



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Metropolitan Transportation Commission

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, May 22, 2019

9:35 AM

Board Room - 1st Floor

Call Meeting to Order

1. Roll Call / Confirm Quorum

Present: 16 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering, and Commissioner Worth

Absent: 2 - Commissioner Liccardo, and Commissioner Ronen

Non-Voting Commissioners Present: Commissioner Giacomini and Commissioner Tavares

Non-Voting Commissioner Absent: Commissioner Jackson

2. Chair's Report (Haggerty)

- 2a. [19-0501](#) MTC Resolution No. 4385 - Resolution of Appreciation for Ellen Griffin upon her retirement after 30 years of service to the Metropolitan Transportation Commission.

Action: Commission Approval

Upon the motion by Commissioner Dutra-Vernaci and the second by Commissioner Worth, the Commission unanimously adopted MTC Resolution No. 4385. The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

2b. [19-0468](#) Appointment to the Joint ABAG MTC Governance Committee

Action: Commission Approval

Upon the motion by Commissioner Mackenzie and the second by Commissioner Halsted, the Commission unanimously approved the appointment of Commissioner Haggerty, Commissioner Pedroza, Commissioner Josefowitz, Commissioner Spering, Commissioner Cortese, and Commissioner Worth to the Joint ABAG MTC Governance Committee. The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

3. Policy Advisory Council Report (Randi Kinman)

4. Executive Director's Report (McMillan)

5. Commissioner Comments

6. Consent Calendar:

Approval of the Consent Calendar

At the request of staff, agenda item 6h was pulled from the Consent Calendar for discussion.

Upon the motion by Commission Vice Chair Pedroza and the second by Commissioner Mackenzie, the remaining items on the Consent Calendar were unanimously approved by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

6a. [19-0441](#) Minutes of the April 24, 2019 meeting

Action: Commission Approval

Administration Committee

6b. [19-0394](#) MTC Resolution No. 4373 - MTC Agency FY 2019-20 Pay Schedules

Action: Commission Approval

Presenter: Robin James

Programming and Allocations Committee

6c. [19-0336](#) MTC Resolution No. 4375, Revised. 2019 Transportation Improvement Program (TIP) Amendment 2019-14.

Action: Commission Approval

Presenter: Adam Crenshaw

6d. [19-0461](#) MTC Resolution No. 4378 -- FY2019-20 RM2 Marketing Program

A request to adopt the \$6.9 million FY2019-20 Regional Measure 2 (RM2) Marketing Program, an element of the annual RM2 operating program.

Action: Commission Approval

Presenter: Cheryl Chi

Legislation Committee

6e. [19-0477](#) AB 69 (Ting): Small Home Building Standards

AB 69 would require the Department of Housing and Community Development (HCD) to propose small home building standards governing ADUs smaller than 800 square feet, junior ADUs and detached dwelling units smaller than 800 square feet. The standards must be submitted to the California Building Standards Commission (CBSC) for adoption by January 1, 2021.

Action: Support and Seek Amendments

Presenter: Rebecca Long

6f. [19-0478](#) AB 1483 (Grayson): Housing Data/Transparency

This bill seeks to make housing fee and zoning standards more transparent by requiring that they be posted on local agency and state web sites, requires local agencies to provide additional reporting of housing permit requests, production and permitting data annually, and requires the Department of Housing and Community Development (HCD) to develop an online database of housing production data accessible to the public.

Action: Support and Seek amendments

Presenter: Rebecca Long

6g. [19-0486](#) SB 6 (Beall): Statewide Housing Site Inventory

SB 6 would require that the Department of Housing and Community Development (HCD) add to the statewide surplus lands inventory locally-identified sites available for housing development as identified in a local agency's housing element site inventory.

Action: Support

Presenter: Georgia Gann Dohrmann

6h. [19-0510](#) AB 68 (Ting): Accessory Dwelling Units

AB 68 would prohibit local Accessory Dwelling Unit (ADU) standards from including certain requirements related to minimum lot size and replacement parking and would require an ADU (attached or detached) of at least 800 square feet and 16 feet in height to be allowed. The bill would also reduce the allowable time to issue an ADU permit to 60 days after an agency receives a completed application.

Action: Support and Seek Amendments

Presenter: Georgia Gann Dohrmann

Upon the motion by Commissioner Mackenzie and the second by Commissioner Rabbitt, the Commission adopted a support position on AB 68 (Ting). The motion carried by the following vote:

Aye: 12 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Connolly, Commissioner Cortese, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Nay: 2 - Commissioner Bruins and Commissioner Papan

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

Abstain: 1 - Commissioner Dutra-Vernaci

6i. [19-0545](#) AB 1485 (Wicks): Workforce Housing

AB 1485 would modify affordability requirements applicable to a developer who wants to take advantage of current law's by-right provisions in Senate Bill 35 (Wiener, 2017) such that a project could either dedicate 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income (AMI)-as provided for in current law-or 20 percent to households earning below 120 percent AMI with an average income of units at or below 100 percent-which the bill would add as a new option.

Action: Support

Presenter: Rebecca Long

Committee Reports

7. Administration Committee (Glover)

7a. [19-0284](#) MTC Resolution No. 4370 - FY 2019-20 Overall Work Program (OWP), Planning Certification, and Authorization for Execution of Agreements for Federal and State Planning Grants.

A request for approval of the FY 2019-2020 OWP, which guides the collaborative metropolitan transportation planning process involving MTC, ABAG, Caltrans, and other local transportation partners and for authorization to enter into agreements for transportation planning funds.

Action: Commission Approval

Presenter: Brian Mayhew

Upon the motion by Commissioner Glover and the second by Commissioner Worth, the Commission unanimously adopted MTC Resolution No. 4370. The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

8. Programming and Allocations Committee (Josefowitz)

- 8a. [19-0287](#) MTC Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263, Revised; and 4272, Revised. Transit Capital Priorities and Bridge Toll Programs revisions.

Revisions to the FY2016-17 through FY2019-20 Transit Capital Priorities (TCP) Process and Criteria, the FY2015-16 and FY2016-17 through FY2019-20 TCP Programs, the FY2018-19 BATA Project Savings Fund program, and the FY2018-19 and FY2019-20 AB 664 Net Bridge Toll Revenues program and allocations.

Action: Commission Approval

Presenter: Rob Jaques

Upon the motion by Commissioner Dutra-Vernaci and the second by Commissioner Bruins, the Commission unanimously adopted MTC Resolution Nos. 4169, Revised; 4212, Revised; 4242, Revised; 4262, Revised; 4263, Revised; and 4272, Revised. The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperring and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

9. Legislation Committee (Mackenzie)

- [19-0544](#) Housing Legislative Working Group Update

Report on the work of the ABAG-MTC Housing Legislative Working Group, convened to provide input into staff's analysis of key housing bills under consideration in Sacramento this year.

Action: Information

Presenter: Rebecca Long

Housing: Protection

- 9a.i. [19-0483](#) AB 1481 (Bonta) and AB 1697 (Grayson) - Tenancy Termination: Just Cause

Prohibits eviction of a tenant without just cause stated in writing. Requires tenant be provided a notice of a violation of lease and opportunity to cure violation prior to issuance of notice of termination.

Action: Support

Presenter: Rebecca Long

Upon the motion by Commissioner Mackenzie and the second by Commissioner Worth, the Commission adopted a support position on AB 1481, now authored by Grayson, and action on AB 1697 was deferred. The motion carried by the following vote:

Aye: 14 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperring and Commissioner Worth

Nay: 1 - Commissioner Papan

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

- 9a.ii. [19-0511](#) AB 1482 (Chiu) - Statewide Annual Cap on Rent Increases

Caps annual rent increases by five percent above the percent change in the cost of living and limits the total rental rate increase within a 12 month period to 10 percent.

Action: Support

Presenter: Rebecca Long

Upon the motion by Commissioner Mackenzie and the second by Commissioner Halsted, the Commission adopted a support position on AB 1482 (Chiu). The motion carried by the following vote:

Aye: 14 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperring and Commissioner Worth

Nay: 1 - Commissioner Papan

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

9a.iii. [19-0512](#) SB 18 (Skinner) - Keep Californians Housed Act

Authorizes a competitive grant program to be administered by Department of Housing and Community Development (HCD) to provide emergency rental assistance and legal aid for tenants facing eviction, mediation between landlords and tenants and legal education.

Action: Support

Presenter: Rebecca Long

Upon the motion by Commissioner Mackenzie and the second by Commissioner Halsted, the Commission unanimously adopted a support position for funding of new neutral assistance and legal aid in the FY 2019-20 state budget. The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

Housing: Production + Preservation

9b.i. [19-0508](#) SB 330 (Skinner): Housing Crisis Act of 2019

SB 330 is a wide reaching bill that aims to accelerate housing development, provide project proponents more certainty and lower fees, and reduce displacement of existing residents from substandard buildings.

Action: Seek Amendments

Presenter: Rebecca Long, MTC and Robert Gammon, Communications Director /
Policy Advisor for Senator Nancy Skinner

Upon the motion by Commissioner Mackenzie and the second by Commission Chair Haggerty, the Commission unanimously adopted a seek amendments position on SB 330 (Skinner), with an added amendment to provide some exceptions where needed for public safety on narrow public streets. The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

- 9b.ii.** [19-0479](#) SB 50 (Wiener): Equitable Communities Incentives - Upzoning Near Transit & Jobs-Rich Areas & By Right Allowance for Small Residential Projects in Specified Areas

SB 50 would allow varying degrees of higher-density multifamily housing to be built within ½-mile of transit stations, ¼-mile of high-quality bus corridors and in areas designated as “jobs-rich” by the Department of Housing and Community Development. The bill also provides for smaller, by-right residential development on vacant parcels in urbanized areas.

Action: Support if Amended

Presenter: Rebecca Long

Upon the motion by Commissioner Mackenzie and the second by Commissioner Rabbitt, the Commission directed staff to continue to work with the author of SB 50 (Wiener) to address concerns raised by the Commission to date and to report back to the Commission with updates. The motion carried by the following vote:

Aye: 13 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Nay: 1 - Commissioner Papan

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

Abstain: 1 - Commissioner Dutra-Vernaci

9b.iii. [19-0480](#) AB 1487 (Chiu): Housing Alliance for the Bay Area

AB 1487 (Chiu) would establish the Housing Alliance for the Bay Area (HABA) to increase funding for affordable housing in the nine-county region. The bill authorizes HABA to place on the ballot a series of revenue raising measures, subject to certain return to source provisions, to provide funding and technical assistance to local jurisdictions and affordable housing developers to help produce and preserve affordable housing and pay for tenant protection services. The bill provides that HABA would have the authority to buy and lease land for affordable housing purposes, but not the ability to purchase land by eminent domain or regulate or enforce local land use decisions.

Action: Seek Amendments

Presenter: Rebecca Long

Heather Hood, Enterprise Community, was called to speak.

Laura Foot Clark, YIMBY, was called to speak.

Nicholas Nagle, San Francisco Housing Action Coalition, was called to speak.

Rodney Nickens, Non Profit Housing, was called to speak.

Upon the motion by Commissioner Mackenzie and the second by Commissioner Cortese, the Commission adopted a seek amendments position on AB 1487 (Chiu). The motion carried by the following vote:

Aye: 11 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Cortese, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum and Commissioner Spering

Nay: 3 - Commissioner Bruins, Commissioner Connolly and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

Abstain: 1 - Commissioner Dutra-Vernaci

9b.iv. [19-0509](#) AB 11 (Chiu): Community Redevelopment Law of 2019

AB 11 would restore to cities and counties the option to form an entity that can use “tax-increment financing” to pay for affordable housing and other local infrastructure priorities, subject to approval of the Strategic Growth Council.

Action: Support and Seek Amendments

Presenter: Rebecca Long

Upon the motion by Commissioner Mackenzie and the second by Commissioner Papan, the Commission unanimously adopted a support and seek amendments position on AB 11 (Chiu). The motion carried by the following vote:

Aye: 15 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 3 - Commissioner Liccardo, Commissioner Josefowitz and Commissioner Ronen

9b.v. [19-0481](#) SB 13 (Wieckowski): Accessory Dwelling Units

SB 13 would revise ADU law to require that a local government allow studio and one-bedroom ADUs of at least 850 square feet and two-bedroom or more ADUs of up to 1,000 square feet, and would prohibit ADU owner-occupancy requirements. The bill would limit impact fees imposed by local governments, special districts or water corporations to 25 percent of the impact fees otherwise charged for a new single-family dwelling for ADUs 750 square feet or greater and would waive impact fees for ADUs less than 750 square feet. The bill would also limit to 60 days the time a local agency has to issue an ADU permit after receiving an application and create a 10-yearly amnesty program to incentivize owners of existing unpermitted ADUs to obtain the permits and inspections necessary to legalize the units.

Action: Support if Amended

Presenter: Rebecca Long

Laura Foot Clark of YIMBY was called to speak.

Commissioner Josefowitz arrived during discussion of agenda item 9b. v.

Upon the motion by Commissioner Mackenzie and the second by Commissioner Halsted, the Commission adopted a support if amended position on SB 13 (Wieckowski). The motion carried by the following vote:

Aye: 14 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Nay: 2 - Commissioner Dutra-Vernaci and Commissioner Papan

Absent: 2 - Commissioner Liccardo and Commissioner Ronen

9b.vi. [19-0482](#) AB 1486 (Ting): Surplus Lands Act Expansion and Revision

AB 1486 would revise the Surplus Lands Act (SLA) - the state law that requires local agencies to prioritize affordable housing, as well as parks and open space, when disposing of land no longer necessary for the agency's use - and other state laws related to making surplus public land available for affordable housing development.

Action: Support if Amended

Presenter: Rebecca Long

Upon the motion by Commissioner Mackenzie and the second by Commissioner Halsted, the Commission adopted a support if amended position on AB 86 (Ting). The motion carried by the following vote:

Aye: 14 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Nay: 2 - Commissioner Connolly and Commissioner Papan

Absent: 2 - Commissioner Liccardo and Commissioner Ronen

10. Planning Committee (Spering)

10a. [19-0375](#) Plan Bay Area 2050 - Regional Growth Framework Revisions

Attached are the proposed revisions to the Regional Growth Framework (Priority Development Area, Priority Conservation Area and proposed new Priority Production Area pilot) for approval.

Action: Commission Approval

Presenter: Mark Shorett and Christy Leffall

Jane Kramer was called to speak.

Upon the motion by Commissioner Halsted and the second by Commissioner Worth, the Commission unanimously adopted MTC Resolution No. 4386 with an amendment that if there are programs specifically designated for PPAs they also become available to PDAs where there is a similar level of industrial jobs in those PDAs. The motion carried by the following vote:

Aye: 16 - Commission Chair Haggerty, Commission Vice Chair Pedroza, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Halsted, Commissioner Glover, Commissioner Josefowitz, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Schaaf, Commissioner Slocum, Commissioner Spering and Commissioner Worth

Absent: 2 - Commissioner Liccardo and Commissioner Ronen

11. Public Comment / Other Business

12. Adjournment / Next Meetings:

The next meeting of the Commission will be held on June 26, 2019 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.

Scott Haggerty, Chair