CABINET. GIVE ME AN EXAMPLE OF WHAT THEY WOULD



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1 CONSIDER? THERE IS GOING TO BE A CERTAIN AMOUNT EVER STAFF  
2 DISCUSSION WORKING WITH LOCAL JURISDICTIONS BUT I THINK  
3 THERE'S A PLACE WHERE WE NEED HELP IN MAKING A JUDGMENT ABOUT  
4 WHETHER IT SEEMS AS THOUGH IT'S MET THAT 85% STANDARD. OFF THE  
5 TOP OF MY HEAD I CAN'T THINK OF A SPECIFIC EXAMPLE OF THAT BUT  
6 THAT'S THE IDEA.

7

8 **JAMES P. SPERING, MTC CHAIR:** SO COULD A JURISDICTION REQUEST  
9 THAT IT GO BEFORE THIS KITCHEN CABINET IF THERE IS SOME  
10 DISPUTE ON IT?

11

12 **GILLIAN ADAMS:** I THINK -- DO YOU WANT TO --

13

14 **ANDREW FREMIER:** COMMISSIONER, ANDREW FREMIER, EXECUTIVE  
15 DIRECTOR. THIS IS ACTUALLY IS A REACTION TO COMMENTS BETWEEN  
16 FEEDBACK WE GOT FROM YOU ALL WE WANT TO BE MINDFUL WE DON'T  
17 WANT TO BECOME A PLANNING COMMISSION BUT WE WANTED OPPORTUNITY  
18 FOR SOME ADDITIONAL DISCUSSION.

19

20 **JAMES P. SPERING, MTC CHAIR:** THAT'S WHY I'M ASKING THE  
21 QUESTION. THAT'S WHY I THINK -- PEOPLE THAT -- YOU KNOW,  
22 MEMBERS OF THE COMMISSION PLAYED IMPORTANT ROLE IN THAT. I  
23 LIKE KITCHEN CABINET.

24



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1 **ANDREW FREMIER:** MUCH LIKE STAFF RESOURCE OPEN TO EXTERNAL  
2 RESOURCES FOR COMMISSION MEETINGS WE'RE MINDFUL OF EFFORT THAT  
3 MIGHT TAKE OF THE COMMISSION AND STAFF TIME WE WANT TO BE  
4 MINDFUL TO MAKE SURE EVERYONE FEELS THEY HAVE BEEN HEARD.

5

6 **JAMES P. SPERING, MTC CHAIR:** I THINK IT'S IMPORTANT THE  
7 COMMISSION STAYS ENGAGED AND THE KITCHEN CABINET IS ONE WAY WE  
8 CAN DO THAT CARLOS.

9

10 **CARLOS ROMERO:** I WAS ONE OF THOSE AT THE LAST MEETING THAT  
11 THOUGHT IT WAS NOT A WISE IDEA HAVING A BODY BE A QUASI  
12 PLANNING COMMISSION. I ACTUALLY SEE THIS KITCHEN CABINET  
13 APPROACH AS POTENTIALLY BEING A BIT ARBITRARY. WE DON'T KNOW  
14 WHAT THE RULES ARE. WHO GOES BEFORE THEM WAS A GOOD QUESTION  
15 THAT THE CHAIR ASKED. I'M HESITANT TO ENDORSE IT THOUGH A VOTE  
16 TO THE PLANNING COMMITTEE. I THINK WE JUST HAVE TO COMPLY WITH  
17 THE RULES. THAT'S THE ISSUE ON THE KITCHEN EARN CABINET PIECE  
18 IT'S NEBULOUS AND PUTS IT INTO THE POLITICAL REALM. AND I  
19 UNDERSTAND PLANNING IS POLITICAL. BUT WE HEAT TAKE THE HEAT AT  
20 THE LOCAL LEVEL WHICH IS WHERE THE POLITICAL PRESSURE SHOULD  
21 BE APPLIED AND JUST CONCERNED THAT YOU MAY BE BRINGING IT INTO  
22 THIS LEVEL OF ALLOCATION OF RESOURCES. I'LL KEEP MY COMMENTS  
23 TO THE KITCHEN CABINET PIECE RIGHT NOW. THANK YOU.

24



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1 **JAMES P. SPERING, MTC CHAIR:** GOOD POINT. MAYBE THERE SHOULD BE  
2 A SUNSET. WE'RE TAKING BOLD STEPS HERE TODAY. AND I THINK  
3 EVERYBODY HAS TO FEEL COMFORTABLE. WE'RE REALLY PLANNING TO  
4 SEE, FOR A PLANNING PROCESS, IF IT'S GOING TO MEET THE FUTURE  
5 OF THE BAY AREA. YOUR POINT SHOULD TAKEN. I WOULD HOPE THAT WE  
6 SHOULD INITIALLY USE THAT KITCHEN CABINET BUT MAYBE SUNSET IT.

7

8 **MATT MALONEY:** THROUGH THE CHAIR, ONE ADDITIONAL PIECE OF  
9 CONTEXT I WANT TO ADD TO THAT IS THAT, AS GILLIAN MENTIONED,  
10 WE PLAN ON COMING BACK TO THIS COMMITTEE ON AN ONGOING BASIS  
11 AS WELL. WE HAVE NOT RECEIVED A SINGLE SUBMISSION FROM LOCAL  
12 JURISDICTIONS TO THIS DATE. YOU HAVE A LETTER IN YOUR PACKET  
13 FROM SAN JOSE ABOUT THE DIRIDON STATION WHICH IS THIS FORM OF  
14 COMMITMENT LETTER. WE DON'T HAVE ALL THE DATA IN YET. ONCE WE  
15 GET THAT INFORMATION WE'RE COMING BACK TO YOU ON AN ONGOING  
16 BASIS TO LET YOU KNOW WHERE THINGS ARE AT, KITCHEN CABINET SAY  
17 THORNY ISSUE BUT WE'RE GOING TO BE EXTREMELY TRANSPARENT ABOUT  
18 THE VOLUME OF SUBMISSIONS THAT ARE COMING IN AND HOW STAFF IS  
19 DEALING WITH THEM.

20

21 **JAMES P. SPERING, MTC CHAIR:** OKAY. I'LL COME DOWN THIS WAY. GO  
22 AHEAD, PAT.

23

24 **PAT ECKLUND:** THANK YOU VERY MUCH. I HAVE A COUPLE MORE  
25 QUESTIONS TO CLARIFY. WHEN YOU SAY THORNY ISSUES, YOU CAN HELP



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1 ME TO UNDERSTAND WHAT YOU ARE TALKING ABOUT? BECAUSE HOUSING  
2 MONEY, THEY'RE DEFINITELY THORNY ISSUES, BECAUSE THERE IS A  
3 LOT OF COMPETITION AND CONCERN. SO WE HAVE ALWAYS, AT A  
4 COMMITTEE LEVEL, BEEN ABLE TO HAVE THOSE HEALTHY DISCUSSIONS  
5 AND BY LIMITING THE NUMBER OF PEOPLE THAT ARE DEBATING OR  
6 DISCUSSING THESE CHALLENGING AND THORNY ISSUES, I THINK,  
7 DOESN'T GIVE US THE BROAD REPRESENTATION THROUGHOUT THE WHOLE  
8 BAY AREA. SO, HELP ME TO UNDERSTAND HOW THIS KITCHEN CABINET  
9 WOULD BE SELECTED AND WHAT KIND OF DECISIONS WOULD THEY BE  
10 MAKING? OR WOULD THEY BE MAKING RECOMMENDATIONS BACK TO THE  
11 LARGER COMMITTEE? I'M NOT SURE I UNDERSTAND THE PROCESS.

12

13 **ANDREW FREMIER:** COMMISSIONER MAYBE THE BEST THING TO DO IS TO  
14 ACKNOWLEDGE WE HAVE SOME FLEXIBILITY TO FIGURE IT OUT WHEN IT  
15 GETS A LITTLE BIT CLOSER. WE'RE MINDFUL OF NOT CREATING  
16 ANOTHER BROWN ACT MEETING. WE WANT TO BE RESPONSIVE TO THE  
17 COMMISSIONS CONCERN BUT I THINK YOU HAVE SOME FLEXIBILITY IN  
18 THIS SPACE. BUT TO MATT'S POINT WE WILL WORK THROUGH IT.

19

20 **JAMES P. SPERING, MTC CHAIR:** I DON'T WANT TO GET HUNG UP ON  
21 THIS ISSUE. THIS IS NOT THE ISSUE THAT'S BEFORE US AND THIS  
22 CAN COME BACK TO US FOR MORE DISCUSSION SO WE CAN SORT THAT  
23 OUT. I'M GOING TO GO TO STEPHANIE THEN COMMISSIONER CHAVEZ.

24



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1 **STEPHANIE MOULTON-PETERS:** JUST A DETAILED QUESTION. BUT THE  
2 INFORMATION THAT YOU WILL ASK THE LOCAL JURISDICTIONS TO  
3 SUBMIT, IS THIS A WAY OF, SORT OF, ASSESSING THIS CURRENT  
4 STATE OF COMPLIANCE, WHICH WAS A SUGGESTION FROM MY COUNTY,  
5 JUST TO KIND OF FIND OUT WHERE PEOPLE ARE RIGHT NOW?  
6

7 **GILLIAN ADAMS:** THE FIRST PART OF OUR ENGAGEMENT AROUND  
8 VERIFYING COMPLIANCE WILL BE THAT, TRYING TO GET AN  
9 ASSESSMENT. WE'RE ANTICIPATING THAT WE'RE GOING TO BE HAVING  
10 ONE-ON-ONE MEETINGS WITH JURISDICTION STAFF AND TRYING TO  
11 UNDERSTAND WHERE THEY ARE NOW AND MAPPING OUT WHAT STEPS THEY  
12 PLAN TO TAKE FOR COMPLIANCE. AND AGAIN WE HAVE STARTED THIS  
13 PROCESS NOW SO WE HAVE A COUPLE OF YEARS TO WORK WITH  
14 JURISDICTIONS, AND BEFORE THAT, 2026 DEADLINE. SO, AGAIN, I  
15 THINK IT'S GOING TO DEPEND ON THE JURISDICTION. WE'RE GOING TO  
16 TRY TO WORK WITH THEM TO GET TO THE RIGHT OUTCOME. BUT RIGHT  
17 NOW, WE -- THE WAY IT LOOKS, IT'S GOING TO BE INTERESTING.  
18

19 **STEPHANIE MOULTON-PETERS:** THANK YOU.  
20

21 **JAMES P. SPERING, MTC CHAIR:** COMMISSIONER CHAVEZ, CINDY?  
22

23 **CINDY CHAVEZ:** THANK YOU. FIRST I WANT TO SAY HOW MUCH I  
24 APPRECIATE THE STAFF REALLY LISTENING TO THE DIFFERENT  
25 JURISDICTIONS. AND I WANT TO ACKNOWLEDGE THAT THERE WAS A LOT



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1 OF MOVEMENT, REALLY, TO HELP SMALL CITIES, EARLY ON, WHICH I  
2 THINK MAKES A LOT OF SENSE BOTH BECAUSE OF RESOURCES AND,  
3 JUST, SCALE. THE STAFF'S RECOMMENDATION TO ALLOW FOR  
4 PERCENTAGES, INSTEAD OF HITTING 100%, HAVING FLEXIBILITY, I  
5 THINK, IS REALLY CRITICAL. ONE OBSERVATION I WOULD LIKE TO  
6 MAKE, THOUGH, IS THAT IF YOU REALLY WANT TO BE ABLE TO HELP  
7 JURISDICTIONS PUSH THE ENVELOPE, THAT THE FLEXIBILITY SHOULD  
8 BE FOR THE OVERALL TOTAL AND NOT CATEGORY BY CATEGORY. I WANT  
9 TO GIVE SOME EXAMPLES FOR MY COLLEAGUES. ONE IS THAT, JUST IN  
10 THE CITY OF SAN JOSE, ALONE, WE HAVE 54 TRANSIT STATIONS AND  
11 AS YOU KNOW, AS YOU GO IN AND TRY TO MAKE CHANGES AND  
12 RETROFIT, THEY'RE ALL IN DIFFERENT -- SORT OF, DIFFERENT  
13 SITUATIONS, AND IN SAN JOSE IN PARTICULAR, THERE IS ALREADY A  
14 GOAL TO BUILD AS HIGH DENSITY AS WE'RE ABLE TO DO SO. AS YOU  
15 CAN SEE THERE WAS AN EVALUATION OF THE DIRIDON STATION IN YOUR  
16 PACKET, AND THAT ANALYSIS, SAN JOSE THINKS THEY'RE AT ABOUT  
17 76% OF COMPLIANCE AND THEY CAN MOVE MORE ON MINIMUM AND  
18 MAXIMUM DENSITIES. AND I WOULD LIKE THEM TO. THIS IS ONE OF  
19 THE CHALLENGES WE HAVE WITH THE DIRIDON STATION. THE CITY OF  
20 SAN JOSE HAS A CONTRACTUAL OBLIGATION WITH THE SAP CENTER,  
21 WITH THE SAN JOSE SHARKS, AND I'M FORGETTING THEIR FORMAL  
22 BUSINESS TITLE. BUT THAT CONTRACTUAL OBLIGATION IS RELATED TO  
23 PARKING WE HAVE WORKED HARD WITH GOOGLE AND ALL THE OTHER  
24 PARTNERS TO MAKE SURE WE HAVE THE MAXIMUM OUTCOME WE CAN HAVE  
25 FOR THAT LOCATION AND AT THE SAME TIME RECOGNIZE THERE ARE



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1 CONTRACTUAL LIMITATIONS TO WHAT WE'RE ABLE TO DO. SO, EVEN IF  
2 SAN JOSE REACHES ITS FULL COMPLIANCE WITH DENSITY REQUIREMENTS  
3 AND IT WASN'T MOVE WITH PARKING WE'RE INSTILL SUCK. AND WE  
4 WANT TO BE COMPLIANCE. I MEAN, I KNOW THE CITY -- I'M SPEAKING  
5 FOR MYSELF -- THE CITY SENT A LETTER. BUT, THAT'S WHY I THINK  
6 THE POLICY SHOULD ADD THE FLEXIBILITY OF GETTING TO A TOTAL  
7 PERCENTAGE SO THAT WE CAN ENCOURAGE FOLKS TO DO MORE WHERE  
8 THEY K AND REALLY HAVE SOME MINIMUM STANDARDS, SOME MINIMUM  
9 PERCENTAGES I AGREE W BUT I THINK WE HAVE TO HAVE MORE  
10 FLEXIBILITY. AND SO WHEN YOU COME BACK, I WOULD LIKE JUST A  
11 REFLECTION ON THAT REQUEST. AND IF I COULD JUST TO THE OTHER  
12 ISSUE ABOUT THE KITCHEN CABINET, I REALLY -- I THINK AS MUCH  
13 TRANSPARENCY AS YOU CAN HAVE IN TERMS OF THINKING THAT  
14 STRATEGY THROUGH. WHAT I WORRY ABOUT IS MORE THE MTC STAFF  
15 TIME. I JUST RECOGNIZE HOW MUCH PAIN AND SUFFERING GOES INTO  
16 PLANNING AT A LOCAL LEVEL, AND, YOU KNOW, WOULD WANT TO JUST  
17 MAKE SURE WE'RE USING THE FEW STAFF WE HAVE JUDICIOUSLY AT A  
18 REGIONAL LEVEL.

19

20 **JAMES P. SPERING, MTC CHAIR:** THANK YOU CINDY. DAVID?

21

22 **DAVID CANEPA:** THANK YOU VERY MUCH. I SUPPORT THIS POLICY. I  
23 WANT TO THANK STAFF FOR THE WONDERFUL WORK. I DO THINK HAVING  
24 THE FLEXIBILITY BUILT THIS IS CRITICAL. HAVING THE BE ABILITY  
25 -- HAVING MORE INPUT IS, I HAVE FOUND AS A POLICY MAKER,



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1 CRITICAL TO MAKING DECISIONS. I DO THINK THERE ARE GOING TO BE  
2 THOSE ONE-OFFS. MAYBE TWO-OFFS, THAT WARRANT MORE  
3 CONSIDERATION. I UNDERSTAND THE STAFFING ISSUE. BUT I DO THINK  
4 THAT FLEXIBILITY, I THINK YOU HAVE HEARD FROM THE BOARD, I  
5 THINK WE GAVE DIRECTION LAST MEETING, I WANT TO THANK YOU FOR  
6 DOING THAT. THE ONE THING THAT I'M INTERESTED IN UNDERSTANDING  
7 MORE IS THE TRANSPORTATION AMENDMENT THAT'S BEFORE US TODAY.  
8 THERE ARE GOOD CONCERNS AMONGST OPERATORS THAT -- AND TRANSIT  
9 AGENCIES -- THAT THEY'RE BEARING THE RESPONSIBILITY FOR  
10 HOUSING. AND I WANT TO UNDERSTAND FROM A STAFF PERSPECTIVE,  
11 WHAT WE CAN DO TO ALLEVIATE THAT CONCERN? OBVIOUSLY THERE HAS  
12 BEEN ISSUES, YOU KNOW, POTENTIALLY WITH DUMBARTON BRIDGE,  
13 DUMBARTON FORWARD, AND HOW THIS POLICY DECISION WILL AFFECT  
14 THAT IN THE FUNDING. BUT I WOULD LIKE TO HEAR DIRECTLY FROM  
15 STAFF WHAT YOUR THOUGHTS ARE RELATIVE TO THAT?

16

17 **MATT MALONEY:** A FEW THINGS TO YOUR QUESTION. THE POLICY  
18 APPLIES TO LOCAL JURISDICTIONS, AS THEY ARE THE ONES WITH  
19 LOCAL LAND USE AUTHORITY. BUT, OBVIOUSLY, WHAT'S BEFORE YOU  
20 TODAY IS THIS CONTEMPLATION OF HOW WE USE THE POLICY TO EFFECT  
21 REGIONAL FUNDING FOR THOSE TRANSIT EXTENSION PROJECTS, NEW  
22 SERVICE USUALLY TO NEW STATIONS. AND YOU KNOW, FOR THOSE TYPES  
23 OF EXTENSION PROJECTS, IT'S VERY IMPORTANT THAT WE HAVE THOSE  
24 APPROPRIATE DENSITIES AND POLICIES IN PLACE. THAT'S REALLY  
25 WHAT IT IS TO THINK ABOUT DOING LAND USE AND TRANSPORTATION



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1 TOGETHER. YOU KNOW, AND, AGAIN, WE NOTED THE FLEXIBILITY IN  
2 THE POLICIES THERE IS BETWEEN TRANSIT AGENCIES AND LOCAL  
3 JURISDICTIONS, I OBVIOUSLY THINK PROJECT SPONSORS AND TRANSIT  
4 AGENCIES ARE PART OF THOSE DECISIONS IN TERMS OF STATION  
5 SITING AND WORKING WITH THE LOCALS. AND, AGAIN, FOR SOME OF  
6 THESE EARLY STAGE PROJECTS, WHETHER IT'S A BRT PROJECT IN THAT  
7 CORRIDOR, AGAIN, I THINK THE POLICY HAS SOME FLEXIBILITY IN  
8 IT. WE'RE LOOKING FOR AN ACKNOWLEDGMENT THAT THE POLICY IS,  
9 SORT OF, ON THE BOOKS AND THAT WHEN WE GET INTO MORE OF THE  
10 NITTY-GRITTY OF DESIGN AND RIGHT OF WAY ON THESE PROJECTS THAT  
11 WE WOULD BE LOOKING FOR THOSE COMMITMENTS IN THOSE STATION  
12 AREAS. BUT WE'RE GOING TO CONTINUE WORKING WITH THE PROJECT  
13 SPONSORS AND THE CITIES JUST AS WE HAVE BEEN DOING OVER THE  
14 PAST COUPLE OF YEARS TO MAKE SURE WE CAN GET THERE AND THAT  
15 THIS IS ACHIEVABLE.

16

17 **DAVID CANEPA:** GREAT. WHAT I WOULD ENCOURAGE, AND I'M SURE  
18 YOU'RE ON TOP OF THIS IS JUST MAKING SURE TO REACH OUT ON  
19 THESE BRT PROJECTS RELATIVE TO THE TRANSPORTATION AGENCIES.  
20 UNDERSTAND HOW THEY POTENTIALLY PERCEIVE IT AS NEGATIVELY  
21 IMPACTING IS GOING TO BE CRITICAL. I'LL CLOSE BY SAYING THIS,  
22 YOU KNOW, AS REFERENCED EARLIER, WE TALKED ABOUT THIS, YOU  
23 KNOW, GOING ON -- WHEN IS THE LAST TIME THE BOARD TOOK ACTION  
24 ON THIS POLICY? ON THE TOC?

25



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1 **MATT MALONEY:** IT WAS ROUGHLY A YEAR AGO, SEPTEMBER OR OCTOBER  
2 OF 2022.

3

4 **DAVID CANEPA:** 2022. I THINK MOVING THIS FORWARD IS IMPORTANT.  
5 I'M SATISFIED WITH HOW STAFF HAS APPROACHED THIS AND ADDRESSED  
6 THE ISSUE OF FLEXIBILITY, AND, SO, SOMETIMES THERE'S THINGS TO  
7 MOVE FORWARD, AND IN THIS CASE I THINK WE SHOULD. I WANT TO  
8 THANK STAFF AND APPRECIATE ALL THE HARD WORK.

9

10 **JAMES P. SPERING, MTC CHAIR:** DAVID RABBITT?

11

12 **DAVID RABBIT, MTC V. CHAIR:** THANK YOU SO MUCH. I LIKE  
13 FLEXIBILITY, AND I THINK, IN MY PROFESSIONAL EXPERIENCE, AT  
14 LEAST, FLEXIBILITY CAN ALSO LEAD TO BETTER AND STRONGER  
15 PROJECTS IN THE LONG RUN. SO JUST PUTTING THAT OUT THERE. AND  
16 I DO AGREE THERE NEEDS TO BE A POLICY AND I WORRY WITH STAFF  
17 TIME IN TERMS OF BEING THE PLANNING ARBITER AND THE NITTY GRIT  
18 THEY CAN BE A TIME SUCK, AS WE ALL KNOW. I'M WONDERING TO THAT  
19 EXTENT, THOUGH, THAT MAYBE TO MAKE THINGS PERHAPS EASIER --  
20 I'M A LITTLE RELUCTANT TO PUT THIS OUT HERE -- HAVE WE GIVEN  
21 CONSIDERATION TO HAVING A PROCESS THAT WOULD BE AKIN TO ZERO  
22 SUM GAME, RECEIVE FOR PARKING THEN EXPECT TO GO ABOVE AND  
23 BEYOND IN ANOTHER AREA AS OPPOSED TO DROPPING 15% OVERALL,  
24 WONDERING IF THERE IS A BETTER WAY TO STEP IT UP?

25



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1 **MATT MALONEY:** WE'RE THINKING OF THOSE TYPES OF THINGS FOR  
2 SURE. PART OF IT WITH THIS 85% IT'S REALLY THERE IN PRINCIPLE  
3 TODAY. IN TERMS OF THE EXACT METHODOLOGY WE'RE WORKING ON  
4 THAT. I THINK WHAT YOU'RE BRINGING UP IN TERMS OF MAYBE YOU'RE  
5 UP ABOVE THE THRESHOLD IN SOME AREAS AND BELOW THE THRESHOLD  
6 IN OTHERS, I THINK THAT'S ON THE TABLE FOR OUR CONSIDERATION.  
7 WE'RE NOT QUITE THERE YET AS STAFF. AND I WANT TO UNDERSCORE  
8 WE HAVEN'T SEEN LOCAL SUBMISSIONS YET. SO WE HAVEN'T ACTUALLY  
9 -- WE'RE STILL WAITING. WE WANT MORE DATA TO SEE WHERE FOLKS  
10 ARE. WE HAVE AN IDEA WHERE FOLKS ARE BUT WE WANT TO SEE THE  
11 DATA AND THAT'S GOING HELP US TO FINE TUNE THIS.

12

13 **DAVID RABBIT, MTC V. CHAIR:** I APPRECIATE THAT. I THINK IT'S  
14 WORTH CONSIDERING AND HOPEFULLY CAN PUSH PEOPLE IN THE RIGHT  
15 DIRECTION RECOGNIZING THAT EVERY SITE IS DIFFERENT. EVERY SITE  
16 HAS DIFFERENT CONSTRAINTS AND OPPORTUNITIES AND SO ON AND SO  
17 FORTH. SO, THANK YOU.

18

19 **SUE NOACK:** THANKS. I REALLY APPRECIATE THE FLEXIBILITY THAT  
20 YOU GUYS HAVE INCORPORATED IN THIS. AND, ALSO, THE WILLINGNESS  
21 TO ADAPT AS THINGS MOVE ALONG. I THINK THIS IS A PRETTY  
22 COMPLEX POLICY. AND AS WE GAIN MORE EXPERIENCE, THERE ARE  
23 PROBABLY GOING TO BE ADJUSTMENTS THAT NEED TO BE MADE. I WOULD  
24 SUGGEST THE KITCHEN CABINET BE MORE FOCUSED IN THAT DIRECTION  
25 RATHER THAN ON THE, SORT OF, INDIVIDUAL CASE BY CASE



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1 SITUATION. BUT, AS -- YOU KNOW, A NUMBER OF SITUATIONS COME  
2 UP, USING A KITCHEN CABINET TO MAYBE FORMULATE THE CHANGES YOU  
3 MIGHT WANT TO MAKE IN THIS POLICY. SO THAT WOULD BE MY  
4 SUGGESTION. THANKS.

5

6 **JAMES P. SPERING, MTC CHAIR:** THANK YOU. CHAIR PEDROZA?

7

8 **ALFREDO PEDROZA:** THANK YOU CHAIR SPERING. I WANT TO ECHO  
9 COMMENTS COMMISSIONER RABBITT MADE. THAT'S EXACTLY WHAT WE  
10 WANT TO BE INCENTIVIZING, WHERE THERE IS CAPACITY TO DO MORE  
11 IN ONE AREA THAT SHOULD BE REWARDED AND INCENTIVIZED. TO ME  
12 THE WAY YOU LAID IT OUT IS THE WAY IT SHOULD BE LAID OUT WE  
13 WANT REGIONS TO PARTICIPATE IN THESE POLICIES IF IT'S TOO  
14 RESTRICTIVE, THE CONCERN I HAVE SET, WE'RE GOING TO SEE  
15 MUNICIPALITIES NOT PARTICIPATE. THAT'S THE OUTCOME WE'RE  
16 TRYING TO ACHIEVE WHERE FLEXIBILITY AND LAYING IT OUT PROVIDE  
17 LEVEL WHERE MOST CITIES CAN PARTICIPATE. AND PARKING  
18 MANAGEMENT IF THERE IS SOME AREAS THAT CAN'T DO THAT AS LONG  
19 AS THEY DO IT IN ANOTHER CATEGORY THAT'S A GOOD THING THAT'S  
20 WHAT YOU HAVE ALLOWED WITH YOUR FLEXIBILITY. I WANT TO THANK  
21 STAFF YOU PRESENTED MULTIPLE TIMES AND SPENT A LOT OF TIME ON  
22 IT IT'S SHOWING WE CREATED A BETTER PRODUCT BUT CAN'T LET THE  
23 PERFECT GET IN THE WAY OF PROGRESS. THANK YOU.

24



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1 **JAMES P. SPERING, MTC CHAIR:** THANK YOU. DURING THE  
2 PRESENTATION GILLIAN USED THE WORD FLEXIBILITY SEVERAL TIMES.  
3 [LAUGHTER] SO, I THINK STAFF HAS ALREADY US LOUD AND CLEAR ON  
4 THAT. LET ME GO TO PUBLIC -- OH

5

6 **CARLOS ROMERO:** ACTUALLY, SUPERVISOR --

7

8 **JAMES P. SPERING, MTC CHAIR:** GO AHEAD. I'M SORRY.

9

10 **OTTO LEE:** THANKING STAFF GOOD WORK IT'S VERY IMPORTANT ALSO A  
11 COMPLICATED PROCESS CLEARLY FLEXIBILITY IS MUCH NEEDED.  
12 ADHERENCE TO CODE PERFECTION CAN BE -- [INDISCERNIBLE] THANK  
13 YOU VERY MUCH FOR THE CONSIDERATION OF THE 85% APPROACH AND  
14 PUTTING THOSE INTO CONSIDERATION. THANK YOU, AGAIN, FOR THE  
15 GOOD WORK.

16

17 **JAMES P. SPERING, MTC CHAIR:** CARLOS?

18

19 **CARLOS ROMERO:** LAST BITE AT THE APPLE HERE. AGAIN, I  
20 APPRECIATE THE WAY YOU LAID THIS OUT, ALSO APPRECIATIVE OF THE  
21 COMMERCIAL POLICIES AND STATION CIRCULATION BEING 100%  
22 COMPLIANCE. DOES THE 85% GO THROUGH 2026 AND AFTER THAT  
23 EVERYBODY HAS TO COMPLY 100%? OR IS THIS 85% INTO THE FUTURE?  
24 AND I'LL TELL YOU WHY. BECAUSE ULTIMATELY I THINK WE WANT THE  
25 MARKETS TO RECOGNIZE THAT THIS IS WHERE WE'RE GOING. AND SO



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1 THAT IF A BANK IS HESITANT TO MAKE A LOAN BECAUSE THE PARKING  
2 RATIOS ARE DIFFERENT BUT IF THEY UNDERSTAND THE RULES IN THE  
3 BAY AREA SUCH THEY ARE SET HIGHER THEN BANKS WILL GET  
4 [INDISCERNIBLE]. BUT IF WE HAVE THIS YES NO; YES NO, THEN WE  
5 HAVE EITHER A BUNCH OF APOSTATES OR ATHEISTS OUT THERE.

6

7 **MATT MALONEY:** IT'S IMPORTANT TO NOTE WE RESISTED THE URGE TO  
8 MODIFY THE POLICY ITSELF. THE NUMERIC THRESHOLDS IN THE POLICY  
9 REMAIN AS THEY ARE. SO, I THINK IT'S VERY IMPORTANT THOSE ARE  
10 STILL ON THE BOOKS. TO YOUR 85% QUESTION, WE ARE TRYING TO GET  
11 OURSELVES THROUGH TO THAT 2026 DATE BECAUSE THAT'S WHERE WE'RE  
12 GOING TO HAVE A MOMENT WHERE WE HAVE A NEW ROUND OF OBAG  
13 FUNDING AND WHERE WE'RE GOING TO BE ABLE TO TAKE A LOOK AT HOW  
14 THIS IS DOING ACROSS THE REGION. THIS IS GOING TO BE A BIT OF  
15 EVOLUTION OVER TIME, AND AGAIN I WANT TO REITERATE WE'RE GOING  
16 TO BE COMING BACK TO THE COMMITTEE ON WHAT WE'RE SEEING OUT  
17 THERE. AND WE WILL GET MORE SPECIFIC WITH YOU ON THE  
18 METHODOLOGY FOR THE 85%, AS WELL.

19

20 **JAMES P. SPERING, MTC CHAIR:** OKAY. SEEING NO OTHER LIGHTS.  
21 ADINA LEVIN? YOU WANT TO COMMENT? CLERK, MARTHA SILVER: HOW  
22 MUCH TIME?

23

24 **ADINA LEVIN:** ADINA LEVIN, MEMBER OF THE POLICY ADVISORY  
25 COUNCIL, SPEAKING FOR MYSELF. I DID COSIGN A JOINT LETTER THAT



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1 YOU RECEIVED ON THIS ITEM, WHICH, HOPEFULLY, THERE WOULD BE  
2 PEOPLE TO COMMENT ON ZOOM ON THE SEVERAL SPECIFICS OF THAT  
3 LETTER THAT I DO AGREE WITH. THE POINT I WANTED TO COMMENT  
4 FROM WAS THE PERSPECTIVE OF A LOCAL GROUP CALLED MELLOW  
5 TOGETHER THAT WORKS SUPPORTING AFFORDABLE HOUSING PROTECTIONS  
6 AND ENVIRONMENTAL JUSTICE IN MENLO PARK. FROM THE PERSPECTIVE  
7 OF THIS POLICY, UNDERSTANDABLE WAY THIS SUCCESS DONE WITH THE  
8 KITCHEN CABINET HAS THE POSSIBILITY OF BEING THE WORST OF  
9 SEVERAL POSSIBLE RULES IN LOCAL FIGHTS ABOUT TENANT  
10 PROTECTIONS AND AFFORDABLE HOUSING AND THE AMOUNT OF PARKING  
11 IT'S APPROPRIATE TO HAVE IN A DOWNTOWN AREA NEXT TO A BUS AND  
12 CALTRAIN STATION WE FIGHT THOSE HARD AND WE KNOW WHO THE CITY  
13 COUNCIL MEMBERS ARE AND WHO WE'RE GETTING DISTRICT SUPPORT  
14 FOR, AND IF THOSE DECISIONS WIND UP BEING MADE BY THREE OR  
15 FOUR PEOPLE ON MTC WHO MIGHT BE FAR AWAY, LIKE -- AND THEN WE  
16 DON'T EVEN KNOW HOW IT HAPPENED, THAT'S THE WORST OF SEVERAL  
17 POSSIBILITIES. IF PEOPLE WHO ARE NOT IN SAN JOSE WHO ARE  
18 MAKING DECISIONS, LIKE, NOT KNOWING ABOUT THAT SHARK'S  
19 CONTRACT, EVEN THOUGH I WISH THERE WAS A DIFFERENT SOLUTION  
20 FOR SAN JOSE IF THERE ARE THREE PEOPLE WEIGHING IN AND NOBODY  
21 EVEN KNOW WHAT IS IT DOES, THIS IS EQUIVALENT TO THE  
22 APPROPRIATIONS COMMITTEE IN THE LEGISLATURE WHERE POLICIES DIE  
23 SILENTLY WE WOULD RATHER HAVE SOMETHING THAT'S EXPLICIT, A  
24 CITY APPLIES FOR AN EXCEPTION THEN IT COMES FORWARD TO THE  
25 BODY AND YOU CAN SEE WHAT THE EXCEPTION WAS AND IF THERE WAS A



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1 DEEP CONCERN PEOPLE CAN KNOW ABOUT IT AS OPPOSED TO HAVING  
2 THESE THINGS DYING SILENTLY IN A SMALL GROUP. THANK YOU.

3

4 **JAMES P. SPERING, MTC CHAIR:** THANK YOU. MARTHA DO WE HAVE  
5 PEOPLE ON -- CLERK, MARTHA SILVER: YEP. WE DO NOW. FIRST UP IS  
6 GOING TO BE KEN CHAN FOLLOWED BY EMILIANO. KEN GO AHEAD AND  
7 UNMUTE YOURSELF.

8

9 **SPEAKER:** GOOD MORNING MEMBERS OF THE MTC PLANNING COMMITTEE MY  
10 NAME IS KEN SENIOR ORGANIZER WITH THE HOUSING LEADERSHIP  
11 COUNCIL SAN MATEO COUNTY LEADERS IN PRESERVING QUALITY  
12 AFFORDABLE HOMES I WOULD LIKE TO THANK STAFF FOR ALL THE HARD  
13 WORK IN THIS MORNING'S PRESENTATION AND REPORT. AS YOU ALL MAY  
14 KNOW, POLICY HELPED PUSH BACK AGAINST JOBS/HOUSING IMBALANCE  
15 EXPERIENCED BY CITIES IS DIFFICULT. AN EFFECTIVE TOC POLICY  
16 CAN HELP AMELIORATE THIS, I WOULD ENCOURAGE YOU TO SUPPORT A  
17 POLICY THAT LAYS OUT A SET OF ENFORCEABLE CONSEQUENCES SUCH AS  
18 LOSS OF DEFERRAL OBAG FUNDING TO MOTIVATE JURISDICTIONS WHERE  
19 THIS POLICY COULD COMPLY WE ASK YOU NOT TO DELAY ENDORSEMENT  
20 REQUIREMENTS IN REGARDS TO TRANSIT EXTENSION, SAME  
21 REQUIREMENTS AS PROPOSED FOR THE REGIONAL FUNDING PROJECT  
22 FUNDING PROJECT DEVELOPMENT ENVIRONMENTAL REVIEW. WE ASK FOR  
23 SPECIFIC TOC POLICY REVISIONS THAT -- [INDISCERNIBLE] THAT  
24 DON'T FIT IN WITH LOCAL CONTEXT. THANK YOU SO MUCH.

25



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1 **JAMES P. SPERING, MTC CHAIR:** THANK YOU. CLERK, MARTHA SILVER:  
2 THANK YOU. NEXT UP WE HAVE EMILIANO FOLLOWED BY ERICA PINTO.  
3 UNMUTE YOURSELF.

4

5 **SPEAKER:** MY NAME IS EMILIANO, WITH ENTERPRISE COMMUNITY  
6 PARTNERS NATIONAL AFFORDABLE HOUSING NON-PROFIT. I WOULD LIKE  
7 TO THANK THE COMMISSION AND STAFF FOR ALL THE HARD WORK YOU  
8 HAVE DONE ON THE TOC POLICY OVER THE PAST FEW YEARS. I WANT TO  
9 COMMEND STAFF ON THE SIGNIFICANT OUTREACH YOU HAVE CONDUCTED  
10 THROUGH THE THIS MULTI-YEAR PROCESS AND SPECIFICALLY THESE  
11 PAST FEW MONTHS AS WE WORK TOWARDS FINALIZING GUIDELINES AND  
12 SHIFT IMPLEMENTATION. I WANT TO UNDERSCORE POLICY IS  
13 FOUNDATIONAL TO OUR REGION BEING ABLE TO ACHIEVE THE GOALS OF  
14 PLANNED BAY AREA, INCLUDING OUR CLIMATE GOALS FOR FOCUSING  
15 GROWTH NEAR TRANSIT BUT ALSO OUR REGION'S COMMITMENTS TO  
16 EQUITY AND AFFORDABILITY THROUGH THE THREE P'S POLICIES. WE  
17 APPRECIATE THE CONVERSATION THAT STAFF HAS FACILITATED TODAY  
18 ABOUT HOW TO MOVE FORWARD WITH IMPLEMENTATION, BUT WE OFFER A  
19 FEW COMMENTS. WE RECOGNIZE A BROAD DIVERSITY OF CITIES IN A  
20 REGION AND THAT WANT TO BE MINDFUL OF DIFFERENT LOCAL CONTEXT.  
21 FOR THIS REASON WE URGE MTC TO REQUIRE COMPLIANCE WITH 100% OF  
22 THE POLICY BUT WITH EXEMPTIONS POLICY FOR CERTAIN COMPONENTS  
23 THIS PRESERVES THE INTEGRITY OF THE POLICY. MTC CAN DEVELOP  
24 THIS PROCESS FOR SPECIFIC COMPONENTS THAT DO NOT FIT THE  
25 CONTEXT AND THIS PROCESS SHOULD REQUIRE JURISDICTIONS TO



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1 DEMONSTRATE THAT A POLICY COMPONENT DOES NOT FIT THEIR LOCAL  
2 CONTEXT AND OFFER ALTERNATIVE APPROACH TO MEET THE GOALS OF  
3 THE POLICY THAT BETTER FITS THEIR COMMUNITY. WE ALSO URGE MTC  
4 TO NOT DELAY PROJECT ENDORSEMENT REQUIREMENTS UNTIL AFTER  
5 2026. AND TO MAKE TOC COMMITMENTS REAL AND INCORPORATE  
6 CREDIBILITY FOR THESE COMMITMENTS. WE LOOK FORWARD TO WORKING  
7 CLOSELY WITH STAFF ON ALL POLICY IMPLEMENTATIONS IN THE COMING  
8 MONTHS AND YEARS. THANK YOU. CLERK, MARTHA SILVER: THANK YOU.  
9 ERICA PINTO, YOU ARE UP, FOLLOWED BY COLLIN WEEKS. GO AHEAD.

10

11 **SPEAKER:** HELLO MY NAME IS ERICA PINTO WITH SPUR JOINED BY A  
12 BROAD BASED COALITION OF REGIONAL PARTNERS WHO ARE COMMITTED  
13 TO REALIZING A PARTICULAR POLICY WILL GUIDE THE REGION'S  
14 TRANSIT INVESTMENTS TOWARD FULFILLING GOALS OF A BETTER FUTURE  
15 FOR THE BAY AREA THIS PLANNED BAY AREA IMPLEMENTATION IS  
16 APPROPRIATION DEMONSTRATES THAT MTC PLAN MEANS SOMETHING WE'RE  
17 MINDFUL OF BROAD AND LOCAL CONTEXT AND WANT TO ENSURE THE  
18 IMPLEMENTATION OF THIS POLICY IS CENTRAL TO MTC'S CREDIBILITY  
19 FOR FUTURE PLANNING. REGARDING PROPOSED CHANGES FOR CONCERNS  
20 ABOVE ALL OTHERS, SINCE LAST MONTH THE PROPOSAL APPEARS TO  
21 ELIMINATE THE REQUIREMENT THAT TRANSIT EXTENSION FUNDS MUST  
22 LEAD TO TOC COMPLIANCE THIS NEEDS TO BE CORRECTED EVERYWHERE  
23 THAT MTC REQUIRES JURISDICTIONS TO COMMIT THAT COMMITMENT  
24 NEEDLE TO BE REAL AND THERE SHOULD BE CONSEQUENCES THAT  
25 JURISDICTIONS STICK TO COMMITMENTS WE UNDERSTAND STAFF HAS



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1 COME TO BELIEVE THAT JURISDICTIONS CANNOT BE ASKED TO COMMIT  
2 TO FUTURE POLICY CHANGES TO MEET TOC STANDARDS THIS MAY OR MAY  
3 NOT BE TRUE BUT THERE ARE OTHER WAYS TO ACHIEVE THE INTENT OF  
4 THE TOC POLICY FOR EXAMPLE, ENDORSEMENTS FOR DISCRETIONARY  
5 FUNDS AT EARLY STATE TRANSIT EXTENSIONS WOULD BE REQUIRED TO  
6 COMPLY WITH THE POLICY BEFORE RECEIVING CONSTRUCTION FUNDS FOR  
7 EXTENSION. COMPLIANCE REQUIRED FOR ELIGIBILITY THIS IN NO WAY  
8 REPLACING THE TRANSIT EXTENSION CONDITIONING THAT HAS BEEN THE  
9 FOUNDATIONAL PIECE OF THE TOC POLICY TRANSIT EXTENSION  
10 PROJECTS ARE FOUNDATIONAL FROM OBAG FOUR FUNDING SO WE CAN  
11 EXTEND FUNDING CONDITIONALLY MEANINGFUL -- PLEASE MAINTAIN  
12 ROBUST FUNDING FOR TRANSIT EXTENSION PROJECTS. THANK YOU.  
13 CLERK, MARTHA SILVER: LAST SPEAKER IS CALLUM WEEKS. GO AHEAD  
14 AND UNMUTE YOURSELF. YOU'RE UNMUTED. MAYBE CALLUM DOESN'T WANT  
15 TO SPEAK. THERE ARE NO OTHER ITEMS RECEIVED FOR THIS ITEM. WE  
16 RECEIVED WRITTEN CORRESPOND IT FROM THE CITY OF SAN JOSE IT  
17 WAS POSTED ONLINE AND DISTRIBUTED TO ALL MEMBERS

18

19 **JAMES P. SPERING, MTC CHAIR:** EDDIE?

20

21 **EDDIE AHN:** I AM CURIOUS HOW YOU WOULD RESPOND TO THE WEAKENING  
22 OF COMPLIANCE ON THE TOC POLICY?

23

24 **MATT MALONEY:** WE FEEL THAT THE ITEM BEFORE YOU TODAY IS  
25 RESPOND -- WE HAVE HEARD A LOT OF DIFFERENT THINGS FROM



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1 CITIES, TRANSIT OPERATORS, YOU ALL, AS WELL AS THE HOUSING IN  
2 THE LOCAL ADVOCATES OUT THERE. I WANT TO REITERATE AGAIN THAT  
3 THE POLICY, ITSELF, REMAINS UNCHANGED. THE POINT OF TODAY IS  
4 REALLY TO CLARIFY HOW WE DEAL WITH SOME NEAR-TERM FUNDING  
5 ISSUES FOR TRANSIT EXTENSIONS, AND I THINK WHAT WE HAVE HEARD  
6 IS, SORT OF, THAT LOCAL CONTEXT MATTERS, AND NOT TO HAVE --  
7 YOU KNOW, TO GO FOR PERFECTION STANDARD. AND ON THIS 85% PIECE  
8 WE'RE GOING TO CONTINUE TO COME BACK TO YOU ALL TO CLARIFY,  
9 SORT OF, OUR METHODOLOGY FOR DOING THAT. TODAY IS NOT THE LAST  
10 DAY WE'RE GOING TO TALK ABOUT THIS.

11

12 **JAMES P. SPERING, MTC CHAIR:** OKAY. ANY OTHER COMMENTS? OKAY.  
13 WITH THAT, I'LL CERTAINLY ENTERTAIN A MOTION TO APPROVE  
14 RESOLUTION 4530, REVISED.

15

16 **SUE NOACK:** SO MOVED, NOACK.

17

18 **JAMES P. SPERING, MTC CHAIR:** DO I HAVE A SECOND? I'LL SECOND  
19 THE MOTION. IF THERE IS NO FURTHER DISCUSSION, PLEASE TAKE THE  
20 ROLL. CLERK, MARTHA SILVER: CHAIR SPERING?

21

22 **JAMES P. SPERING, MTC CHAIR:** YES. CLERK, MARTHA SILVER: VICE  
23 CHAIR ANN?

24

25 **V. CHAIR, EDDIE AHN, MTC:** AYE. CLERK, MARTHA SILVER: CANEPA?



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1

2 **DAVID CANEPA:** AYE. CLERK, MARTHA SILVER: DUTRA-VERNACI IS  
3 ABSENT. MAHAN IS ABSENT. COMMISSIONER MOULTON-PETERS?

4

5 **STEPHANIE MOULTON-PETERS:** YES. CLERK, MARTHA SILVER: NOACK?

6

7 **SUE NOACK:** YES. CLERK, MARTHA SILVER: RABBITT?

8

9 **DAVID RABBIT, MTC V. CHAIR:** AYE. CLERK, MARTHA SILVER: MOTION  
10 PASSES UNANIMOUSLY BY ALL MEMBERS PRESENT.

11

12 **JAMES P. SPERING, MTC CHAIR:** OKAY. THANK YOU. AND I JUST WANT  
13 TO, YOU KNOW, EXPRESS THE WILLINGNESS OF OUR STAFF TO BE  
14 FLEXIBLE, TO LISTEN. YOU KNOW, FOR ME, WE'RE PLANNING A Y SEED  
15 TODAY THAT WILL HELP STRUCTURE THIS PLANNING IN THE FUTURE AND  
16 THIS IS A FIRST STEP IN THE JOURNEY, YOU WILL HAVE PLENTY OF  
17 OPPORTUNITY TO ADDRESS MANY ISSUES THAT HAVE BEEN RAISED WHICH  
18 I THINK ARE LEGITIMATE ISSUES. IT'S ALSO IMPORTANT THAT IN THE  
19 JURISDICTIONS THROUGH THE THIS REGION THAT THEY KNOW WE'RE  
20 WORKING WITH THEM. AND STAFF HAS BUILT INTO THIS FLEXIBILITY  
21 AND WILLINGNESS TO LISTEN, BRING IT BACK TO THIS COMMITTEE, I  
22 THINK GOES A LONG WAYS. SO I WANT TO THANK STAFF FOR THAT. SO,  
23 WITH THAT, IS THERE ANY PUBLIC COMMENTS? NOT ON THIS ISSUE,  
24 JUST IN GENERAL? CLERK, MARTHA SILVER: THERE IS NO WRITTEN  
25 CORRESPOND RECEIVED ON THIS ITEM. THERE ARE NO MEMBERS OF THE



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1 PUBLIC IN THE BOARDROOM WISHING TO SPEAK AND NO ONE IN ZOOM  
2 WITH THEIR HAND RAISED.

3

4 **JAMES P. SPERING, MTC CHAIR:** OKAY. IF THERE IS NO FURTHER  
5 BUSINESS OF THIS COMMITTEE, THE MEETING IS ADJOURNED. THANK  
6 YOU. [ADJOURNED]

7



**NTT**

*Broadcasting Government*