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COMMISSION MEETING

Wednesday, November 28, 2012
Joseph P. Bort MetroCenter, Lawrence D. Dahms Auditorium
101 Eighth Street
Oakland, CA 94607

REVISED MINUTES

ATTENDANCE

Chair Tissier called the meeting to order at 9:46 a.m. In addition to Chair Tissier the following Commissioners were present: Bates, Cortese, Dodd, Giacopini, Green, Haggerty, Halsted, Kinsey, Liccardo, Mackenzie, Mullin, Rein Worth, Sartipi, Spering, and Wiener.

CHAIR'S REPORT

Chair Tissier reminded the Commission that due to the holidays, the Commission meeting in December has been scheduled one week earlier than regularly scheduled. The new date is December 19th starting at 1:30 p.m..

POLICY ADVISORY COUNCIL REPORT

Egon Terplan presented the Policy Advisory Council report. Mr. Terplan highlighted the Policy Advisory Council meeting and described the Council's discussion of the Transit Performance Initiative, and their support for holding transit agencies accountable for making progress toward efficiency and effectiveness goals. The Council also discussed the 2013 Advocacy Program.

EXECUTIVE DIRECTOR'S REPORT

Steve Heminger, Executive Director, Operations presented the Executive Director's report to the Commission. Copies of the report are available from the Executive Office or www.mtc.ca.gov.

COMMISSIONERS COMMENTS

Commissioner Green suggested Commissioner Mullin (new State Assemblyman) consider legislation to allow Alameda County to go back to the voters for its transportation sales tax measure.

Commissioner Dodd reported that the Napa County Sales Tax for Road Repairs, Measure T, passed with a 75% vote in support of the measure.

CONSENT CALENDAR

Upon the motion by Commissioner Spering and seconded by Commissioner Rein Worth the Commission unanimously approved the following items on the Consent Calendar:

- Commission Meeting Minutes – October 24, 2012.

Programming and Allocations Committee

- Resolution No. 3889, Revised – Allocation of approximately $2 million in RM2 funds to the Napa County Transportation and Planning Agency (NCTPA).

- Resolution No. 3914, Revised – Allocation of $6 million in AB 1171funds to the Solano Transportation Authority (STA).

- Resolution Nos. 4061, Revised, and 4062, Revised – Allocation of $4.2 million in FY 2012-13 Transportation Development Act (TDA) funds and State Transit Assistance (STA) funds to Union City and AC Transit.

- Resolution No. 4073 – 2012 Productivity Improvement Program (PIP) from Transportation Development Act (TDA) Triennial Audit Reports.

- **Resolution No. 4078 – Pavement Management Technical Assistance Program (P-TAP) Guidelines.***

- Resolution Nos. 4079 and 4080 – Reallocation of $3.6 million in lapsed AB 664 Bridge Toll funds to BART and SFMTA.

Committee Reports

Programming & Allocations Committee – Tissier

Commission Chair Tissier presented the Committee report in Committee Chair Glover's absence.

- Resolution No 3738, Revised – BART Car Replacement Project Status Update and Funding Request. This resolution updates the amount of federal programming subject to the BART Car Replacement Funding Exchange Account and authorizes BART to withdraw up to $15.5 million in the current fiscal year from the Exchange Account to assist in meeting car replacement project expenses.

Commissioner Tissier moved to approve Resolution No. 3738, Revised. Commissioner Spering seconded the motion. Motion carried unanimously.

Next Steps for Priority Development Area (PDA) Planning

Chair Tissier asked Mr. Steve Heminger, Executive Director to present the item. Mr. Heminger indicated that staff seeks to confirm and clarify the changes to the PDA Planning Program approved by the Commission in October and present options for expending the $20 million remaining in the regional PDA Planning Program. Mr. Heminger presented the following three items to reflect staff's understanding of the action approved by the Commission:

1. Subvene $20 million of the $40 million regional PDA planning program to the county congestion management agencies (CMAs) for distribution to local jurisdictions for PDA land use planning and assistance.

2. The funds are to be allocated to each CMA over the four year OBAG period using the most current OBAG/RHNA formula with no county receiving less than $750,000.

3. The funds allocated to San Francisco are to be directed to the City Planning Department rather than the CMA.

Mr. Heminger indicated that to implement the Commission's action, staff recommends the following additional conditions for the redirected funding:

4. As required by current OBAG policies, CMAs must lead, develop and approve a PDA Investment and Growth Strategy by May 1, 2013. Mr. Heminger recommended that the Commission require that CMA grants to local jurisdictions, and the expenditure of funds by the San Francisco Planning Department, be aligned with the priorities identified in the adopted Investment and Growth Strategy. He further recommended that the CMAs be required to distribute the funds on a non-formula basis that targets assistance to PDAs that are high impact and capable of early implementation.

5. The $20 million local PDA planning funds are distinct from the CMA planning funds already identified in Resolution No. 4035. These CMA planning funds include a base amount per county that can be increased at the discretion of the CMAs through the programming of county discretionary OBAG funding. Mr. Heminger presented additional information about the trends in CMA's planning budgets over the last several years and their plans to program additional OBAG funding for planning. He recommended that the Commission limit CMA expenditures on administration of this new PDA planning program to no more than 5% of each CMA's share of the $20 million.

6. For the $20 million local PDA planning funds, jurisdictions may either directly access these funds through Caltrans Local Assistance similar to the other OBAG grants programmed to them by the CMAs or the CMAs may choose to provide individual grants to local jurisdictions through a single program administered by the CMA.

Mr. Heminger referred the Commission to letters from ABAG and members of the public related to this item.

Mr. Heminger indicated that the remaining question is how to spend the $20 million that is left for regional PDA Planning. Mr. Heminger offered the Commission three options for the remaining $20 million regional program for the Commission's information and discussion. Staff would discuss options with the Advisory Council and other stakeholders and return to the Commission for approval at their January 2013 meeting.

Mr. Heminger indicated that staff is seeking the Commission's concurrence with staff's recommendations on the PDA planning program to be administered by the CMAs, to implement the Commission's action last month.

Chair Tissier recognized representatives from ABAG to speak on this item. Julie Pierce, ABAG Vice President and Ezra Rapport, Executive Director, described their recommendations to provide continued regional coordination of PDA Planning activities. These recommendations included: 1) ABAG administration of PDA planning grants selected by the CMAs; 2) program a minimum $12 million of the $20 million remaining in the regional pot for regional PDA Planning grants; 3) retain a $7 million regional technical assistance program; 4) increase funding for the Transit-Oriented Affordable Housing (TOAH) fund, if funds are available; 5) no change in the $2 million allocation to ABAG for regional planning activities.

Commissioners asked Mr. Rapport several clarifying questions to understand the ABAG recommendations and allocation of funds.

The following individuals also spoke before the Commission under Public Comment:

- Sara Dennis Phillips, SF Planning Department – thanked MTC for their support and spoke in support of the CMA PDA planning program.
- Janet Stone, San Mateo County Department of Housing – spoke in support of MTC staff's recommendation.
- Evelyn Stivers, NPH – spoke in support of the TOAH fund and reminded the Commission of its commitment made in May.
- Miriam Hawley, League of Women Voters of the Bay Area – made reference to a letter sent to the Commission from the LWV regarding the Brown Act.
- Henry Hilken, Bay Area Air Quality Management District – spoke on the importance of PDA Planning and evaluation of public health impacts.
- Sam Tepperman-Gelfant, Public Advocates – spoke in support of staff's recommendations.
- Lindsay Imai, Urban Habitat – requested that this item be sent back to the Policy Advisory Council for discussion, require the CMAs to follow the PDA planning guidelines already in use in the regional program, and retain the commitment of $15 million to TOAH funds.
- Kate White, San Francisco Foundation (SFF) – spoke in support of the PDA planning program and TOAH fund, indicating that the SFF is one of the TOAH investors along with banks and foundations.
- Michael Lane, NPH – asked for public process clarification and support of action taken by the Commission in May.

Commissioner Green, made a motion seconded by Commissioner Mackenzie, to support the six recommended conditions for the $20 million CMA/local PDA Planning Program.

Commissioner Bates offered an amendment to the motion to read as follows:

For the $20 million local PDA planning funds, jurisdictions may either directly access funds through Caltrans, or may choose to administer the program and provide jurisdictions' individual grants. A CMA may request that ABAG administer the grant in cooperation with the local jurisdictions. This amendment was accepted by the maker of the motion. Commissioner Mackenzie seconded the amendment.

Commissioner Kinsey requested an additional amendment to the motion that the CMAs would be required to align their PDA planning activities with the regional PDA Planning Program guidelines as they apply only to those activities relevant to these guidelines.

After discussion, the motion, as amended by Commissioners Bates and Kinsey, carried unanimously.

The Commission discussed the relative investment of regional PDA program funds for the TOAH program and PDA technical assistance. Commissioner Liccardo requested that staff present information about the TOAH funds at the next Planning Committee meeting.

Mr. Heminger stated that staff would return to the Planning Committee with a recommendation on the regional PDA Planning Program following consultation with the Policy Advisory Council and other stakeholders.

PUBLIC COMMENT/ADJOURNMENT/NEXT MEETING

There being no further business or public comment, Commission Chair Tissier adjourned the meeting at 12:00 p.m. The next Commission meeting is scheduled for Wednesday, December 19, 2012 in Oakland, California.

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Adrienne J. Tissier, Chair