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Policy Advisory Council  
June 12, 2013  
**Draft Minutes**

Chair Dolly Sandoval called the meeting to order at 1:41 p.m. Members in attendance were Naomi Armenta, Cathleen Baker, Jim Blacksten, Richard Burnett, Carlos Castellanos, Bena Chang, Wilbert Din, Sandi Galvez, Dolores Jaquez, Linda Jeffery Sailors, Randi Kinman, Marshall Loring, Tina King Neuhausel, Gerald Rico, Alan Talansky and Egon Terplan. **Excused:** Elizabeth Clary, Richard Hedges and Kendal Oku. **Absent:** Joanne Busenbark, Federico Lopez, Yokia Mason, Tanya Narath, Lori Reese-Brown, and Frank Robertson.

**Approval of Revised May 2013 Meeting Minutes**

Prior to the meeting, the chair requested staff add a sentence to the top of the third page to clarify further discussion by the Council, as opposed to previous public comment. Staff presented the revised version to the Council, and the revised May 8, 2013 meeting minutes were approved after a motion by Ms. Jeffery-Sailors and a second by Mr. Loring. Ms. Neuhausel abstained, as she was not in attendance at the May meeting.

**Public Comment**

There was no public comment.

**Subcommittee Reports**

Ms. Armenta reported that the Equity and Access Subcommittee did not meet this month, but will be discussing New Freedom funding at a future meeting.

**Draft Plan Bay Area Discussion**

Ellen Griffin of MTC staff presented a summary of public input on the Draft Plan Bay Area. The Council asked clarifying questions and had no comments.

Doug Johnson of MTC staff gave a presentation on key issues and preliminary recommendations regarding Plan Bay Area. Following the staff presentation, the Council asked clarifying questions and commented that the Transit-Oriented Affordable Housing (TOAH) program should have more specific rules and criteria for distributing funds.

Mr. Castellanos gave an overview of the recommendations by the Council's Plan Bay Area ad-hoc subcommittee, which consisted of Vice Chair Egon Terplan, Cathleen Baker, Richard Burnett, Carlos Castellanos and Marshall Loring. The subcommittee met on Tuesday,

### **Draft Plan Bay Area Discussion (continued)**

May 28, and although Mr. Burnett was unable to attend the meeting, he provided comments directly to staff. The subcommittee recommendations were provided in writing to the Council as part of the meeting packet. During discussion, the following comments were made:

- Concern was expressed that MTC may spend too many resources on electric vehicles, given their current market.
- Placing a higher fee on development could backfire since there is more development planned for the region.
- Given the unpopularity of a VMT tax in the poll surveys, the Council should not recommend it.
- Promoting a VMT “fee” or “tax” could send the wrong message to the development community; instead the idea of public benefit zoning should be explored, where there is negotiation with developers on policies that create community benefit.
- Incorporating a fee on development in high VMT areas could be detrimental, since some of these areas may have no supporting transit as an option to driving; perhaps the Council should only support further study of any VMT development fees or taxes.
- Council members showed support for establishing clear performance measurements and accountability to regional goals in the implementation of the Priority Development Areas (PDAs), especially in defining terms.
- As developments are planned for neighborhoods, there should be assurance that what is being developed is really benefitting the community.
- Council members showed support for reducing the size of the transit capital deficit.
- A caution was raised that if a policy is adopted that requires revenue from VMT to be used within the community from which it is raised, a policy could also go forward that requires that bridge toll revenues go directly to their communities.
- Some council members were not convinced that converting existing mix-flow freeway lanes to Express lanes is the best course of action in all cases.

A motion was made by Ms. Kinman and seconded by Ms. Galvez to adopt Recommendations 1, 2, and 5 (with one modification to 5b), and 6, 7, 8 and 9, as shown below:

- 1. Establish clear performance measurements and accountability to regional goals in the implementation of the Priority Development Areas (PDAs).**
  - a. The Council supports the PDAs as a basic framework, but is concerned that the concept could be watered down over time. For example, what assurance is there of reaching employment and housing density of transit service levels after PDAs are established?
  - b. There needs to be a standardization of terms that can be interpreted the same across different jurisdictions. For example, “proximate access” should be clearly defined so it is not interpreted stringently by some jurisdictions and more loosely by others.
  - c. The Council recommends more performance measurements and accountability with the PDA framework.

**Draft Plan Bay Area Discussion (continued)**

- 2. Condition future OneBayArea Grant funding to local jurisdictions on the existence of local affordable housing and anti-displacement policies such as just cause eviction ordinances and/or inclusionary zoning.**
  
- 5. Incorporate HOT lanes only if they are conversions from existing HOV lanes (Alternative 3).**
  - a. Eliminate all HOT lanes that are expansions of the existing freeway system.
  - b. For gap closures, in places where there are at least three lanes in each direction, ~~convert~~ **study the conversion of** existing mixed-flow lanes to HOV/HOT lanes, as opposed to creating new lanes.
  - c. The Council strongly suggests MTC pursue a legislative agenda to allow for the conversion of mixed flow lanes to HOV/HOT.
  
- 6. Establish an off-plan study of road pricing, particularly to analyze tolls on all lanes of the freeways.**
  - a. The Council encourages MTC to incorporate user fees as a tool in managing travel in the region, and – to the extent feasible – within a corridor.
  - b. In the current plan, incorporate the higher peak toll on the Bay Bridge (Alternative 3).
  
- 7. Reduce the size of the transit capital deficit.** Consider reducing the size and scale of funds for the Freeway Performance Initiative (FPI) and shift these resources to reduce the transit capital deficit.
  
- 8. Expand the Transit Performance Initiative (TPI) beyond its initial \$500 million investment.** The TPI could also be expanded with resources from the FPI.
  
- 9. Remove the electric vehicle purchase incentive, but keep the vehicle buy-back program.**

Prior to the vote on the motion, public comment was given by Jane Kramer, who commented that the data received from polls, surveys, hearings and focus groups is not representative of the community.

The motion passed unanimously.

Ms. Jeffery-Sailors made a motion, which was seconded by Mr. Din, to eliminate #4 from the recommendations. The motion failed (8 to 7).

Ms. Galvez made a motion, which was seconded by Ms. Neuhausel to change the language of Recommendation #4 to read:

- 4. As part of the Final Plan Bay Area, commit to beginning a study of a VMT tax (as included in DEIR Alternative 5), including the health/equity impacts as well as possible mitigations.** The Council strongly encourages MTC to pursue additional study of a VMT tax or fee not only because it could be a replacement for the gas tax, but also because it is a more direct way to price travel behavior and achieve the Plan's goals of reducing driving and concentrated development.

The motion passed (14 to 1).

Chair Sandoval will forward the Council's recommendations to the Joint MTC Planning Committee/ABAG Administrative Committee at their meeting this Friday, June 14.

Following extensive discussion, Ms. Baker made a motion, seconded by Ms. Kinman to change the language of Recommendation #3 to read:

- 1. In order to achieve the land-use vision of Plan Bay Area, improve social equity and prevent displacement, establish an off-plan study of available tools and mechanisms, including but not limited to: 1) development incentives and/or 2) a fee on development in high VMT areas (as included in DEIR Alternative 3).** Given that such a study could take 18 to 24 months, the Council encourages the Commission to begin such a study as soon as possible so that such tools might be available for the next update to Plan Bay Area.

The motion passed unanimously.

### **Staff Liaison Report**

Mr. Heminger presented certificates of appreciation to Chair Sandoval and Vice-chair Terplan to thank them for their time served on the Policy Advisory Council as this is the last Council meeting they will attend. Staff liaison Pam Grove presented her report to the Council.

### **Council Member Reports**

Ms. Armenta announced Alameda County will be holding a Mobility Management Workshop at the Ed Roberts Campus on July 1, 2013.

### **New Business**

There was no new business.

### **Adjournment/Next Meeting**

The meeting was adjourned at 3:49 p.m. The next Policy Advisory Council meeting is scheduled for July 10, 2013 in the Auditorium, Joseph P. Bort MetroCenter, Oakland, California.