

EPC Questions April 15, 2020

Item 5.1 – Tenant Relocation Assistance Ordinance

- 1) Are mobile homes included under existing TRAO articles? Are they slated to be included in future amendments to TRAO?

Mobile homes are not included under the existing TRAO and not included in the proposed modifications. Mobile Homes are different from rental units, in that mobile homes are owned by the resident, and the resident rents a space in a mobile home park. Because of their unique nature, mobile homes are covered by a separate State law known as the “The Mobilehome Residency Law” (MRL). The MRL regulates rental agreements for mobile home spaces, park rules and regulations, and transfer of mobile homes. On the local level, mobile home parks are also protected by specific zoning requirements as well as conversion regulations.

- 2) Who is responsible for ensuring that tenants receive the claim form to file for TRAO?

CSFRA staff is tasked with the administration of the TRAO. They monitor compliance with the TRAO with the developer as well as perform the daily tasks in cooperation with a third-party agency, Allied Right of Way Services (AR/WS). AR/WS sends all tenants an explanatory letter and application form and provides follow up phone calls with tenants. Also, a community meeting is scheduled for each redevelopment, to explain the process to attendants.

- 3) What form of verification/information does the city receive to ensure that all tenants received TRAO?

CSFRA staff/AR/WS receives the rent roll from the landlord and contacts all tenants to inform them about TRAO. As mentioned, letters explaining the TRAO process and an application form are sent to all tenants. If no application has been received from certain tenants, calls are made to follow up with those tenants. Usually if tenants do not file an application, this means they earn over the 120% AMI income limit and do not qualify for TRAO benefits.

- 4) What is meant by “up to 42 months of the differential between current and market rent of a comparable unit”. I am unclear why this is just not stated as “42 months” rather than “up to 42 months”.

This is direct language taken from SB330. SB330 is a complicated law which contains some unclear or conflicting language. One section of the law, it states relocation benefits

are capped at \$5,250 while another part of the law includes language stating relocation benefits to be the rent differential "... for a period not to exceed 42 months".

- 5) How is the "affordable rent or affordable housing cost" determined? Is it based on the income of the tenant? Does it mean that if the tenant is high income, he is eligible only to return to the unit, but not at a discounted rent?

The right of return applies to protected units, which includes units occupied by very low and low income tenants (up to 80%AMI) as well as rent controlled units. SB 330 states that the rent is calculated at an affordable rent to the household as defined in Health and Safety Code 50053, which covers very low, low and moderate income households. The rent cannot exceed 30% of the household's gross income. If the household's income is above moderate income, then the statute does not provide the any guidance in determining rent. Staff is working through some of these implementation issues of SB330 however it is a reasonable interpretation is that the tenant has a right of first refusal but at a market rate.

- 6) Staff report states "For example, if a 120 percent AMI household exceeded the 120 percent AMI maximum income limit by less than \$5,000, the household could still be eligible for TRAO benefits. What's the basis for \$5000?"

This amount was voluntarily offered by a developer and consequently determined to be reasonable by City Council in a previous redevelopment project. There were tenants which narrowly exceeded the maximum 120% AMI limit. This allowance permitted the tenant to still apply for TRAO benefits.

- 7) Staff report states "However, State law requires that tenants provide landlords a 30-day move-out notice for month-to-month leases, and a local ordinance cannot conflict with State law. Therefore, this modification has not been included in the draft ordinance, and staff instead recommends that this modification be placed in the TRAO Administrative Guidelines as a suggested option for the landlord's consideration." Would it be appropriate to include non month-to-month leases?

State law does not require a tenant's 30 day move out notice at the end of a fixed term lease, e.g. a one-year lease. Typically, both landlord and tenant already know in advance what date the current lease will end.

- 8) Proposed amended ordinance page 2: "For the purposes of this article, a displacement does not include a vacation of a rental unit as the result of the following: 1. A conversion of any portion of a mobile home park regulated and processed pursuant to Chapter 28 of this code" Why are mobile home parks not covered?

Mobile Homes are different from rental units in that mobile homes are owned by the resident, and the resident rents a space in a mobile home park. Because of their unique character mobile homes are covered by a separate law "The Mobilehome Residency Law".

Mobile home parks are also protected by specific zoning requirements as well as conversion regulations.

- 9) Proposed amended ordinance page 2: “A landlord’s compliance with an enforcement order of the city chief building official for which the property owner has been ordered to pay relocation expenses pursuant to Health and Safety Code § 17975, et seq., or any other state or federal law; “What are some examples of such an enforcement order?”

This language is not part of the proposed changes but exists in the current TRAO language. An example of an enforcement order might be when a property is acquired by a public entity. It stipulates that relocation benefits need to be provided pursuant to the Health and Safety Code, which are comparable to the ones in SB 330.

- 10) Proposed amended ordinance page 3: “Unlimited access to a subscription service to a rental agency until the earlier of the tenant securing alternative housing or the termination of the tenancy. What happens if the tenancy is terminated before the tenant is able to secure alternative housing?”

A redevelopment project, from the time an application is filed to final termination notices are served, usually takes 2 years or more to complete. During this time, the third-party agency will continue to work with the tenant to find alternative housing. Also, TRAO benefits can be used to secure alternative housing. CSFRA staff has not encountered a tenant who was not able to find alternate housing within such time period.

- 11) Staff report, p1: “...if tenants are eligible for relocation benefits under State or Federal law....” Should I understand that eligibility to mean that State or Federal funds are available to pay for benefits of SB 330 that exceed the benefits of the TRAO?

This means that if there is a project falls under state or federal law for relocation benefits, the developer is responsible for the payment of the relocation benefits.

- 12) Staff report, p5: “However, if a tenant is displaced from a unit that is not deed-restricted or under a rent-stabilization program, they would only qualify for relocation assistance if they are low- or very low-income.” I believe that SB 330 defines ‘protected units’ (via 66300 (d)(2)(D) and (E)) to include units that “are or were [emphasis added] occupied by lower income households within the past five years.” Would a moderate-income tenant (who, it seems, is eligible to live in affordable housing under 66300 (d)(2)) of a unit that had been occupied by a low-income household three years earlier be eligible for relocation assistance? More generally, from which clause(s) of the law does the income test derive?

SB 330 is a newly enacted law that City staff is still in the process of analyzing in order to implement this new legislation. This scenario is one of those areas where SB 330 does not provide clear direction and would require additional research.

- 13) Staff report, p6: relocation assistance under SB 330 includes “a replacement housing payment up to 42 months...” Is the number of months to be awarded fixed or variable? How is that value to be determined? Is the number of months practically limited by state or federal funding?

This language is from SB330. The number of months is set at 42 months. The housing payment is determined by the difference between the comparable market rate rent and the rent of the unit. The number of months for relocation benefits amounting to the variable between current rent and general market rent is set at 42 months. This is not variable.

- 14) Is it possible that two tenants evaluating identical packages for which they are eligible under the TRAO and SB 330 might come to different conclusions as to which package they prefer? (For example, based on how soon they think they can find a replacement unit.

Tenants will not be provided with alternate packages. City staff decides the applicability of SB 330 and if applicable, will follow these guidelines. In general SB 330 stipulates that if a local law is more protective of tenants, the local laws need to be followed.

- 15) Staff report, p8: “Payment of rental assistance based on evidence of secured housing...” How does staff envision the situation being handled where rental assistance money has been given to the tenant, the secured housing falls through and the tenant is reluctant to leave? Does staff feel that situation is likely?

Considering the COVID we’re in, these situations may start to occur, although city staff to date has not yet experienced such scenario. If the second payment has been made to tenant, and the tenant is not yet leaving, further assistance will be given to search for alternate housing.

- 16) Staff report, p9: “As mentioned, SB 330 is a new and complex law, and it would be difficult to anticipate all of the different possible scenarios in which SB 330 and TRAO would apply.” Assuming the draft Resolution in the packet were to be adopted, to whom would the task of determining the potential SB 330 and TRAO compensation for each affected tenant fall? If to a private party, does staff envision the City or another agency verifying that the offers to be presented to tenants comply with applicable laws?

CSFRA staff is tasked with administering the TRAO and under staff’s supervision, contracts with Associated Right of Way Services (AR/WS). They are very experienced in tenant relocation.

Item 6.1 – SB743

- 1) (p. 3) Do we have any metrics on how effective the TDM measures adopted by new office projects or transit subsidies have been?

The best local metric we have on TDM effectiveness is from project trip cap compliance reports. Many recent office developments have been required to meet a project trip cap and submit an annual report as a condition of approval. If the development does not comply with the trip cap, then they are required to make necessary adjustments (such as increasing transit subsidies, etc.) as well as pay a penalty. To date, all approved office projects with this requirement (i.e. Intuit, Samsung) have met their project trip cap.

- 2) (p. 6) Table 1. Please explain in more detail who and what is included in each of these metrics. Does “average residential daily VMT” include or exclude “employment daily VMT”? Are only residents included in “average residential daily VMT per capita”? Does “average employment daily VMT” include only VMT going to and from work?

- *Average residential daily vmt includes trips to work.*
- *Yes, only residents are included in the residential VMT per capita calculations.*
- *Yes, employment VMT in a trip-based accounting approach only take into account home-based work trips, or trips to and from work. In a tour-based approach (not employed in Santa Clara County) additional components are analyzed for employment VMT, like trips from work to coffee, or the gym, and back.*

- 3) (p. 8) (Exhibit 5): The TPA outline is drawn to include “areas within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor”. Are those the Caltrain stops, light rail stops, and El Camino bus stops? Anything else?

In Mountain View, the only services that meet the TPA definitions are VTA light rail, VTA bus along El Camino Real and the two Caltrain Stations. Definitions for TPAs include:

- *½ mi of existing major transit stop (a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak period commutes).*
- *½ mi of an existing stop along a high quality transit corridor (a corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute periods).*

- 4) Staff report, p3: “VMT analysis measures the distance driven...” [emphasis added]. Does California’s VMT standard consider all miles traveled, or does it consider only miles traveled in cars and similar vehicles?

According to the OPR technical advisory, VMT calculations are based on passenger vehicles, which include cars and light trucks. VMT is calculated from a regional travel model.

- 5) Staff report, p5: Figure 1 shows a flow chart for actions required of project applicants. Can you provide some sense of the relative burdens on the applicant (and other involved parties, if relevant) of conducting a CEQA VMT analysis vs. an MTA analysis vs. the analysis required by the LOS standard?

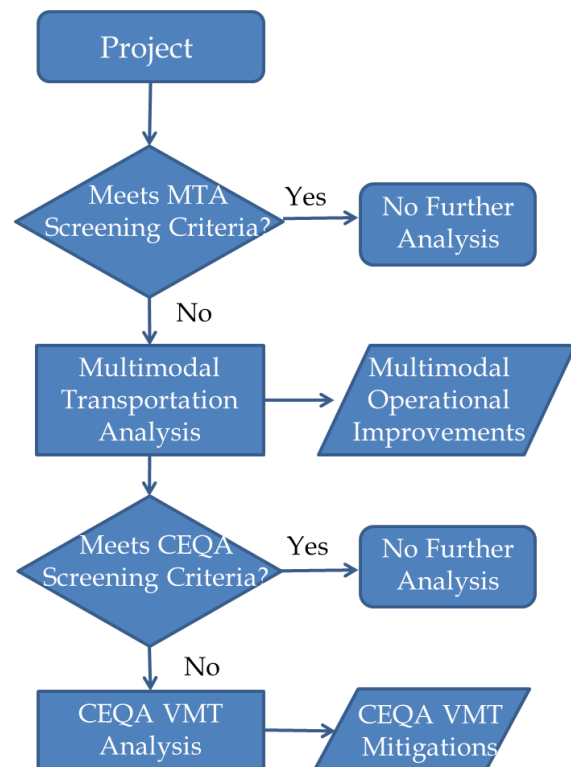
In general, a VMT CEQA analysis would be expected to be easier to conduct than a traditional LOS analysis. This is because VMT is an easier metric to measure than LOS. Staff will be working on the MTA and its requirements, and will be able to provide additional information later this spring on what will be required with this analysis.

- 6) Figure 1 suggests that applicants conducting a CEQA VMT analysis are not required to perform an MTA analysis. Are there any aspects of an MTA analysis and the multimodal operational improvements that might arise from that analysis that are not comprehended by the CEQA VMT analysis and the mitigation measures that might arise from that?

Projects will be assessed for whether they need a Multimodal Transportation Analysis (MTA) before than are assessed for whether they require an analysis of Vehicle Miles Traveled (VMT) under CEQA. Not all projects that require an MTA will require a CEQA VMT analysis.

Initially, the assessment of whether an MTA is needed will be based on the current VTA Transportation Impact Analysis (TIA) Guidelines. According to the VTA TIA Guidelines, an analysis of transportation conditions in the peak hours is required for projects that generate 100 or more net new trips during the AM and/or PM peak-hour.

The MTA will allow for assessment of user conditions along City streets that will not be assessed as part of the VMT analysis. The MTA will also identify multimodal operational improvements that may not be identified as part of the CEQA VMT mitigations.



A more complete transportation analysis process is provided in the above figure.

- 7) Staff report, p8: Is a FAR \geq 0.75 required for residential projects to qualify for a TPA exemption?

Yes.

- 8) Staff report, p9: “staff analyzed 25 multi-family projects entitled in the last 10 years”. Were more than 25 multi-family projects undertaken during this period? If so, how did staff ensure that the chosen projects were a representative sample?

Yes, more than 25 multi-family projects were undertaken during this period. Staff narrowed the search to multifamily projects approved that are generally not located in low VMT areas, in TPAs, or screened because of their affordability. This analysis was done to demonstrate the size of projects meeting these criteria typically are, which was used to inform the suggested size screens.

- 9) Staff report, p9: If the average project size of the representative sample mentioned above had been 35 or 40 units, would staff still have recommended the small-project screening threshold of 30 units? What tradeoffs informed the recommendation of 30 units vs the lower numbers used by the OPR and San Jose? Is there any thought among city or regional planners of a maximum number of occupants that should be eligible to qualify for a small-project exemption?

Staff analyzed the size of recent residential projects to get a general sense of the typical size of project seen in Mountain View. While this is generally informative, the most important policy issue regarding a higher size threshold is that it will simplify the CEQA review process for “infill” residential development to reflect that new multifamily housing is a high priority in Mountain View.

Occupants are not part of the calculus here, because we use dwelling units and dwelling type (SFR/MF) as the proxy to calculate VMT, not occupants.

- 10) Staff report, p10: “Evidence suggests projects with 100 percent affordable units should be presumed to have a less-than-significant transportation impact.” Does staff happen to know what the evidence suggests about projects with 80% affordable units? 60%?

According to the OPR Technical Advisory, “in areas where existing jobs-housing match is closer to optimal, low income housing nevertheless generates less VMT than market-rate housing. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less than significant impact on VMT.” The presumption of a less-than-significant impact for 100 percent affordable units is the most cautious assumption, which is why 100 percent affordable developments would be exempt from CEQA VMT analysis. A smaller percentage of affordable units may also reduce the VMT, and the portion of affordable residential units can be used as a factor in reducing or mitigating VMT where CEQA analysis is required.

- 11) Staff report, p11: are the “existing” averages cited in Table 3 meant to be the most recent averages that will have been assembled as of the time of the application? In other words, does the proposed standard create a moving target?

The proposed threshold definition is 15% below average for VMT per capita or VMT per employee. As development patterns and transportation infrastructure change over time, and new development is designed and mitigated to maintain below-threshold VMT per population (per capita or per employee), the averages across the city, county and region will also decrease. The reference averages are based on outputs from regional travel demand models that take land use data and regional transportation networks into account, and have been calibrated to represent existing conditions (the table provides a summary for base year 2015). Therefore, these averages are representative of current travel patterns, and provide a valid reference for the threshold in the short- and medium-term. When the travel models are updated with new land use and transportation network inputs, the model outputs will represent the new conditions, and the reference average can be updated accordingly.

- 12) Staff report, p14: Table 5. Do I understand correctly that local-serving retail is categorically excluded from CEQA VMT analysis?

Yes. If a proposed development matches the definition of local serving retail, it does not require transportation analysis under CEQA.

Local serving retail development means adding retail establishments into the city’s existing network, which increases retail destination proximity, thereby shortening trips. As such, these type of projects are considered to have a less than significant impact on VMT. Local serving retail is differentiated from regional serving retail, which typically includes large ‘big box’ type stores in excess of 50ksf.

- 13) Staff report, p16: “...CEQA’s categorical exemption for Infill Development Projects.” Would you please describe this exemption in a bit more detail? How broad is its scope?

CEQA Categorical Exemption for Infill Development Projects include:

- Projects no more than 5 acres in size*
- Consistent with General Plan and Zoning requirements*
- No habitat value for threatened or endangered animal species*
- Approval of the project would not result in any significant impacts relating to traffic, noise, air quality, water quality*
- Site can be served by all required utilities and public services*

This is a commonly used exemption in Mountain View, especially for housing and small office projects.

- 14) Will Level of Service be considered by the MTA or any other process? Will the EPC be reviewing either the proposed MTA or the MTA Handbook?

Parameters to be considered by the MTA will include automobile level of service (LOS) and other suitable automobile operational metrics, in addition to metrics that address conditions for pedestrians, bicyclists, and transit riders.

Development of the MTA Handbook will be undertaken administratively. The completed MTAs for projects will provide the basis for conditions of approval for transportation operational improvements and, as such, will be a public document available to the EPC as they review proposed COAs.

- 15) What are potential drawbacks or limitations of using VMT?

One key drawback is that VMT does not do a very good job of helping plan for operational improvements, such as lengthening a turn lane, or creating an additional turn lane from existing right of way. LOS has traditionally been used to help identify operational improvements. However, for CEQA purposes, VMT is preferred because it VMT takes regional travel patterns and land use more into consideration than LOS. Within the context of CEQA, VMT is a better measure of environmental impacts. Outside of CEQA, there may be other metrics such as LOS that can be use, but there is no drawback to switching to a VMT efficiency metric in CEQA.

- 16) Staff report page 3: "Any net increase in total VMT for retail projects." Comment: I think there may be a typo here. Should it be "No net increase"?

The recommended threshold for non-local serving retail projects is "any net increase in total VMT for retail projects". Non-local serving retail projects with no net increase in VMT would not be subject to CEQA.

- 17) VTA's evaluation tool sounds great. How much testing will VTA do before the tool goes live? Are there ways to validate the tool's outcome, say using a different way of calculation?

VTA is working with member agencies on testing the tool to 'work out the bugs' so it is ready for use. Additional checks are also being done by VTA staff and their independent consultant. At this point, all the member agencies in Santa Clara County have agreed to use the VTA evaluation tool to create greater efficiencies across the County and to create greater consistency with VTA as the County's Congestion Management Agency responsible for countywide transportation planning.

- 18) Staff Report Table 1: MV's per-capita number is 3 points lower than regional average, but per-work number is 3 points higher. What implications do such data have on our policy?

This is a key thing to understand during this study session phase. These variations translate to the following: the residential VMT is low, which means residents live closer to

work and other destinations than the county as a whole; the office VMT is high, which translates to employees living far away and commute trips being long – an indication of our strong employment base.

The staff report includes analysis of the implications of the variation from the regional figures. To summarize, the use of the city/local reference averages for residential would make it so few projects would be able to comply with the threshold, because the number is already so low. Use of the local reference average for employment would be very permissible, because it would be relatively easy to comply (fall under) the 18+ VMT per worker value. However, it is not advised to use the local reference average for employment projects, even though it's high, because of the regional nature of commute trips.

- 19) Exhibit 3: How are the VTA numbers obtained? What known issues are there with the VTA data besides the problems with the downtown numbers? What caused the discrepancies in the downtown numbers? Can this cause similar problems with other areas, and if so, which areas?

The numbers are obtained from a model. There are a variety of inputs into the model, chief of which is land use data in Mountain View. Despite verification of the accuracy of the land use data given to VTA, technical anomalies exist. The good thing about this anomaly in Downtown is that we know VMT is low there, due to its density, proximity to transit, and mix of uses. Aside from the downtown anomalies, the rest of the map is more or less intuitive.

- 20) Exhibit 4 heat map 1: “areas on the map represent locations in the City with average VMT per capita 15 percent below the nine-County regional average VMT per capita. Residential projects in those areas are presumed to have a less-than-significant transportation impact and would be exempted from further CEQA VMT analysis.” Question: what if the project is of much higher density than the existing density of the area?

Low VMT areas typically exhibit low VMT as a result of high densities that enable people to walk, bike, and choose travel modes other than the automobile. Thus, a high-density project would likely align well with existing densities in low VMT areas, and may contribute to reducing the average VMT per capita in that location.

- 21) Table 2 small project screening thresholds: Given MV's current job-housing imbalance and higher than average employment related VMT, should we consider (slightly) increasing the employment threshold?

The small project screen sizes are provided to streamline the CEQA review process for developments that are small enough to be considered infill projects. In Mountain View, where there are more jobs than residents, it is especially helpful to simplify the development review process for infill housing, to encourage more residential development.

For office projects, because there are no locations in Mountain View below the VMT per employment threshold, the only location based screen that would streamline CEQA review for office projects is the proximity to transit. If an office development is not located within the TPA screen locations, it will require CEQA transportation analysis, and will call for VMT mitigation. This does not prevent approval of office projects, and with the existing high ratio of jobs to housing, there is no downside to requiring more mitigation for office projects.

- 22) Affordable housing project screening: “Proposed Approach: Screen out projects from further CEQA analysis which feature 100 percent affordable units.” Comment: I suggest adding “VMT” for more clarity, i.e. change “further CEQA analysis” to “further CEQA **VMT** analysis”.

This is a good clarification, and staff will make further edits based on this comment.

- 23) Staff report page 13: “OPR does not support using local (citywide) averages because the geography in which workers in a city are expected to live is generally larger than that city’s boundary.” -- Please elaborate.

OPR recommends adopting a regional VMT per employee threshold because workers typically commute from outside of city limits to an employment destination. OPR recommends adopting a threshold that captures “the area over which nearly all workers would be expected to live” so that it includes the VMT of all workers in the region.

- 24) Staff report page 13: “If Mountain View adopts the more restrictive threshold of 15 percent below existing Citywide average VMT per employee for office projects, then more projects would have significant transportation impacts that would require additional mitigations.” Comment: this sentence does not seem correct -- using the citywide average seems to be the most permissible.

Staff notes this error. The more restrictive threshold for office projects would actually be the Nine-County Bay Area regional reference average.

*Staff also notes that the citywide average VMT per employee would be the most permissible. However, per OPR’s guidance, the recommended threshold is “a proposed project exceeding a level of 15 percent below existing **regional** VMT per employee may indicate a significant transportation impact.” Thus, the citywide average was not considered as a possible threshold for employment projects.*

- 25) Question: Given that we want to shift the job-housing balance, does it make sense to be more stringent on office projects?

There are no locations in Mountain View where the VMT per employee is below the threshold; therefore, all office projects not located within the TPA screen locations will require CEQA transportation analysis and VMT mitigations. In some locations, the VMT mitigations will be substantial. The proposed thresholds and office project review process

is stringent and will require investments to reduce the VMT per employee throughout the city.

- 26) “The Santa Clara Countywide average is higher than the Bay Area nine-County regional average VMT per employee and, therefore, a threshold based on this higher reference average would be the **most** permissible.” Comment: should “most” be changed to “more”? A threshold based on the city average would be the most permissible.

*Staff notes that the city average would be the most permissible if the city average was considered as a possible threshold. However, per OPR guidance (and noted in our response to your previous question), the city average should not be considered as a possible threshold for employment projects. Therefore, the Santa Clara Countywide average is the **most** permissible among the possible options.*

- 27) Page 14: “staff suggests using a threshold of any net increase in total VMT for retail projects.” Question: Does staff think this approach take care both local-servicing retails as well as non-local-servicing ones?

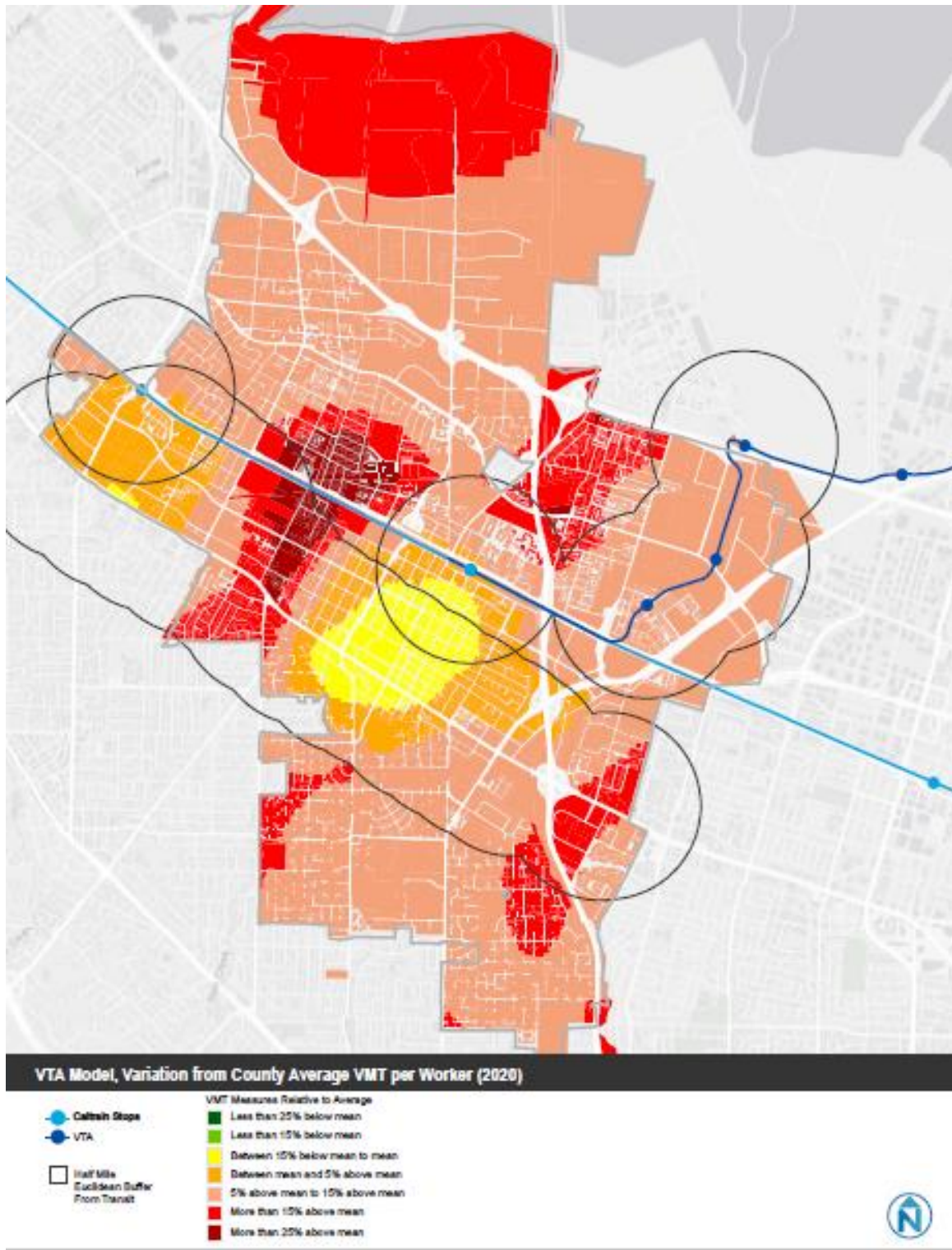
Staff recommends using this threshold for all retail projects. Because local-servicing retail is assumed to redistribute existing trips rather than contribute to additional VMT, local-servicing retail would by definition fall under this threshold and therefore not require additional CEQA transportation analysis. This aligns with OPR’s technical advisory which states, “by adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-servicing retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than-significant transportation impact. Regional-servicing retail development, on the other hand, which can lead to substitution of longer trips for shorter ones, may tend to have a significant impact. Where such development decreases VMT, lead agencies should consider the impact to be less-than-significant.”

- 28) Page 15: mixed use projects: “Staff suggests mixed-use projects and other project types not already discussed be evaluated by analyzing each land use separately with its applicable threshold of significance.” Question: How should a decision be made from all the different land use analyses?

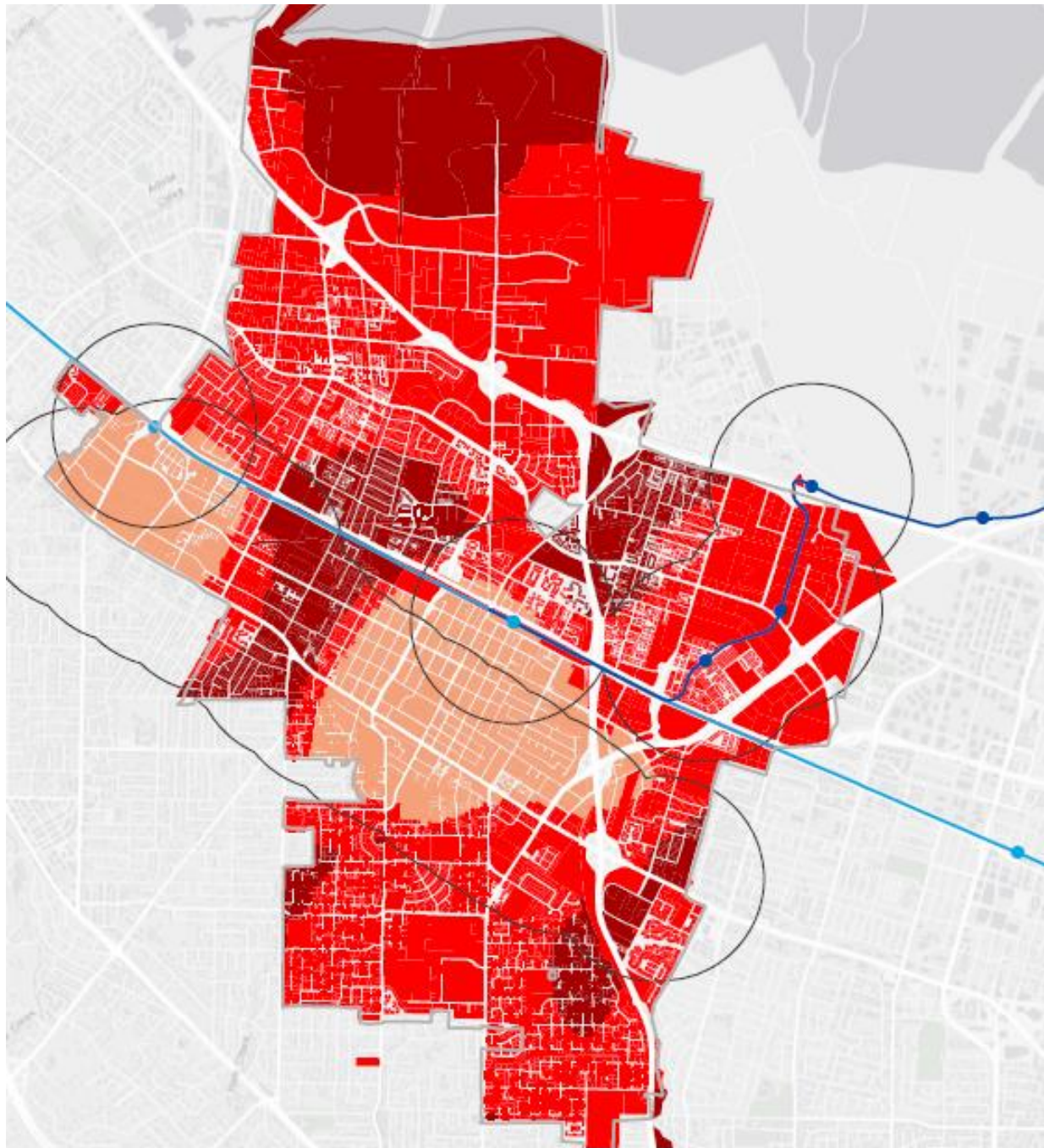
The different land uses within a project is analyzed by applying the appropriate threshold to each land use. Sometimes the most appropriate threshold will be for the most “similar” land use. For example, we do not have a threshold specifically for hotel uses, but it is reasonable to apply the residential threshold to that use.

29) Could staff please overlay the TPA buffer zone in exhibits 10 & 11?

Employment_County Map with TPA Overlay:



Employment_Regional Map with TPA Overlay:



VTA Model, Variation from 9-County Regional Average VMT per Employee (2020)

- Caltrain Stops
- VTA
- Half Mile Euclidean Buffer From Transit

- VMT Measures Relative to Average
- Less than 25% below mean
 - Less than 15% below mean
 - Between 15% below mean to mean
 - Between mean and 5% above mean
 - 5% above mean to 15% above mean
 - More than 15% above mean
 - More than 25% above mean



- 30) For completeness' sake, might staff consider adding a heat map to show example projects mapped on Citywide average VMT per employee?

This information will be added to the staff presentation.

- 31) How is VMT calculated for such small areas down to neighborhood-like scale?

VMT estimates are calculated based on the regional travel demand model outputs, which take land use and transportation networks into consideration, along with a number of other model inputs such as household and jobs allocation. VTA's model calculates VMT for smaller neighborhood areas based on smaller transportation zones and other land use and transportation inputs that are used in their analysis.

- 32) Did VTA explain why Downtown MV was shown as yellow (btwn 15% Below Mean & Mean) if expected to be lower? Was VTA or the city expecting it to be lower? I would expect that as a destination, cars may be coming from farther away to take part in the food selection and/or festivities, and therefore have a higher VMT/capita. I assume share-ride vehicles are also part of the VMT calculation. Maybe, with the CalTrain station, lots of ride-share vehicles come and go, and therefore the VMT goes up?

The City would expect residential VMT per capita to be lower in the downtown area because this neighborhood is denser, which tends to encourage more walk, bike, and transit trips. The VMT per capita number represents the average total VMT that a resident in this location would generate, so the other visitor and commute trips that downtown generates are not part of the VMT per capita. Staff has communicated with VTA on this issue but at this point VTA is unable to more clearly explain this issue or modify their existing travel model.

- 33) Does the County use public transit ridership numbers as part of the calculation of VMT? I understand one major reason for moving to VMT is to ensure lower greenhouse gas emissions (GGE) by way of driving less. Until MV has an entire electric fleet of buses (which I suppose still uses greenhouse gases), do the electric/diesel or all diesel buses count?

VMT is calculated by VTA using their regional travel demand model. The primary inputs into the model include land use data, transportation networks (including road, transit, and bike facilities), pricing information, and trip generators. All VMT is considered, regardless of the fuel/energy efficiency of the vehicle.

While it is true that shifting to an electric fleet of buses would reduce GHGs, it is still important to reduce overall VMT to achieve GHG reduction goals. The goal of reduced VMT will encourage additional measures that further reduce GHGs, such as the development of multimodal transportation networks and diversification of land uses. Additionally, the recommended thresholds from OPR (15% below average), does take statewide transitions to electric vehicle fleets into consideration.

- 34) Does the County and the Office of Planning and Research (OPR) request local VMT numbers periodically so that they can evaluate public transit needs/financing? It seems we are looking at VMT on a project-by-project basis, but cannot influence decisions for transportation systems that, despite have a big impact on what we aim to achieve with our transportation goals, extend outside our jurisdiction.

Staff provides a variety of land use data to VTA and other agencies for different purposes, among them being transit needs, funding, housing allocation, and climate action planning.

The reason VMT is considered on a project-by-project basis is because the City has control over conditions of approval and mitigations It is through these requirements that we are able to effectively reduce VMT. The overall intent of SB 743 is for regional VMT reduction from aggregating VMT reduction requirements from local land use projects.

- 35) Am glad to see there's the MTA process that corresponds to the change to VMT. It's a little difficult to understand the entirety of the changes without that component, but look forward to seeing it when it comes out. Without knowing much about the process, a concern would be that the mitigations are on a project-by-project basis, and not holistic.

The City has a number of transportation related projects that are developed and implemented at a holistic level. This includes things like the Citywide Bike Master Plan and the Citywide multimodal improvement fee. Specific VMT reduction strategies, although implemented at the project level, will be assumed to help the City reduce its average VMT per service population metric across the City.