

Meeting Agenda

Joint MTC ABAG Legislation Committee

Jesse Arreguin, Chair Vacant, Vice Chair
Members

*Eddie Ahn, David Canepa, Carol Dutra-Vernaci,
Pat Eklund, Victoria Fleming, Dave Hudson,
Alfredo Pedroza, David Rabbitt, Belia Ramos,*

Jim Spering, Vacant, Vacant, Vacant, Vacant, and Vacant
Non-Voting Members
Dorene M. Giacomini and Vacant

Friday, January 13, 2023

9:45 AM

REMOTE

In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with Assembly Bill 361's (Rivas) provisions allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants.

A Zoom panelist link for meeting participants will be sent separately to Committee members.

The meeting webcast will be available at <http://mtc.ca.gov/whats-happening/meetings>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number. Committee Members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial *9. When called upon, unmute yourself or dial *6. In order to get the full Zoom experience, please make sure your application is up to date.

Attendee Link: <https://bayareametro.zoom.us/j/82191100130>

iPhone One-Tap: US: +13462487799,,82191100130# or +16699006833,,82191100130#

Join by Telephone (for higher quality, dial a number based on your current location) US:
888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 821 9110 0130

International numbers available: <https://bayareametro.zoom.us/j/82191100130>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name and agenda item number in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this body shall be a majority of its regular voting members (7).

2. Consent Calendar

- 2a. [23-0019](#) Approval of Joint MTC ABAG Legislation Committee Minutes of the December 9, 2022 Meeting
- Action:** Committee Approval
- Attachments:** [2a 23-0019 2022-12-09 Joint MTC ABAG Legislation Committee Meeting](#)
- 2b. [23-0100](#) MTC Resolution No. 3931, Revised - Reflect Changes made to MTC Resolution 1058, Revised
- Action:** MTC Commission Approval
- Presenter:** Ky-Nam Miller
- Attachments:** [2bi 23-0100 Summary Sheet MTC Res No.3931 Reflect Changes to MTC](#)
[2bii 23-0100 Attachment A TEMP-RES-3931.pdf](#)
- 2c. [23-0021](#) Legislative History
- Detailed list of bills the ABAG and MTC are tracking in Sacramento, including those ABAG or MTC supports or opposes.
- Action:** Information
- Presenter:** Georgia Gann Dohrmann
- Attachments:** [2c Handout-January 2023 Legislative History.pdf](#)

3. Regional Legislation

Update on stakeholder engagement activities conducted in fall 2022 and summarize the envisioned timeline and next steps for the year ahead.

- 3a. [23-0053](#) Outreach Plan for Bay Area Housing Ballot Measure
- Overview of proposed outreach plan to local government elected officials in Spring 2023.
- Action:** Information
- Presenter:** Rebecca Long and Kate Hartley
- Attachments:** [3ai 23-0053 Summary Sheet Outreach Plan for Bay Area Housing Ballot](#)
[3aii 23-0053 PowerPoint Outreach Plan for Bay Area Housing Ballot Mea](#)

- 3b.** [23-0126](#) Stakeholder Outreach for Potential Bay Area Transportation Measure Enabling Legislation Update
- Update on stakeholder engagement activities conducted in fall 2022 and next steps for the year ahead.
- Action:** Information
- Presenter:** Rebecca Long and Dave Vautin
- Attachments:** [3b 23-0126 Summary Sheet Stakeholder Outreach for Potential Bay Area](#)
 [3bi 23-0126 Public Comment Received.pdf](#)

4. State Legislation

- 4a.** [23-0078](#) Overview of Governor Newsom's Fiscal Year 2023-24 State Budget Proposal
- Highlights of transportation, housing, and climate aspects of the Governor's proposed budget.
- Action:** Information
- Presenter:** Rebecca Long
- Attachments:** [4a 23-0078 Summary Sheet Overview of Governor Newsom's Fiscal Year](#)
 [4ai 23-0078 Handout MTC Summary of Governor's January Budget v3.pdf](#)
- 4b.** [23-0080](#) Bay Area Housing Finance Authority (BAHFA) Clean-Up Legislation
- Update on BAHFA "clean up" legislation to address unintended statutory limitations on BAHFA's ability to effectively finance affordable housing and support preservation and protection in the Bay Area.
- Action:** Information
- Presenter:** Julie Snyder
- Attachments:** [4bi 23-0080 Summary Sheet Bay Area Housing Finance Authority Clean-l](#)
 [4bii 23-0080 Attachment A BAHFA Clean-Up Legislation.pdf](#)

5. Federal Legislation

5a. [23-0020](#) Washington, D.C. Legislative Update

Report on key legislative, funding and political developments over the past month from Washington, D.C. prepared by the Summit Strategies team.

Action: Information

Presenter: Georgia Gann Dohrmann

Attachments: [5ai 23-0020 Summit Strategies Report.pdf](#)
[5aii 23-0020 Attachment B Bay Area Transportation Earmarks.pdf](#)

6. Public Comment / Other Business

*Committee Members and members of the public participating by Zoom wishing to speak should use the “raise hand” feature or dial *9. When called upon, unmute yourself or dial *6.*

7. Adjournment / Next Meeting

The next meeting of the Joint MTC ABAG Legislation Committee will be Friday, February 10, 2023 at 9:45 a.m. Any changes to the schedule will be duly noticed to the public.

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

Meeting Minutes - Draft

Joint MTC ABAG Legislation Committee

Jesse Arreguin, Chair Sam Liccardo, Vice Chair

Members

*Eddie Ahn, David Canepa, Carol Dutra-Vernaci,
Pat Eklund, Victoria Fleming, Barbara Halliday,
Dave Hudson, Gordon Mar, Karen Mitchoff,
Alfredo Pedroza, David Rabbitt, Belia Ramos,
Libby Schaaf, Jim Spering, and Vacant*

Non-Voting Members

Dorene M. Giacomini and Vacant

Friday, December 9, 2022

9:45 AM

REMOTE

1. Call to Order / Roll Call / Confirm Quorum

Present: 13 - Vice Chair Liccardo, Committee Member Hudson, Committee Member Eklund, Committee Member Spering, Committee Member Ahn, Committee Member Pedroza, Committee Member Mitchoff, Committee Member Ramos, Committee Member Canepa, Committee Member Dutra-Vernaci, Committee Member Schaaf, Committee Member Rabbitt and Committee Member Fleming

Absent: 3 - Chair Arreguin, Committee Member Halliday and Committee Member Mar

Non-Voting Member Present: Commissioner Giacomini

Ex Officio Voting Members Present: Commission Chair Pedroza and

Commission Vice Chair Josefowitz

Ad Hoc Non-Voting Members Present: Commissioner Rabbitt and Commissioner Worth

2. Consent Calendar

Upon the motion by Committee Member Rabbitt second by Committee Member Hudson, the Consent Calendar was unanimously approved. The motion carried by the following vote:

2a. [22-1603](#) Approval of Joint MTC ABAG Legislation Committee Minutes of the November 4, 2022 Meeting

Action: Committee Approval

Attachments: [2a 22-1603 2022-11-04 Joint MTC ABAG Legislation Committee Meeting Minutes Draft.pdf](#)

3. Election Update

3a. [22-1611](#) November 2022 Election Update

Readout of November 2022 local, state, and national election results, including an analysis of housing and transportation ballot measures.

Action: Information

Presenter: Rebecca Long

Attachments: [3ai 22-1611 Summary Sheet November 2022 Election Update.pdf](#)
[3aii 22-1611 Attachment A November 2022 Election Update.pdf](#)

4. State and Federal Legislation

4a. [22-1610](#) Proposed Final 2023 Joint Advocacy Program

Final 2023 Joint Advocacy Program for MTC and ABAG outlining the agencies' state and federal legislative priorities.

Action: ABAG Executive Board Approval
MTC Commission Approval

Presenter: Georgia Gann Dohrmann

Attachments: [4ai 22-1610 Summary Sheet Final 2023 MTC and ABAG Joint Advocacy Program.pdf](#)
[4aii 22-1610 Attachment A Final 2023 MTC and ABAG Joint Advocacy Program.pdf](#)

The following individuals spoke on this item:

Justine Marcus, Enterprise Community Partners;

Abram Diaz, Non-Profit Housing Association of Northern California;

Kenneth Russell;

Adina Levin;

George Spies; and

Zack Deutsch-Gross, TransForm.

Upon the motion by Committee Member Hudson and second by Committee Member Mitchoff, the Proposed Final 2023 Joint Advocacy Program was approved to be forwarded to the ABAG Executive Board and MTC Commission for approval as revised. The motion carried by the following vote:

Aye: 12 - Vice Chair Liccardo, Committee Member Hudson, Committee Member Eklund, Committee Member Spering, Committee Member Ahn, Committee Member Pedroza, Committee Member Mitchoff, Committee Member Ramos, Committee Member Canepa, Committee Member Dutra-Vernaci, Committee Member Rabbitt and Committee Member Fleming

Absent: 4 - Chair Arreguin, Committee Member Halliday, Committee Member Mar and Committee Member Schaaf

4b. [22-1694](#) State Budget Strategy to Address Transit Agency Fiscal Cliff

Overview of the strategy to secure multi-year funding to stave off the transit operating fiscal cliff and rebuild ridership.

Action: Information

Presenter: Rebecca Long

Attachments: [4bi 22-1694 Summary Sheet State Budget Strategy to Address Transit Agency Fiscal Cliff.pdf](#)
[4bii 22-1694 Attachment A Transit Ridership Recovery Program Summary.pdf](#)
[4biii 22-1694 Attachment B Doomsday scenarios for BART SFMuni Caltrain.pdf](#)

Monique Webster, San Francisco Municipal Transportation Agency, spoke on this item.

Claudia Burgus, AC Transit, spoke on this item.

Bob Allen, Urban Habitat, spoke on this item.

4c. [22-1695](#) Sacramento and Washington, D.C. Visits

Update on preparations for MTC/ABAG's 2023 Sacramento and Washington D.C. legislative advocacy trips.

Action: Information

Presenter: Georgia Gann Dohrmann

Attachments: [4c 22-1695 Summary Sheet Sacramento and Washington D.C. Visits.pdf](#)

4d. [22-1612](#) Washington, D.C. Legislative Update

November 2022 report on key legislative, funding, and political developments over the past month from Washington, D.C. prepared by the Summit Strategies team.

Action: Information

Presenter: Georgia Gann Dohrmann

Attachments: [4d 22-1612 Summit Strategies Report.pdf](#)

5. Public Comment / Other Business**6. Adjournment / Next Meeting**

The next meeting of the Joint MTC ABAG Legislation Committee will be Friday, January 13, 2023 at 9:45 a.m. Any changes to the schedule will be duly noticed to the public.

Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee

January 13, 2023

Agenda Item 2b

**MTC Resolution No. 3931, Revised - Reflect Changes made to MTC Resolution 1058,
Revised**

Subject:

Update MTC Resolution No. 3931, Revised to reflect approved changes to MTC Resolution 1058, Revised made in December 2021.

Background:

In December 2021, the Administration Committee recommended that the meeting stipends for Policy Advisory Council Members be increased from \$50 to \$100 per meeting. The edits, approved by the Commission in December 2021, to the Commission Procedures Manual included the updates listed below.

Location	Change Made <i>(new language reflected in underlined italics and highlights)</i>
Resolution 1058 Appendix D Section 1	Individual members of the public appointed by the Commission serving on the Policy Advisory Council or other advisory committees shall each be eligible to receive a stipend of \$50 \$100 per meeting as defined below, with a maximum of three <u>five</u> meetings per month per committee to which they are appointed, not to exceed a combined total of five such meetings in any one calendar month. Advisors who are appointed to two committees may receive a stipend for a combined total of five meetings per month... This includes initiatives undertaken by MTC that require outreach assistance from citizen <u>advisors</u> (i.e., when the advisor attends a community meeting with MTC staff, or provides an introduction to a particular community and attends the meeting with staff).
Resolution 1058 Appendix D Section 2	Members of the Policy Advisory Council (“advisors”) may be reimbursed for actual travel expenses, as defined below, for a maximum of three <u>five</u> meetings per month per committee to which they are appointed, not to exceed a combined total of five such meetings in any one calendar month. Advisors who are appointed to two committees may receive travel reimbursement for a combined total of five meetings per month.

Resolution 3931 Attachment A Section E “Procedures” subsection 3	“... advisors will receive a stipend per meeting and be reimbursed for actual expenses for travel, with a maximum of three five meetings per month.”
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MTC Resolution No. 3931, Revised (Attachment A), outlines the compensation which created the Policy Advisory Council, which currently states that “advisors will receive a stipend per meeting and be reimbursed for actual expenses for travel, with a maximum of three meetings per month.” That section should be updated as in the table above to reflect the Administration Committee’s decision to increase the maximum number of eligible meetings from three to five.

Issues:


None identified.

Recommendations:

Staff requests the Committee approve MTC Resolution No. 3931, Revised, as stated above, to reflect the approved changes in MTC Resolution 1058, Revised and refer approval of it to the Commission.

Attachments:

- Attachment A: MTC Resolution No. 3931, Revised



Alix A. Bockelman

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation
Revised: 03/24/10-C 02/23/11-C
02/22/12-C 07/25/12-C
03/27/13-C 07/24/13-C
07/23/14-C 11/19/14-C
03/25/15-C 09/23/15-C
10/26/16-C 07/26/17-C
10/25/17-C 04/24/19-C
07/24/19-C 02/26/20-C
12/16/20-C 03/24/21-C
11/17/21-C 03/23/22-C
07/27/22-C 10/26/22-C
01/25/23-C

ABSTRACT

Resolution No. 3931, Revised

This resolution defines the role and responsibilities of the Commission's Policy Advisory Council.

This resolution supersedes Resolution No. 3516. Further discussion of this action is contained in the Executive Director's memorandum dated November 6, 2009. This resolution includes:

- Attachment A, which outlines the mission statement, roles, expectations, procedures, appointment process and membership criteria for the Council;

This resolution was revised on March 24, 2010, to include:

- Attachment B, a table listing the currently appointed advisors and their term.

This resolution was revised on February 23, 2011, to include revisions to Attachment B and:

- Attachment C, a table showing which advisors have been replaced and their replacements.

This resolution was revised on February 22, 2012 to extend the terms of the advisors identified in Attachment B through July 2013.

This resolution was revised on July 25, 2012, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 27, 2013, to add Conflict of Interest and Ethics Training policies to Attachment A.

This resolution was revised on July 24, 2013, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 23, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on November 19, 2014, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 25, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on September 23, 2015, to include revisions to Attachment B and Attachment C.

This resolution was revised on October 26, 2016, to include revisions to Attachment A, Attachment B and Attachment C.

This resolution was revised on July 26, 2017 to extend the terms of the advisors identified in Attachment B through September or October 2017, depending on final 2017 recruitment appointment.

This resolution was revised on October 25, 2017, to include revisions to Attachment B and Attachment C.

This resolution was revised on April 24, 2019, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 24, 2019, to include revisions to Attachment B and Attachment C.

This resolution was revised on February 26, 2020, to include revisions to Attachment B and Attachment C.

This resolution was revised on December 16, 2020 to extend the terms of the advisors identified in Attachment B through December 2021.

This resolution was revised on March 24, 2021, to include revisions to Attachment B and Attachment C.

This resolution was revised on November 17, 2021, to include revisions to Attachment B and Attachment C.

This resolution was revised on March 23, 2022, to include revisions to Attachment B and Attachment C.

This resolution was revised on July 27, 2022, to include revisions to Attachment B and Attachment C.

This resolution was revised on October 26, 2022, to include revisions to Attachment B and Attachment C.

This resolution was revised on January 25, 2023, to include revisions to Attachment A.

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation

RE: Commission Policy Advisory Council

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3931

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC seeks to involve citizens of diverse backgrounds and interests in the development of transportation plans and programs, in a manner consistent with applicable state and federal requirements and Commission policy (Resolution No. 2648); and

WHEREAS, MTC seeks to focus its advisory processes around the “Three E” principles of sustainability outlined in the regional transportation plan: a prosperous and globally competitive economy; a healthy and safe environment; and equity wherein all Bay Area residents share in the benefits of a well-maintained, efficient and connected regional transportation system; and

WHEREAS, MTC seeks to utilize its advisors to ensure that a wide spectrum of views are considered in developing transportation policy, and enhance the contributions and effectiveness of its advisors, now, therefore be it

RESOLVED, that the Commission establishes a Policy Advisory Council; and be it further

RESOLVED, that the members of the Policy Advisory Council will be appointed according to the process and shall have the role, tasks, membership and meetings as described in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the Policy Advisory Council roster is contained in Attachment B to this resolution; and be it further

RESOLVED, that the Executive Director is instructed to secure nominations to fill expired terms and other vacancies and present them to the Commission for confirmation by periodically revising Attachment B; and be it further

RESOLVED, that Resolution No. 3516, Revised, is superseded with the adoption of this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held
in Oakland, California, on November 18, 2009

Date: November 18, 2009
W.I.: 1114
Referred by: Legislation
Revised: 03/27/13-C 10/26/16-C
01/25/23-C

Attachment A
Resolution No. 3931
Page 1 of 4

Attachment A
Metropolitan Transportation Commission
Policy Advisory Council

A. Mission Statement

The mission of the Metropolitan Transportation Commission's Policy Advisory Council (Council) is to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. The Council advises the Commission and its staff through the appropriate MTC standing committees on matters within MTC's jurisdiction and as assigned by the Commission.

B. Roles/Expectations

1. Advisors Provide Interest-Based and/or Geographic Perspectives

Advisors should represent the stakeholder interest under which they have been appointed. Although some advisors may be appointed based on an organizational affiliation, they should represent their constituency (not just their individual organization).

2. Responsibilities

Advisors will be expected to regularly attend their Council meetings and to maintain an ongoing engagement with organizations and individuals who make up the advisor's constituency.

3. Council Work Plan

The Commission will hold an annual workshop as a separately agendized meeting with the Policy Advisory Council to set the Council's work plan and schedule for the year. At this meeting, the Commission will identify several priority areas in which it desires feedback and/or research from the Council, and establish appropriate goals and performance measures. Advisors also will be given the opportunity to recommend initiatives of potential relevance to the Commission for inclusion in the work plan.

4. Reporting to the Commission

With the assistance of MTC staff, the Council will report on its work plan progress or present recommendations to the full Commission or MTC's standing committees, as appropriate.

5. Limitations on Advisor Activities

The role of the advisors is to advise the MTC Commission. Advisors are not to convey positions to outside agencies on behalf of the Council, independent of Commission action.

6. Conflict of Interest Policy

In order to avoid potential conflict of interest, no person shall sit on the Policy Advisory Council and concurrently be in a business relationship with MTC/BATA. A member is considered to have a business relationship with MTC/BATA when that member is employed by or serves on the Board of Directors of an organization that has received a grant or contract award from MTC – where MTC staff alone reviews proposals and recommends an organization or organizations for award of that grant or contract. In such cases, the member shall resign from the Council for the duration of the contract or grant, but may reapply for any vacancies upon completion of the contract or grant.

7. Ethics Training

All members of the Council shall complete an ethnics training course within the first year of their term on the Council.

C. Membership

The Council shall be composed of twenty-seven (27) members as follows.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent interests related to the communities of color, environmental justice and low-income issues. A minimum of four members shall represent the communities of color, and a minimum of four shall represent environmental justice/low-income issues. The ninth member shall be selected from either category.

A total of nine (9) members, one from each Bay Area county, shall be selected to represent the interests of disabled persons and seniors. A minimum of four members shall represent senior issues, and a minimum of four shall represent disabled issues. The ninth member shall be selected from either category.

A total of nine (9) members shall be selected to represent interests related to the economy and the environment. A minimum of four members shall represent economy interests and a minimum of four members shall represent environmental interests. The ninth member shall be selected from either category. Of these nine seats, at least five should be held by residents from each of the five most populous counties. The remaining four seats may be selected at large from throughout the entire Bay Area.

There shall be no alternates to the appointed membership.

D. Appointment Process

1. General

MTC staff shall secure nominations to fill terms and vacancies for the Council and present them to the appropriate Commissioners for confirmation. Appointments for advisors representing a particular county will be made by that county's Commissioners. Appointments for all the at-large advisors will be made by the Commission's chair and vice chair. Nominations for members of the Council will be solicited from a wide range of sources including, but not limited to: MTC Commissioners, current advisors, relevant organizations in the community, and via news releases or display ads sent to media outlets in the nine-county Bay Area.

2. Terms of Appointment

In general, advisors will serve four-year terms. Although there are no term limits, MTC Commissioners are to consider length of service and effectiveness before recommending the reappointment of advisors. All advisors wishing to be reappointed must reapply.

E. Procedures

Attendance and Participation

1. Advisors must attend at least two-thirds of the Council's regularly scheduled meetings each year and make a constructive contribution to the work of the Policy Advisory Council. Those who do not do so may be subject to dismissal from the Council at the discretion of the appointing Commissioner(s).

2. Residency Requirements

Advisors must live or work in the nine-county Bay Area.

3. Compensation

Subject to the Commission Procedures Manual (MTC Resolution No. 1058, Revised,

Appendix D), advisors will receive a stipend per meeting and be reimbursed for actual expenses for travel, with a maximum of five meetings per month. Meetings are defined as a) publicly noticed meetings or meetings of ad hoc working groups of the Council; b) noticed MTC Commission or committee meetings; or c) attendance at a community meeting at the request of the Commission or MTC staff to provide outreach assistance (i.e., when he/she attends a community meeting with MTC staff to provide an introduction to a particular community).

4. Meeting Frequency and Location of Meetings

The Council will meet regularly as required by its annual work plan. Public meetings will be held at the MTC offices or other locations at a regular time to be agreed upon by the members of the Council.

5. Ad Hoc Working Groups

To implement its work plan, the Council may establish working groups, with participation from MTC staff, on an ad hoc basis.

6. Quorum Requirements

At least 50 percent plus one of the Council's appointed membership must be present to constitute a quorum and vote on issues. The Council can hold discussions in the absence of a quorum, but cannot vote.

7. Election of Council Chair and Vice Chair

The Council will have a chair and a vice-chair, to be elected by the council for a two-year term. Although Council officers may be reelected, regular rotation of these positions among the Council membership is strongly encouraged.

8. Public Meetings

All Council meetings and any ad hoc working group meetings will be noticed and open to the public.

Date: March 24, 2010
 W.I.: 1114
 Referred by: Legislation
 Revised: 02/23/11-C 02/22/12-C 07/25/12-C
 07/24/13-C 07/23/14-C 11/19/14-C
 03/25/15-C 09/23/15-C 10/26/16-C
 07/26/17-C 10/25/17-C 04/24/19-C
 07/24/19-C 02/26/20-C 12/16/20-C
 03/24/21-C 11/17/21-C 03/23/22-C
 07/27/22-C 10/26/22-C

Attachment B
 Resolution No. 3931
 Page 1 of 1

Metropolitan Transportation Commission
Policy Advisory Council
Term: January 2021 – December 2025

Advisor Name	Representing	County	Appointing Commissioner(s)
Adina Levin	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Anne Olivia Eldred	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Carina Vinh Lieu	People of Color	Alameda	Dutra-Vernaci, Miley and Schaaf
Chris Fitzgerald	Disabled	Santa Clara	Chavez, Abe-Koga, and Liccardo
Dwayne Hankerson	Disabled	Solano	Spering
Frank Welte	Disabled	Alameda	Dutra-Vernaci, Miley and Schaaf
Gabriela Yamilet Orantes	People of Color	Sonoma	Fleming, Rabbitt
Genay Markham	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Gerald Glaser	Older Adult	Sonoma	Fleming, Rabbitt
Howard Wong	Older Adult	San Francisco	Vice Chair Josefowitz, Ronen, Ahn
Ilaf Esuf	Economy	At-Large	Chair Haggerty and Vice Chair Pedroza
Michael Baldini	Low-Income/Environmental Justice	Napa	Chair Pedroza (for Napa County)
Pamela Campos	People of Color	San Mateo	Papan, Canepa
Phil Pierce	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Rachel Zack	Environment	At-Large	Chair Pedroza and Vice Chair Josefowitz
Randi Kinman	Low-Income/Environmental Justice	Santa Clara	Chavez, Abe-Koga, and Liccardo
Rich Hedges	Older Adult	San Mateo	Papan, Canepa
Rodney Nickens	Economy	At-Large	Chair Pedroza and Vice Chair Josefowitz
Terrence (Terry) Keith Scott	Older Adult	Napa	Chair Pedroza (for Napa County)
Veda Florez	Older Adult	Marin	Connolly
Vinay Pimple	Disabled	Contra Costa	Glover, Worth
Walter Wilson	Economy	At-Large	Chair Haggerty and Vice Chair Pedroza
Wendi Kallins	Low-Income/Environmental Justice	Marin	Connolly
William Goodwin	People of Color	Contra Costa	Glover, Worth
Zachary Deutsch-Gross	Economy	At-Large	Chair Pedroza and Vice Chair Josefowitz
John Parker Jr.	People of Color	Solano	Spering
Zelly Lodin	Low-Income/Environmental Justice	San Francisco	Vice Chair Josefowitz and Ronen

Date: February 23, 2011
 W.I.: 1114
 Referred by: Legislation
 Revised: 07/25/12-C 07/24/13-C
 07/23/14-C 11/19/14-C
 03/25/15-C 09/23/15-C
 10/26/16-C 10/25/17-C
 04/24/19-C 07/24/19-C
 02/26/20-C 03/24/21-C
 11/17/21-C 03/23/22-C
 07/27/22-C 10/26/22-C
 Attachment C
 Resolution No. 3931
 Page 1 of 3

Metropolitan Transportation Commission
Policy Advisory Council
Former Advisors and Their Replacements

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Andrew Casteel	March 2010 – June 2010	Environment	Sandi Galvez, Environment	February 23, 2011
Ann Hancock	March 2010 – July 2010	Environment	Tanya Narath, Environment	February 23, 2011
Allison M. Hughes	March 2010 – September 2011	Equity	Jim E. Blacksten, Equity	July 25, 2012
Evelina Molina	March 2010 – February 2012	Equity	Elizabeth A. Clary, Equity	July 25, 2012
Cheryl O'Connor	March 2010 – February 2012	Economy	Alan R. Talansky, Economy	July 25, 2012
Carmen Rojas	March 2010 – November 2010	Equity	Yokia Mason, Equity	February 23, 2011
Abigail Thorne-Lyman	March 2010 – June 2010	Environment	Tina King Neuhausel, Environment	February 23, 2011
Dolores Jaquez	March 2010 – July 2013	Equity	Elizabeth Clary, Equity	July 24, 2013
Federico Lopez	March 2010 – July 2013	Equity	Timothy Reeder, Equity	July 24, 2013
Yokia Mason	February 2011 – July 2013	Equity	Carlos Castellanos, Equity	July 24, 2013
Tanya Narath	February 2011 – July 2013	Environment	Chris Coursey, Environment	July 24, 2013
Tina King Neuhausel	February 2011 – July 2013	Environment	Linda Jeffrey Sailors, Environment	July 24, 2013
Kendal Oku	March 2010 – July 2013	Equity	Veda Florez, Equity	July 24, 2013
Lori Reese-Brown	March 2010 – July 2013	Equity	Richard Burnett, Equity	July 24, 2013
Frank Robertson	March 2010 – July 2013	Equity	Mark Nicholson, Equity	July 24, 2013
Dolly Sandoval	March 2010 – July 2013	Equity	Marie Marchese, Equity	July 24, 2013
Egon Terplan	March 2010 – July 2013	Environment	Benjamin Schweng, Environment	July 24, 2013
Jack Gray	July 2013 – April 2014	Economy	Cathleen Baker, Environment	July 23, 2014
Marie Marchese	July 2013 – October 2013	Equity	Harriet Wolf, Equity	November 19, 2014
Mordechai Winter	July 2013 – June 2014	Equity	Charles Kaufman, Equity	November 19, 2014
Cathleen Baker	March 2010 – July 2014	Equity	Shireen Malekafzali, Equity	November 19, 2014
Chris Coursey	July 2013 – November 2014	Environment	Cynthia Murray, Economy	March 25, 2015
Tim Reeder	July 2013 – December 2014	Equity	Michelle R. Hernandez, Equity	September 23, 2015

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Bena Chang	March 2010 – November 2014	Economy	Scott Lane, Environment	September 23, 2015
Joanne Busenbark	September 2013 – September 2015	Equity	Sudhir Chaudhary, Equity	October 26, 2016
Linda Jeffrey Sailors	July 2013 – May 2016	Environment	Sydney Fang, Environment	October 26, 2016
Gerald Rico	March 2010 – June 2016	Equity	Cathleen Baker, Equity	October 26, 2016
Sandi Galvez	February 2011 – June 2016	Environment	Jonathan Fearn, Economy	October 26, 2016
Cathleen Baker	July 2014 – October 2016	Environment	Anna Lee, Environment	October 26, 2016
Caroline Banuelos	March 2010 – October 2017	Equity	Adrian Mendoza, Equity	October 25, 2017
Naomi Armenta	March 2010 – October 2017	Equity	Abigail Cochran, Equity	October 25, 2017
Elizabeth A. Clary	July 2013 – October 2017	Equity	Rick Coates, Equity	October 25, 2017
Sydney Fang	October 2016 – October 2017	Environment	Wendi Kallins, Environment	October 25, 2017
Jonathan Fearn	October 2016 – October 2017	Economy	Teddy Kÿ-Nam Miller, Economy	October 25, 2017
Bob Glover	September 2013 – October 2017	Economy	Matt Regan, Economy	October 25, 2017
Charles Kaufman	November 2014 – October 2017	Equity	Marc Madden, Equity	October 25, 2017
Scott Lane	September 2015 – October 2017	Environment	Corinne Winter, Environment	October 25, 2017
Jerry Levine	July 2013 – October 2017	Environment	Adina Levin, Environment	October 25, 2017
Shireen Malekafzali	November 2014 – October 2017	Equity	Daniel Saver, Equity	October 25, 2017
Mark Nicholson	July 2013 – October 2017	Equity	Rahmon Momoh, Equity	October 25, 2017
Mike Pechner	July 2013 – October 2017	Equity	Richard Burnett, Equity	October 25, 2017
Alan R. Talansky	July 2012 – October 2017	Economy	Patrick Wolff, Economy	October 25, 2017
Harriet Wolf	November 2014 – October 2017	Equity	Michael Lopez, Equity	October 25, 2017
Richard Burnett	March 2010 – October 2017	Equity	K. Patrice Williams, Equity	October 25, 2017
Wil Din	September 2013 – October 2017	Equity	Jerri Diep, Equity	October 25, 2017
Corinne Winter	October 2017 – December 2018	Environment	Anne Olivia Eldred, Environment	April 24, 2019
Jerri Diep	October 2017 – January 2019	Equity	Daisy Ozim, Equity	July 24, 2019
Sudhir Chaudhary	October 2017 – March 2019	Equity	Terry Scott, Equity	February 26, 2020
Matt Regan	October 2017 – July 2018	Economy	Bob Glover, Economy	February 26, 2020
Teddy Kÿ-Nam Miller	October 2017 – July 2019	Economy	Christina Gotuaco, Economy	February 26, 2020
Patrick Wolff	October 2017 – October 2019	Economy	Walter Wilson, Economy	February 26, 2020
Daniel Saver	October 2017 – December 2019	Equity	Pamela Campos, Equity	January 12, 2022
Jim E. Blacksten	July 2012 – July 2020	Equity	Frank Welte, Equity	March 24, 2021
Cathleen Baker	October 2016 – July 2019	Equity	Michael Baldini, Equity	February 26, 2020
K. Patrice Williams	October 2017 – June 2020	Equity	Benjamin Edokpayi, Equity	January 12, 2022
Daisy Ozim	July 2019 – December 2020	Equity	Christina Gotuaco, Equity	January 12, 2022
Abigail Cochran	October 2017 – August 2021	Equity	Howard Wong, Equity	January 12, 2022
Adrian Mendoza	October 2017 – December 2021	Equity	Gabriela Yamilet Orantes, Equity	January 12, 2022
Anna Lee	October 2016 – March 2020	Environment	Genay Markham, Environment	January 12, 2022
Bob Glover	February 2020 – December 2021	Economy	Ilaf Esuf, Economy	January 12, 2022

Former Advisor	Time Served	Representing	Replaced By	Replaced On
Carlos Castellanos	2007 – December 2021	Equity	Carina Vinh Lieu	January 12, 2022
Cynthia Murray	March 2015 – December 2021	Economy	Rodney K. Nickens, Economy	January 12, 2022
Marc Madden	October 2017 – December 2021	Equity	Phil Pierce, Environment	January 12, 2022
Michael Lopez	October 2017 – December 2021	Equity	Chris Fitzgerald, Equity	January 12, 2022
Michelle Hernandez	Sept. 2015 – December 2021	Equity	Vinay Pimple, Equity	January 12, 2022
Rahmon Momoh	October 2017 – December 2021	Equity	William Goodwin, Equity	January 12, 2022
Richard Burnett	March 2010 – December 2021	Equity	Dwayne Hankerson, Equity	January 12, 2022
Rick Coates	October 2017 – December 2021	Equity	Gerald Glaser, Equity	January 12, 2022
Terry Scott	February 2020 – December 2021	Equity	Hans Korge, Equity	March 23, 2022
Benjamin Schweng	July 2013 – December 2021	Environment	Rachel Zack, Environment	January 12, 2022
Hans Korge	n/a	Equity	Terry Scott, Equity	April 13, 2022
Benjamin Edokpayi	January 2022 – April 2022	Equity	John Parker Jr., Equity	July 27, 2022
Christina Gotuaco	February 2020 – September 2022	Equity	Zelly Lodin, Environment	October 26, 2022



Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
AB 6 Friedman	Introduced 12/5/2022	Assembly Print	Transportation planning. Current law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Current law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would state the intent of the Legislature to enact subsequent legislation that would require regional transportation agencies to prioritize and fund transportation projects, including those funded by a local sales tax measure, that significantly contribute towards the goals outlined in a region's sustainable communities strategy and the state's climate goals.		
AB 7 Friedman	Introduced 12/5/2022	Assembly Print	Transportation: funding: capacity projects. Current law requires the Department of Transportation to improve and maintain the state's highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would state the intent of the Legislature to enact subsequent legislation that would eliminate single occupancy vehicle freeway capacity projects, and allow capacity projects only for bus rapid transit, rail, active transportation purposes, projects that significantly add safety, and projects that significantly reduce congestion, without interfering with existing maintenance and rehabilitation needs.		

AB 9 Muratsuchi	Introduced 12/5/2022	Assembly Print	California Global Warming Solutions Act of 2006: emissions limit. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Under the act, the state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by no later than December 31, 2030. Under the act, a violation of a rule, regulation, order, emission limitation, emission reduction measure, or other measure adopted by the state board under the act is a crime. This bill instead would require the state board to ensure that statewide greenhouse gas emissions are reduced to at least 55% below the 1990 level by no later than December 31, 2030.	Tracking	
AB 12 Haney	Introduced 12/5/2022	Assembly Print	Tenancy: security deposits. Current law regulates the terms and conditions of residential tenancies, and prohibits a landlord from demanding or receiving security for a rental agreement for residential property, however denominated, in an amount or value in excess of an amount equal to 2 months' rent, in the case of unfurnished residential property, and an amount equal to 3 months' rent, in the case of furnished residential property, in addition to any rent for the first month paid on or before initial occupancy. This bill would instead prohibit a landlord from demanding or receiving security for a rental agreement for residential property in an amount or value in excess of an amount equal to one month's rent, regardless of whether the residential property is unfurnished or furnished, in addition to any rent for the first month paid on or before initial occupancy.		
AB 31 Carrillo, Juan	Introduced 12/5/2022	Assembly Print	Public transit: funding. Current law provides various sources of funding for capital and operating expenses of public transit systems and intercity rail in the state. This bill would state the intent of the Legislature to enact subsequent legislation that would appropriate funds for the development and operation of a privately run public transit system connecting the Victor Valley and the Antelope Valley in southern California.		
AB 50 Wood	Introduced 12/5/2022	Assembly Print	Energy demand: communication. Current law requires the Energy Commission, in consultation with specified state and federal agencies and at least every 2 years, to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. This bill would express the intent of the Legislature to enact subsequent legislation to improve consistent communication between the Energy Commission, Independent System Operator, Public Utilities Commission, and investor-owned utilities to ensure that the state is timely meeting energy demand.		

<u>AB 68</u> <u>Ward</u>	Introduced 12/8/2022	Assembly Print	Housing. The Planning and Zoning Law, requires each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a housing element. Current law defines several terms for the purposes of these provisions. This bill would make nonsubstantive changes to those definitions.		
<u>AB 73</u> <u>Boerner</u> <u>Horvath</u>	Introduced 12/13/2022	Assembly Print	Vehicles. Would state the intent of the Legislature to enact legislation relating to a stop-as-yield pilot program seeking to improve the flow of traffic by allowing both drivers and bicyclists to move safely at an intersection where there is a stop sign.		
<u>AB 84</u> <u>Ward</u>	Introduced 12/16/2022	Assembly Print	Property tax: welfare exemption: affordable housing. Current property tax law, in accordance with the California Constitution, provides for a "welfare exemption" for property used exclusively for religious, hospital, scientific, or charitable purposes and that is owned or operated by certain types of nonprofit entities, if certain qualifying criteria are met. Under current property tax law, property that meets these requirements that is used exclusively for rental housing and related facilities is entitled to a partial exemption, equal to that percentage of the value of the property that is equal to the percentage that the number of units serving lower income households represents of the total number of residential units, in any year that any of certain criteria apply, including that the property be subject to a legal restriction that provides that units designated for use by lower income households are continuously available to or occupied by lower income households, at rents not exceeding specified limits. For the 2018–19 fiscal year through the 2027–28 fiscal year, in the case of an eligible owner of property receiving a low-income housing tax credit under specified federal law, existing property tax law requires that a unit continue to be treated as occupied by a lower income household for these purposes if the occupants were lower income households on the lien date in the fiscal year in which their occupancy of the unit commenced and the unit continues to be rent restricted, notwithstanding an increase in the income of the occupants of the unit to 140% of area median income, adjusted for family size. This bill, beginning with the 2024–25 fiscal year, would remove the requirement that an eligible owner of property receive a low-income housing tax credit and would instead require that a unit continue to be treated as occupied by a lower income household, as described above, if the property is subject to a legal restriction that provides that units designated for use by lower income households are continuously available to or occupied by lower income households, at rents not exceeding specified limits.		

AB 96 Kalra	Introduced 1/9/2023	Assembly Print	Public employment: local public transit agencies: autonomous transit vehicle technology. Would require a public transit employer to provide written notice to the exclusive employee representative of the workforce affected by autonomous transit vehicle technology of its determination to begin, or its substantive progress toward initiating, any procurement process or a plan to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of the workforce to which the autonomous transit vehicle technology applies not less than 12 months before commencing the process, plan, or deployment. The bill would require a public transit employer, upon a written request of the exclusive employee representative, to provide specified information to the exclusive employee representative, including the potential gaps in skills that may result from the new service. The bill would require the public transit employer, following the written request for information by the exclusive employee representative, and within 30 days of receiving the specified information, to commence collective bargaining on specified subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.		
AB 221 Ting	Introduced 1/10/2023	Assembly Print	Budget Act of 2023. Would make appropriations for the support of state government for the 2023–24 fiscal year.		
ACA 1 Aguiar-Curry	Introduced 12/5/2022	Assembly Print	Local government financing: affordable housing and public infrastructure: voter approval. The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.		

SB 4 Wiener	Introduced 12/5/2022	Senate Rules	Planning and zoning: housing development: higher education institutions and religious institutions. Would require that a housing development project be a use by right upon the request of an applicant who submits an application for streamlined approval, on any land owned by an independent institution of higher education or religious institution on or before January 1, 2024, if the development satisfies specified criteria, including that the development is not adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use. The bill would define various terms for these purposes. Among other things, the bill would require that 100% of the units, exclusive of manager units, in a housing development project eligible for approval as a use by right under these provisions be affordable to lower income households, except that 20% of the units may be for moderate-income households, provided that all of the units are provided at affordable rent, as set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee, or affordable housing cost, as specified. The bill would authorize the development to include ancillary uses on the ground floor of the development, as specified.		
SB 7 Blakespear	Introduced 12/5/2022	Senate Rules	Homelessness. Would state the intent of the Legislature to enact legislation regarding homelessness and the regional housing needs allocation.		
SB 12 Stern	Introduced 12/5/2022	Senate Rules	California Global Warming Solutions Act of 2006: emissions limit. Under the California Global Warming Solutions Act of 2006, the State Air Resources Board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by no later than December 31, 2030. Under the act, a violation of a rule, regulation, order, emission limitation, emission reduction measure, or other measure adopted by the state board under the act is a crime. This bill instead would require the state board to ensure that statewide greenhouse gas emissions are reduced to at least 55% below the 1990 level by no later than December 31, 2030.		
SB 17 Caballero	Introduced 12/5/2022	Senate Rules	Senior housing. Would state the intent of the Legislature to enact legislation that would create new opportunities for the development of affordable senior housing.		

<p>SB 20 Rubio</p>	<p>Introduced 12/5/2022</p>	<p>Senate Rules</p>	<p>Joint powers agreements: regional housing trusts. Would authorize 2 or more cities, by entering into a joint powers agreement pursuant to the Joint Exercise of Powers Act, to create a regional housing trust for the purposes of funding housing to assist the homeless population and persons and families of extremely low, very low, and low income within their jurisdictions. The bill would require a regional housing trust created pursuant to these provisions to be governed by a board of directors consisting of a minimum of 9 directors, as specified. The bill would authorize a regional housing trust to fund the planning and construction of housing, receive public and private financing and funds, and authorize and issue bonds, as specified. The bill would require the joint powers agreement establishing the regional housing trust to incorporate specified annual financial reporting and auditing requirements.</p>		
<p>SB 34 Umberg</p>	<p>Introduced 12/5/2022</p>	<p>Senate Rules</p>	<p>Surplus land disposal: violations: Orange County. Current law prescribes requirements for the disposal of land determined to be surplus land by a local agency. Those requirements include a requirement that a local agency, prior to disposing of a property or participating in negotiations to dispose of that property with a prospective transferee, send a written notice of availability of the property to specified entities, depending on the property's intended use, and send specified information in regard to the disposal of the parcel of surplus land to the Department of Housing and Community Development. Current law, among other enforcement provisions, makes a local agency that disposes of land in violation of these disposal provisions, after receiving notification of violation from the department, liable for a penalty of 30% of the final sale price of the land sold in violation for a first violation and 50% for any subsequent violation. Under current law, except as specified, a local agency has 60 days to cure or correct an alleged violation before an enforcement action may be brought. Current law provides for the deposit and use of penalty revenues for housing, as prescribed. This bill, until January 1, 2030, would require the County of Orange, or any city located within Orange County, if notified by the department that its planned sale of surplus land is in violation of existing law, to cure or correct the alleged violation within 60 days, as prescribed.</p>		

SB 35 Umberg	Introduced 12/5/2022	Senate Rules	Community Assistance, Recovery, and Empowerment (CARE) Court Program. The Community Assistance, Recovery, and Empowerment (CARE) Act, effective January 1, 2023, authorizes specified adult persons to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan and implement services, to be provided by county behavioral health agencies, to provide behavioral health care, including stabilization medication, housing, and other enumerated services, to adults who are currently experiencing a severe mental illness and have a diagnosis identified in the disorder class schizophrenia and other psychotic disorders, and who meet other specified criteria. Current law authorizes CARE Act proceedings to commence in the county where the respondent resides, is found, or is facing criminal or civil proceedings. This bill would make technical, nonsubstantive changes to that provision.		
SB 37 Caballero	Introduced 12/5/2022	Senate Rules	Tenancy. Would make findings and declarations relating to senior housing and would state the intent of the Legislature to subsequently amend this bill to include provisions that would enact meaningful tenancy reform to ensure that aging adults can remain safely housed.		
SB 72 Skinner	Introduced 1/10/2023	Senate Budget and Fiscal Review	Budget Act of 2023. Would make appropriations for the support of state government for the 2023–24 fiscal year.		

<u>SBX1 2</u> <u>Skinner</u>	Introduced 12/5/2022	Senate Rules	<p>Energy: transportation fuels: supply and pricing: maximum gross gasoline refining margin. Current law requires operators of refineries in the state that produce gasoline meeting California specifications, within 30 days of the end of each calendar month, to submit a report to the State Energy Resources Conservation and Development Commission containing certain information regarding its refining activities related to the production of gasoline in that month. Current law requires the commission to notify a refiner that has failed to timely provide the required information and imposes a civil penalty on the refiner that fails to submit the required information within 5 days of being notified of the failure. This bill would establish a maximum gross gasoline refining margin at an unspecified amount per gallon and would authorize the commission to annually adjust the maximum gross gasoline refining margin, as provided. The bill would authorize the commission to petition the court to enjoin a refiner from exceeding the maximum gross gasoline refining margin. The bill would also authorize the commission to assess an administrative civil penalty on a refiner for exceeding the maximum gross gasoline refining margin, as provided. The bill would authorize the commission to grant a refiner's request for an exemption from the maximum gross gasoline refining margin upon a showing by the refiner of reasonable cause, and to subject the refiner to alternative maximum margins or other conditions set by the commission. The bill would require a refiner seeking an exemption to file a statement under the penalty of perjury setting forth the basis of the request for exemption.</p>		
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**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee
California Local & Regional Government Association Bill Position Resources**

League of California Cities (“the League”)

- <https://www.cacities.org/Policy-Advocacy/Bill-Search>

California State Association of Counties (CSAC)

- <https://www.counties.org/legislative-tracking>

California Association of Councils of Government (CALCOG)

- <https://www.calcog.org/index.php?src=gendocs&ref=billtrack&link=billtrack>

Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee
2023 Legislative Deadlines*

January

- 1: Statutes take effect
- 4: Legislature reconvenes
- 10: Budget must be submitted by Governor
- 16: Martin Luther King, Jr. Day
- 20: Last day for policy committees to hear and report to fiscal committees' fiscal bills introduced in their house in the odd-numbered year.

February

- 17: Last day for bills to be introduced
- 20: Presidents' Day

March

- 30: Spring Recess begins upon adjournment
- 31: Cesar Chavez Day observed.

April

- 10: Legislature reconvenes from Spring Recess
- 28: Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house

May

- 5: Last day for policy committees to meet and report to the floor nonfiscal bills introduced in their house
- 12: Last day for policy committees to meet prior to June 5
- 19: Last day for fiscal committees to meet and report to the floor bills introduced in their house. Last day for fiscal committees to meet prior to June 5.
- 29: Memorial Day
- 30- June 2: Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.

Joint MTC ABAG Legislation Committee
2023 Tentative Legislative Deadlines
Page 2 of 2

June

- 2: Last day for each house to pass bills introduced in that house
- 5: Committee meetings may resume
- 15: Budget Bill must be passed by midnight

July

- 4: Independence Day
- 14: Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment of session provided Budget Bill has been passed.

August

- 14: Legislature reconvenes from Summer Recess

September

- 1: Last day for fiscal committees to meet and report bills
- 4: Labor Day
- 5-14: Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.
- 8: Last day to amend bills on the floor
- 14: Last day for each house to pass bills. Interim (Study) Recess begins upon adjournment

October

- 14: Last day for Governor to sign or veto bills passed by the Legislature before September 14 and in the Governor's possession in or after September 14
- 2: Bills enacted on or before this date take effect January 1, 2023

2024

- January 1: Statutes take effect
- January 3: Legislature reconvenes

Source: compiled by the Office of the Assembly Chief Clerk and the Office of the Secretary of The Senate.

*Dates are subject to change.

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee**

January 13, 2023

Agenda Item 3a

Outreach Plan for Bay Area Housing Ballot Measure

Subject:

Overview of proposed outreach plan to local government elected officials in Spring 2023.

Background:

The Bay Area Housing Finance Authority (BAHFA) was established in 2019 pursuant to AB 1487 (Chiu). BAHFA has the same governing board as MTC and many of its activities are overseen by the ABAG Executive Board. In addition to existing MTC staff who support BAHFA's work, including the legislative and planning teams, BAHFA has a dedicated staff of six professionals, thanks to funding from the fiscal year (FY) 2020-21 State Budget and has been working on a number of key initiatives over the last year, including:

- Development of a Business Plan, including a Funding Plan and Equity Framework;
- Engagement with key stakeholders, including local government staff, community-based organizations; and
- Implementation of five pilots to begin making progress on the 3Ps of affordable housing production, preservation and protection.

Next Steps:

A regional ballot measure is a major undertaking, especially for an organization with very little name recognition (BAHFA just came into existence three years ago). In preparation for the possibility of a regional housing bond to complement local, state and federal investments in affordable housing, staff proposes an outreach plan to local elected officials via presentations to county boards of supervisors, city councils and conferences of mayors from April to July of this year. Concurrently, BAHFA staff will be finalizing the Equity Framework and the BAHFA Business Plan is anticipated to be completed towards the end of 2023.

As it relates to outreach on a transportation measure, MTC staff anticipates launching public outreach to inform enabling legislation for a regional transportation measure from approximately May-August, followed by local elected official engagement in the fall. We look forward to the Committee's feedback on this approach.

Issues:

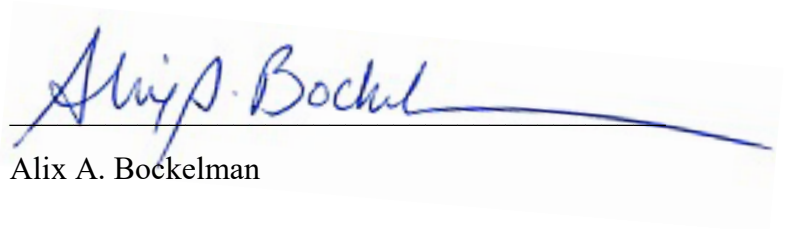
None identified.

Recommendation:

Information.

Attachments:

- Attachment A: Presentation



Alix A. Bockelman

Outreach Plan for Bay Area Regional Housing Measure

**Kate Hartley, Director of Bay Area
Housing Finance Authority**

**Rebecca Long, Director of
Legislation & Public Affairs**

January 13, 2023



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

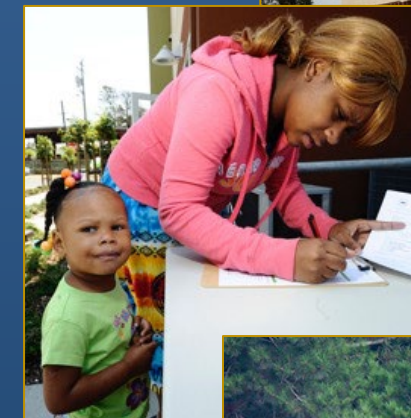
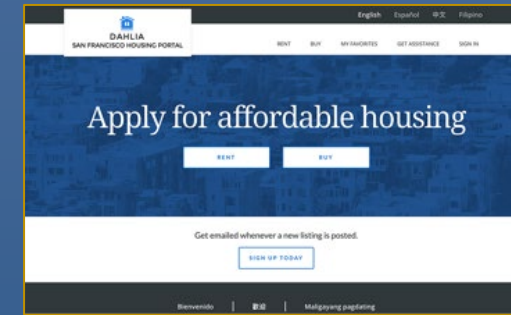
Background: Update on Bay Area Housing Finance Authority (BAHFA)

- BAHFA established in 2019 – legislation took effect in 2020
- Secured \$20 million in state funds in FY 2020-21 to implement five pilots advancing the 3Ps (production, preservation and protection)
- In 2022, hired six dedicated four-year limited term staff
- Developing BAHFA Business Plan, including a Funding Plan and Equity Framework
- Appointed nine representatives with expertise across the 3Ps to the BAHFA Advisory Committee
- Created affordable housing preservation program using property tax exemptions; assisted four projects to date in Ashland, Oakland and Hayward



Demonstrating Value: 5 Pilot Programs Underway

1. **Doorway:** Online platform to connect residents to affordable housing opportunities
2. **Affordable Housing Pipeline:** Database to track the production and preservation of affordable homes
3. **Preservation Strategy:** Financing and technical assistance to support and scale preservation efforts
4. **Anti-Displacement Services Network:** Coordination and best practices for effective deployment of tenant protection services
5. **Homelessness Prevention System:** Integrated resources and services to keep people housed



Stakeholder Outreach to Date (2020-2021)

- Convened an 11-member equity working group to inform BAHFA's work
 - Virtual listening sessions focused on each of the 3Ps, 138 participants, including 18 government staff, seeking feedback on the Equity Framework, 3Ps objectives and metrics for success
- BAHFA staff have met 1-on-1 with housing staff from all nine counties and those cities that will receive a direct allocation plus about a dozen other jurisdictions.
- BAHFA staff have also met with about 3 dozen local affordable housing developers, research institutions and community-based organizations related to housing to inform Business Plan and next steps.



BAHFA-Supportive Activities by Partners

- The Bay Area Housing for All (BAHA) coalition is actively fundraising and working on building support with key regional and state champions.
- A state constitutional amendment to lower vote threshold to 50%+1 for local and regional housing bonds is under development and proposed to be filed in mid-2023 to be placed on the November 2024 ballot at the same time as BAHFA's measure.

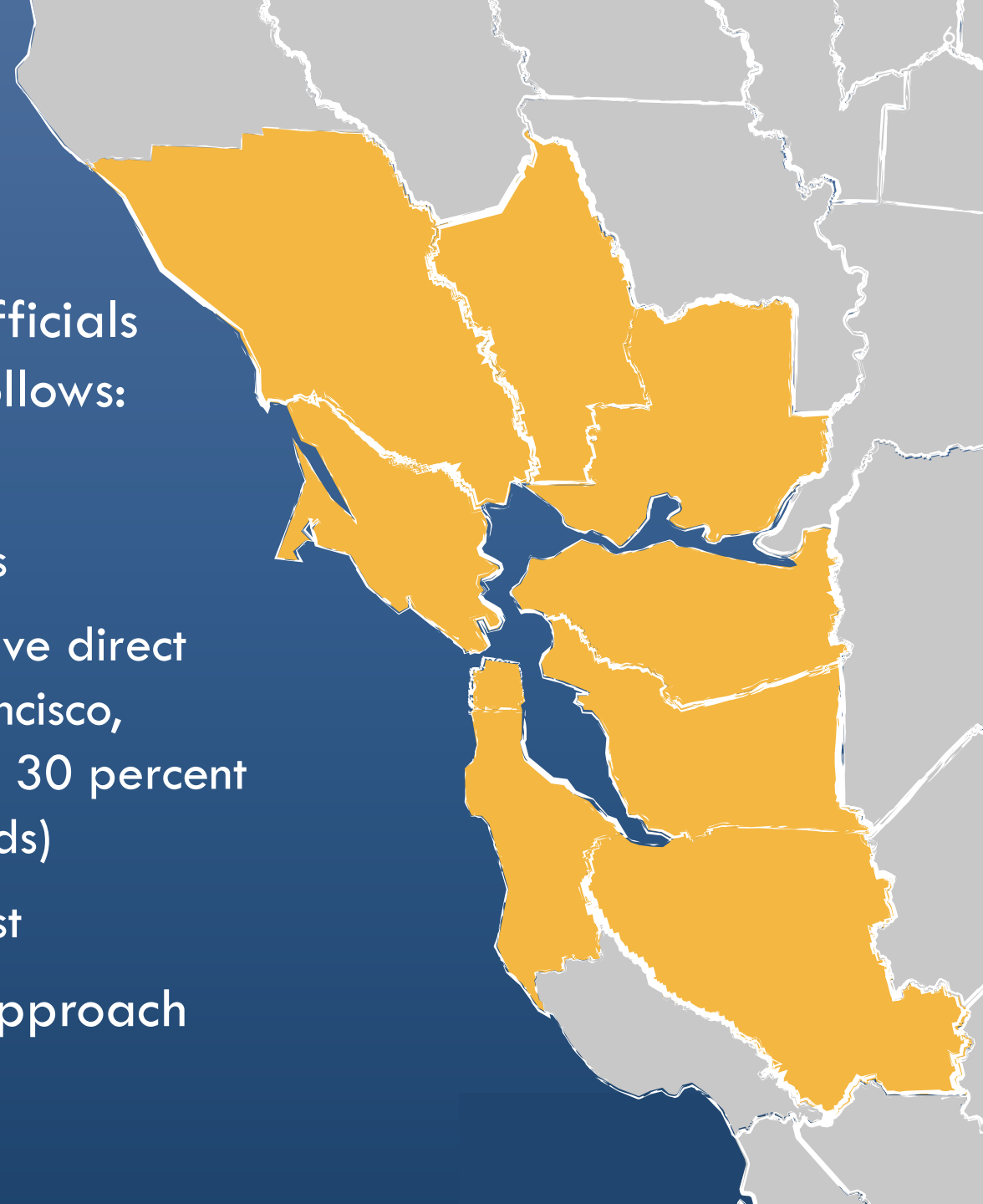


Next Up: Local Elected Official Outreach

Staff proposes presenting to local elected officials in various forums from April-July 2023, as follows:

- Nine Bay Area boards of supervisors
- Conferences of mayors across the nine counties
- The big cities that will (or have option to) receive direct allocations under AB 1487 (Oakland, San Francisco, San Jose, and any city that receives more than 30 percent of a county's RHNA for lower-income households)
- Presentations to other city councils upon request

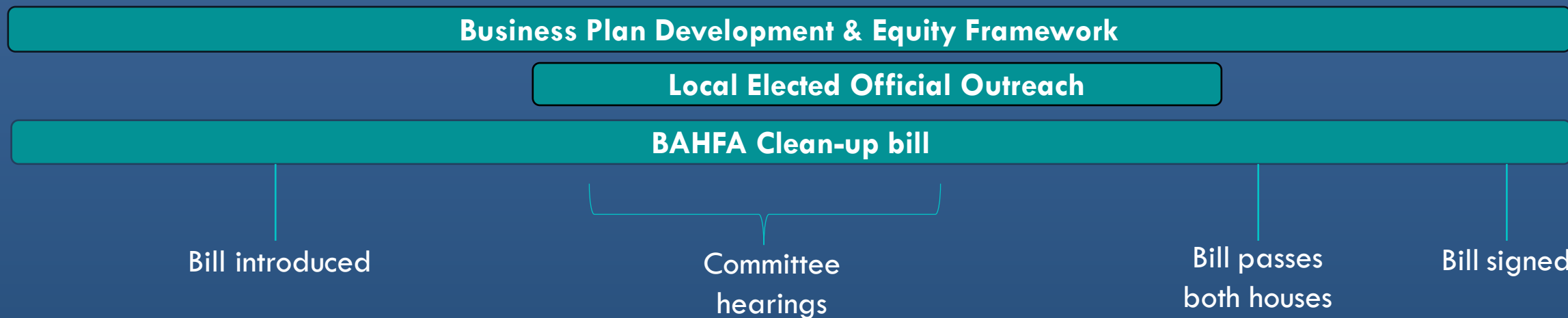
We look forward to your feedback on this approach and timing.



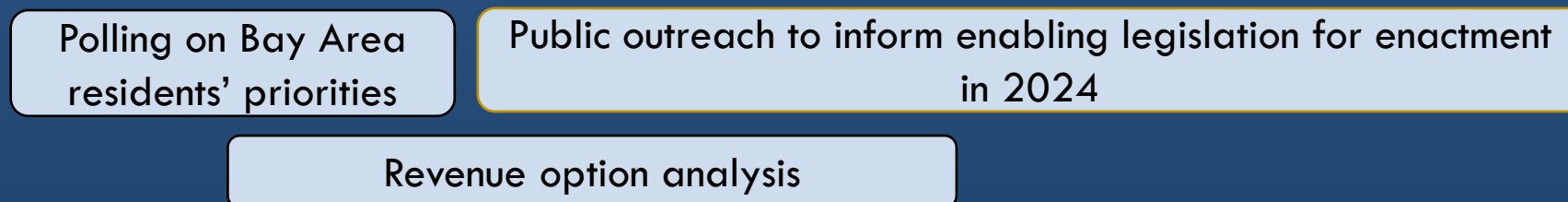
2023 Timeline for Regional Housing Measure Outreach & Nexus to Transportation Measure Bill



REGIONAL HOUSING MEASURE



REGIONAL TRANSPORTATION MEASURE ENABLING LEGISLATION



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ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee**

January 13, 2023

Agenda Item 3b

**Stakeholder Outreach for Potential Bay Area Transportation Measure Enabling
Legislation Update**

Subject:

Update on stakeholder engagement activities conducted in fall 2022 and next steps for the year ahead.

Background:

Plan Bay Area 2050 and the Transit Transformation Action Plan, both adopted in 2021, included a recommendation that MTC convene stakeholders by the end of 2023 to identify priorities and a funding framework for a future transportation ballot measure, including new funding for public transit. Last fall, the Commission directed staff to begin stakeholder engagement on this measure, concurrent with time-critical efforts to identify funding that can “bridge the gap” for additional transit operations funding until more continuous stable revenues are secured.

The Bay Area Housing Finance Authority and the ABAG Executive Board also directed staff to proceed with work on a potential 2024 regional housing ballot measure, recognizing that the timing for a regional *transportation* ballot measure would be better aligned for a subsequent election, given voters ranking of housing and homelessness as their top concern whereas transportation ranked among their lowest concerns.

Engagement Meetings to Date

Since the last update to this joint committee, staff have conducted a first round of stakeholder engagement with many of the key partners critical to a successful regional transportation ballot measure, working to better understand key challenges the transportation system faces today, potential priorities for a future ballot measure, actions that would best complement an infusion of new funding, and gain other insights to guide the process going forward. Meetings were held with both large and small transit operators, county transportation agencies, regional and state agencies working on climate and resilience issues, organizations representing environmental, transit rider, equity, labor, and business interests, and advocates for active transportation, older adults, and persons with disabilities.

Key Themes from Stakeholder Engagement:

Discussions held throughout fall 2022 and into the winter were an opportunity both to inform stakeholders about the impetus and timeline for this process and to hear their priorities and concerns directly. The following key themes emerged from early stakeholder conversations:

- **There is a broad consensus that sustaining and improving transit service is a top priority and should be a focus of a regional transportation measure.** Stakeholders underscored that the Bay Area transit system requires robust investment to improve frequencies and spans of service, to better time transfers, to simplify complex fare structures, to improve the first- and last- mile experience, and to better serve the diverse needs across the Bay Area.
- **Many stakeholders underscored that public transportation need not be limited to traditional fixed-route public transit.** New active transportation investments, expanded bikeshare programs, expanded paratransit services, and new mobility alternatives to the automobile could be characterized under a broader “public transport” category, while better responding to the mobility needs of the public in this post-COVID era. In developing priorities for a future measure, the region should support creative ways to meet the public’s travel needs in an environmentally sustainable way.
- **The region will need to carefully weigh whether to proceed with exploring a targeted transit-focused measure, or to pursue a more expansive multimodal measure that aims to achieve a broad range of goals.** While this question will clearly need to be informed by public polling in the coming months, it is a discussion that should remain a top priority to explore with stakeholders and the Commission this year.
- **County transportation agency staff recommended incorporating local street and road repairs into a future regional measure as a way to gain broader support, especially outside the region’s urban core.** While all stakeholders seemed to recognize that public transit should receive significant funding in a future measure, county transportation agencies favored a multimodal expenditure plan that included funding for local street and road repair, a significantly underfunded need that appeals to all

jurisdictions regionwide and can provide benefits not just for passenger vehicles, but also bus riders, bicycles and pedestrians.

- **Beyond modal themes, cross-cutting policy goals such as advancing social equity, climate mitigation and resilience, and adaptability to an uncertain future were underscored by many different stakeholders.** Rather than exploring these topics as independent funding “silos,” stakeholder discussions helped to illuminate that they should guide the measure’s overall expenditure plan and any associated policies.
- **More funding alone will be insufficient to address current and future challenges.** Both public agencies and advocates alike underscored the need to tackle systemic issues like significant staffing shortages, insufficient bandwidth to pursue fragmented grant opportunities, and bureaucratic hurdles that make it more difficult to implement projects and programs. Building in policy provisions into the measure was recommended as a way to gain more benefits than funding alone.
- **Stakeholders responded favorably to the idea of a transparent and inclusive public process for this potential regional measure.** In addition to continued engagement with stakeholders focused on a future regional transportation measure, there are potential synergies with the envisioned summer 2023 Plan Bay Area 2050+ public engagement process to seek feedback on the contents of a regional transportation ballot measure to be authorized via legislation by the end of 2024.

Next Steps:

As detailed in Attachment A, staff proposes moving forward with a public poll of Bay Area residents this winter to better understand the public’s priorities when it comes to transportation, augmenting further discussions with key stakeholders planned for the spring. Staff proposes returning to this committee later this spring with insights from the poll and proposed goals for a regional transportation ballot measure, for discussion.

Attachments:

- Attachment A: 2023 Proposed Work Plan for Potential Regional Transportation Ballot Measure Enabling Legislation



Alix A. Bockelman

Attachment A

2023 Proposed Work Plan for Regional Transportation Ballot Measure Enabling Legislation

Timeframe	Key Tasks
Winter 2022/23	<ul style="list-style-type: none">• Complete first round of stakeholder engagement to hear initial priorities from Bay Area partners related to a regional transportation measure (completed)• Conduct public poll to better understand current transportation priorities and to inform next steps
Spring 2023	<ul style="list-style-type: none">• Develop draft high-level goals for regional transportation ballot measure• Hold second round of stakeholder engagement conversations to discuss polling insights & draft goals• Present update to Joint MTC ABAG Legislation Committee and vet draft goals• Refine high-level goals for regional transportation ballot measure authorizing legislation based upon feedback received• Conduct analysis of revenue options, including revenue forecast and pros and cons from a policy and equity standpoint
Summer 2023	<ul style="list-style-type: none">• Conduct public engagement to inform authorizing legislation investment priorities, potentially in conjunction with Plan Bay Area 2050+ and Transit 2050+ process given likely synergies• Develop draft concept(s) for ballot measure based upon stakeholder and public feedback
Fall 2023	<ul style="list-style-type: none">• Publicize draft concept(s) for ballot measure and refine proposal based on feedback from stakeholders, the public and local elected officials (<u>Note</u>: sequencing of local elected official outreach to follow regional housing measure outreach)• Present to Joint MTC ABAG Legislation Committee ballot measure concept to advance during 2024 legislative session for placement on the ballot <i>after</i> 2024.• Present to and secure approval from Commission to sponsor enabling legislation.



January 12, 2023

Re: MTC Executive Committee Meeting, January 13, 2023
Item 4a. Regional Network Management (RNM) Business Case Evaluation Update
and Draft Recommendations

Joint MTC ABAG Legislation Committee, January 13, 2023
Item 3b. Stakeholder Outreach for Potential Bay Area Transportation Measure

Chair Pedroza, Vice Chair Josefowitz; Chair Arreguin and Commissioners

The Draft Recommendations of the Region's Network Management Business Case Evaluation presented this week caps off over a year of work that was initiated as a result of the Blue Ribbon Task Force's acknowledgment that the Bay Area currently does not possess the *"Network management resources and authority... [to] ensure frequent, reliable service to key destinations across boundaries of multiple agencies, with efficient connections at multimodal hubs"*.

What has been presented is described as an interim, near-term regional network management framework. We support this framework as an interim next step that can immediately begin advancing many of the initiatives.

We are also very pleased to see that today's MTC/ABAG Legislation Committee is reviewing a proposal to start a year-long process to lay the groundwork for authorizing legislation for a regional transportation funding measure. This work is a critical element of the Transformation Action Plan, with a goal to provide funding to support frequent, reliable, accessible well-integrated service with coordinated, affordable fares, streamlined wayfinding. Regional integration has been identified as a key goal, and one of the most popular selling points of a regional funding measure.

The development of the transportation funding measure will consider not only what to spend the money on, but the policies for how to spend the funds. For those policies, it will be essential to ensure that new funding will deliver and maintain a system that is consistently well-integrated for riders.

This will require governance over the new funding to make stable policy decisions, and to ensure that transit agencies participate in and follow key regional programs and standards, while protecting agencies from any financial imbalances caused by coordination. This will require an update to the interim network management structure that is coming forward today.

In order for a regional funding measure to deliver on the promises of fare, service, and system integration - the network management structure will need to be updated to ensure that new money can deliver an integrated system.

The proposed timeline for 'evolving' the interim structure into a longer term structure is 3-10 years from now, to be based on reviews 'every 2 years' of performance.

This timeline is not soon enough to be incorporated into enabling legislation for a regional measure. We urge you to use the critical window of opportunity in the coming year - as part of the groundwork for a regional measure - to define governance for new funding that will lead to a well-coordinated, affordable, accessible system.

Doing so would set our region on a much stronger foundation for transforming transit over the coming years, and in partnership with our state legislators - who are eager to see structural transformation as a condition of new funding.

Thank you,

Ian Griffiths
Policy Director, Seamless Bay Area

Adina Levin
Advocacy Director, Seamless Bay Area

Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee

January 13, 2023

Agenda Item 4a

Overview of Governor Newsom's Fiscal Year 2023-24 State Budget Proposal

Subject:

Highlights of transportation, housing, and climate aspects of the Governor's proposed budget.

Summary:

California's fiscal year (FY) 2023-24 budget negotiations will kick into high gear this month with the anticipated January 10 release of Governor Newsom's budget request. (As of the writing of this memo, the budget request has not been made public). The state's fiscal outlook has taken a rapid downturn relative to recent years. Instead of a massive surplus that was the focus of much of our state advocacy last year, the Legislative Analyst's Office (LAO) projects a \$25 billion deficit. Of significant concern is how the Governor proposes to address this shortfall, in particular whether the Administration will reduce commitments made in last year's budget for additional investments in FY 2023-24 in transportation, housing, and resilience, as described below.

Overview of Funding Commitments Made for FY 2023-24 in Last Year's Budget

Transportation

With respect to transportation, last year's budget included intent language to provide \$2 billion for transit capital projects in FY 2023-24 to be distributed via population to regional transportation planning agencies like MTC. These funds were referenced in a budget trailer bill (AB 198) and were identified for projects similar to those eligible for the state's Transit and Intercity Rail Capital Program (TIRCP). This is the source of \$400 million out of \$800 million assumed in MTC's Major Projects Advancement Policy as "TIRCP Augment 2."

Housing

On housing, last year's budget incorporated augmentations over two years for various housing programs including the Infill Infrastructure Grant Program, the Adaptive Reuse Program and the Multifamily Housing Program, as well as resources for housing preservation and to support development on state excess sites. To the extent the Governor proposes to scale back funding for these programs in FY 2023-24, that could result in a net reduction in funding relative to what

was agreed to in last year's budget. An additional housing-related funding commitment made last year for FY 2023-24 is \$250 million for multifamily housing seismic retrofits.

Resilience

With respect to sea level rise and resilience, last year's budget included trailer bill language identifying an additional \$100 million to the Governor's Office of Planning and Research for Regional Resilience Planning & Implementation Grants, as well as \$450 million to the State Coastal Conservancy for the Climate Ready Program (\$300 million) and Coastal Protection and Adaptation (\$150 million).

Next Steps

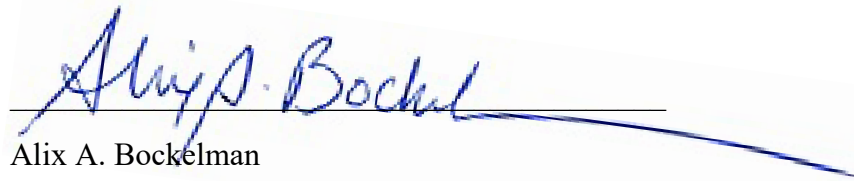
Staff will provide an update at your meeting on the transportation, housing and climate components of the Governor's FY 2023-24 State Budget proposal.

Issues:

None identified.

Attachments:

- None



Alix A. Bockelman

Overview of Governor Newsom's Fiscal Year Budget Proposal - January 12, 2023

On January 10, 2023, Governor Newsom released his fiscal year (FY) 2023-24 Budget Proposal (budget), which reflects that the state's fiscal outlook has taken a rapid downturn relative to recent years. Instead of a massive surplus that was the focus of much of MTC/ABAG's state advocacy last year, the budget projects a \$22.5 billion budget deficit. Rather than dipping into reserves, Governor Newsom proposes to address the shortfall – which is slightly less than the \$25 billion budget deficit estimated by the Legislative Analyst's Office (LAO) in November – through spending cuts, shifting certain expenditures from the general fund to other fund sources, and deferring FY 2023-24 spending commitments made in prior year budget deals.

Despite the dire fiscal situation facing many of the state's public transportation systems and the unprecedented storms that have been hammering much of California in recent weeks, the budget proposes transportation and climate programs shoulder the bulk of the spending reductions. Of note, Governor Newsom indicates these issues continue to be important priorities, proposes offsetting cuts by pursuing transportation and climate funds authorized through the 2021 Bipartisan Infrastructure Law and the 2022 Inflation Reduction Act, and proposes a “trigger” policy that if state receipts rebound, funding cuts could be restored *next year* (in 2024).

Regarding housing, it's encouraging that the proposed budget would maintain most of the state's recent affordable housing and homelessness commitments, indicating a continued strong commitment to addressing the state's affordable housing and homelessness crisis.

Key budget takeaways related to transportation, climate, and housing are summarized below.

Newsom Proposes Pulling Back FY 2022-23 Appropriations

In an unusual move, the Governor proposes to claw back *previously appropriated* funds from the FY 2022-23 transportation, climate and resilience budget packages and scales back future year commitments that were proposed for FY 2023-24 in recent budget trailer bills.

Budget Would Slash Transportation Investments

The Budget would cut the anticipated Transit and Intercity Rail Capital Program (TIRCP) augmentation commitments for FY 2023-24 and FY 2024-25 in half, bringing the commitments down to a total of \$2 billion (\$1 billion in FY 2023-24 followed by \$500 million in the following two fiscal years) versus \$4 billion over two years. This would reduce the Bay Area's estimated share of future year TIRCP augmentations to \$400 million with funds spread out over three years (\$200 million in FY 2023-24, and \$100 million the following two years).

Encouragingly, the budget *does not* propose pulling back TIRCP augmentations made in FY 2022-23. That's not the case for the Active Transportation Program and Rail Grade Crossings programs, which would be cut by \$200 million and \$350 million reductions, respectively. Of note, the California State Transportation Agency (CalSTA) has an active call for projects open for the grade separation funds. The budget would also swap \$500 million in FY 2021-22 general fund commitments for various programs in the transportation package with State Highway Account funds.

Zero Emission Vehicles (ZEVs) Prioritized for Cap and Trade Funds; Community Air Protection is Second Priority

ZEV transition (passenger vehicles, buses, other heavy-duty vehicles and boats) had somewhat unusually received \$10 billion in general funds in FY2021-22 and FY2022-23 budgets. The Governor is proposing to reduce the General Fund contribution by \$2.5 billion but partially offset those cuts with \$1.4 billion from the Greenhouse Gas Reduction Fund (GGRF).

Additionally, the budget directs any additional Cap and Trade auction proceeds towards ZEV programs.

The budget also directs \$250 million in Cap and Trade funds to partially offset a proposed \$300 million reduction in General Fund support for the Community Air Protection Program (established pursuant to AB 617 (Garcia, 2017)). In total, the January budget proposes \$1.65 billion in Cap and Trade expenditures.

Deep Cuts to Regional Climate Resilience, San Francisco Bay, and Seismic Resilience

The 2021 climate resilience package funded a new regional climate adaptation planning and implementation program housed at the Governor's Office of Planning & Research. Over the last two years the program has received \$150 million and was slated for an additional \$100 million in

FY 2023-24 as part of the Integrated Climate Adaptation and Resiliency Program (ICARP). The Governor's budget proposes to pull back \$25 million of previously appropriated funds and zero out FY 2023-24 investments. Unfortunately, the budget also proposes to eliminate in full the \$10.4 million FY 2022-23 funds dedicated for San Francisco Bay wetlands and proposes major cuts to State Coastal Conservancy commitments for coastal protection and adaptation; \$175 million is proposed to be cut from the current year and roughly \$300 million is proposed for cuts FY 2023-24. Based on staff's preliminary review, this would zero out FY 2023-24 funds for this purpose.

Regarding earthquake preparedness, last year's budget created a new Seismic Retrofitting Program for Soft Story Multifamily Housing and included legislative intent to appropriate \$250 million for this program in FY 2023-24. This intended appropriation is not included in the budget.

Housing and Homelessness Cut, Albeit Less Sharply than Transportation, Climate & Resilience

The 2022 budget deal committed some \$3 billion for MTC/ABAG affordable housing priorities programs over FY 2022-23 and FY 2023-24. The budget proposes to maintain the vast majority of these commitments – pulling back only \$350 million in the affordable housing space (\$300 million from various homeownership programs and \$50 million for an accessory dwelling unit financing program).

In good news regarding homelessness assistance, the Governor's budget proposes retaining \$3.1 billion of the \$3.35 billion in FY 2022-23 and FY 2023-24 funding commitments. The budget proposes funding in full the \$1 billion that was committed in FY 2023-24 funds for the local Homeless Housing, Assistance and Prevention Program (HHAPP) and the full commitment of \$400 million in FY 2023-24 to augment the Encampment Resolution Grants. The Newsom Administration plans to introduce "homeless accountability" legislation that will condition local governments' eligibility for these funds on compliance with "state housing law" and modify HHAPP to prioritize housing unsheltered populations, in addition to potential inclusion of undefined "streamlining" provisions. Lastly, the budget proposes augmenting by \$250 million the Behavioral Health Bridge Housing program – which was funded at \$1 billion in FY 2022-23 – instead of a \$500 million augmentation, as was proposed in the 2022 housing package.

Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee

January 13, 2023

Agenda Item 4b

Bay Area Housing Finance Authority (BAHFA) Clean-Up Legislation

Subject:

Update on BAHFA “clean up” legislation to address unintended statutory limitations on BAHFA’s ability to effectively finance affordable housing and support preservation and protection in the Bay Area.

Overview:

MTC and ABAG’s Joint 2023 Advocacy Program – approved in December – directs MTC and ABAG to sponsor BAHFA clean-up legislation, with the aim of securing passage in 2023. Moving the bill to signature this year is important to give cities, counties, BAHFA, and other stakeholders certainty about the tools available to BAHFA to address the region’s housing challenges in advance of a regional housing bond, which MTC and ABAG directed staff to pursue for the 2024 ballot.

A high-level overview of the major provisions of the clean-up legislation is included in your 2023 Advocacy Program. This item provides additional background on the need for legislation, an update on a proposed legislative strategy, and a summary of key provisions (see Attachment A).

Background

As California’s first regional housing agency – created in 2019 by AB 1487 (Chiu) – BAHFA is pioneering a new model of regional cooperation to address our residents’ housing needs. In standing up this new model and drafting the BAHFA Business Plan, staff has identified statutory clarifications necessary to achieve the housing production, preservation, and protection goals laid out for BAHFA in AB 1487. Additionally, in the years since BAHFA’s creation, the COVID pandemic generated new best practices in homelessness prevention, and legislation authorizing a Los Angeles regional housing agency (modeled on BAHFA) included administrative efficiencies that would ideally be extended to BAHFA’s operations. Lastly, the newly introduced ACA 1 (Aguiar-Curry) and a parallel signature-gathering effort could potentially pave the way for a 2024 statewide ballot to amend the state constitution to reduce the vote threshold for local and regional housing revenue measures and expand the allowable use of bond proceeds. All these factors informed the proposed statutory changes summarized in Attachment A.

Last month, BAHFA retained Orrick Herrington & Sutcliffe to advise on bill language. We expect to have language ready for a bill introduction by mid-February.

Legislative Strategy

Assemblymember Buffy Wicks, chair of the Assembly Housing and Community Development Committee, has agreed to author the bill. BAHFA's authorizing legislation (AB 1487) was authored by the committee's former chair David Chiu and it's encouraging that the chair will again take up the BAHFA mantle. We plan to work with Chair Wicks' staff to build a robust list of co-authors from within the Bay Area's Sacramento delegation. Additionally, Enterprise Community Partners and the Nonprofit Housing Association of Northern California, co-sponsors of the bill creating BAHFA, have agreed to join as co-sponsors of this measure.

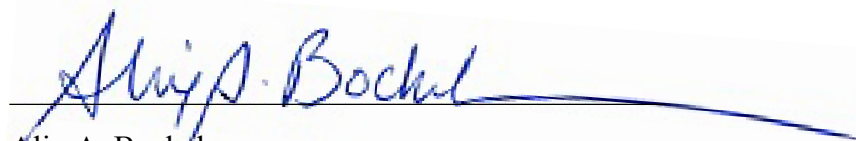
We aim to demonstrate strong regional consensus through our choice of author, co-authors, co-sponsors, and supporters.

Recommendation:

Information item

Attachments:

- Attachment A: Summary of AB 1487 Clean-Up Bill Provisions



Alix A. Bockelman

Summary of AB 1487 Clean-Up Bill Provisions

The major provisions of the bill, as currently contemplated, are outlined below.

- 1) Constitutional Conformity: Conform several provisions in BAHFA enabling statute to the California Constitution as it may be amended by the voters. This amendment would allow BAHFA to take advantage of additional flexibility being sought through a potential 2024 state ballot measure to lower the vote threshold for local and regional housing bonds and expand allowable uses of the proceeds.
- 2) Real Property Purchases: Authorize BAHFA to buy land and buildings to advance the agency's established objectives.
- 3) Revenue Bond Authority: Clarify that BAHFA's lending authority includes the ability to issue bonds backed by rent and mortgage payments.
- 4) Administrative Costs: Specify that implementation of any commercial linkage fee allows coverage of administrative expenses.
- 5) Tenant Protection Programs: To reflect current best practices, expand eligible expenses to include emergency financial assistance, supportive services, and housing problem-solving. This would allow BAHFA to assist people who don't hold a lease, e.g., someone who is couch surfing.
- 6) Administrative Efficiency: For administrative actions that don't impact the environment – e.g., creating a funding program or issuing a notice of funding availability (NOFA) – give BAHFA the same blanket California Environmental Quality Act (CEQA) exemption that applies to the state Department of Housing and Community Development. Without a blanket exemption, BAHFA must justify applying the current exemption to each administrative action it takes. Note that this would not change any CEQA analysis required for individual development projects.
- 7) Technical changes: Other technical changes are proposed, such as allowing BAHFA and counties to allocate funds to multiple entities with expertise in the full range of services envisioned under the statute and explicitly stating that BAHFA has authority to levy a tax to repay bonds authorized by voters in order to ease property tax administration at the county level.

Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee

January 13, 2023

Agenda Item 5a

Washington D.C. Legislative Update

Subject:

December 2022 Report from Washington, D.C. advocate.

Issues:

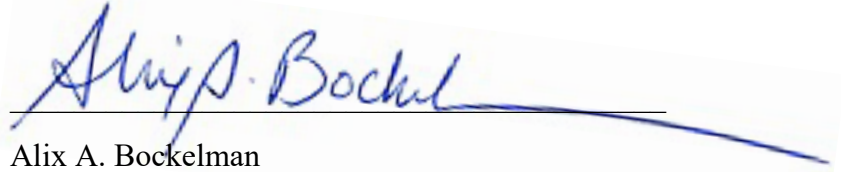
None identified.

Recommendations:

Information

Attachments:

- Attachment A: Summit Strategies Team Report – December 2022
- Attachment B: Bay Area Transportation Earmarks – 2023 Omnibus Appropriations Bill



Alix A. Bockelman



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Summit Strategies Team Report – December 2022

From: Summit Strategies Team

To: Therese McMillan, Executive Director

Date: December 21, 2022

Subject: December Federal Policy Monthly Report

- **Lame Duck Session and Appropriations Update**
 - **National Defense Authorization Act (NDAA) and Financial Data Transparency Act Update**
 - **Federal Highway Administration (FHWA) Administrator Confirmed**
 - **New Leadership for Key Congressional Committees**
 - **Agency Actions and Competitive Grant Update**
 - **National Transportation News Roundup**
-

Below is a status update on issues of interest to MTC and the actions that we have taken to date.

Lame Duck Session and Appropriations Update

The 2022 midterm elections finished before the 2022 Congress did. Several major pieces of legislation have passed during the lame duck session, including the Respect for Marriage Act and legislation to prevent a nationwide rail strike. The Senate also passed the National Defense Authorization Act (NDAA), sending the bill to the President for his signature.

After these shoes dropped, all attention turned to funding the government, and the omnibus appropriations package. The text of the bill was released on Tuesday, December 21, 2022, Congress is moving to pass it this week, and this legislation aligns with MTC's priorities, with transit, roads, bridge, rail and bicycle/pedestrian funding increases above the levels guaranteed in the Bipartisan Infrastructure Law (BIL).

Throughout the year, your DC team has been working to secure several MTC priorities in this end of year legislative vehicle. For example, the DC team worked with House and Senate transportation appropriations staff, California House and Senate leadership and a national coalition of transit operator D.C. advocates to secure a \$425 million augmentation of the Capital Investment Grant (CIG) program for projects with secured full funding grant agreements but that are facing significant cost overruns. Bay Area transit operators – BART and Caltrain – will receive roughly \$75 million, or 18 percent of the CIG augmentation.

The DC team also worked to secure \$85 million for a new Department of Housing and Urban Development (HUD) grant program, incorporating language that will allow the Bay Area Housing Finance Authority (BAHFA) to compete for funding. This success came out of MTC and ABAG's in person-meetings this past June on Capitol Hill, and continued advocacy in the months following. HUD will provide competitive grant awards to projects that identify and remove barriers to affordable housing production and preservation. The bill also includes report language directing HUD to actively seek funding opportunities for regional agencies (metropolitan planning organizations and councils of government) and to support regional collaboration. This report language creates an additional opportunity for MTC/ABAG to advocate for federal support for regional approaches to addressing the Bay Area's severe housing challenges.

Going into the new year, we will be working with HUD to ensure BAHFA is in a good position to compete for these new resources.

Additionally, your DC team has been working with House and Senate Appropriators on the inclusion of a provision to extend Build America Bonds (BABs) credit subsidies through 2025. Without action, these subsidy payments would have been eliminated, increasing costs for borrowers like the Bay Area Toll Authority, transit operators, and local governments by tens of millions of dollars each year.

Some other highlights from the text include \$800 million in additional funding for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program, \$25 million for the Thriving Communities Program, \$150 million for the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Formula program, \$12 million for the regional infrastructure accelerator program, \$45 million for active transportation infrastructure investment, \$542 million for the Transit Plus Up Account, \$100 million for Fed-State partnership for intercity passenger rail, \$535 million for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program, \$2.45 billion for Amtrak, \$1.15 billion for the bridge formula program, \$140 million for low-no bus and bus facilities, \$15 million for ferries, and \$54.5 million for San Francisco Estuary Funding.

Regarding housing, the bill extends existing housing assistance and expands housing choice vouchers to nearly 12,000 low-income individuals and families experiencing or at risk of homelessness, including survivors of domestic violence and veterans. This expansion is on top of the 25,000 new vouchers provided in fiscal year 2022. The bill also includes \$3.3 billion for the Community Development Block grant program, \$1.5 billion for the HOME Investment Partnership Program, and – as described above – \$85 million for a new “yes in my backyard” grant program for which state, local, and regional entities may compete.

The appropriations bill also included hundreds of earmarks. Bay Area transportation earmarks are listed in Attachment B.

National Defense Authorization Act (NDAA) and Financial Data Transparency Act Update

On December 6, 2022, House and Senate Armed Services Committee leadership unveiled a bicameral, bipartisan Fiscal Year (FY) 2023 NDAA. The NDAA is annual, must-pass legislation that, in recent history, serves as a legislative vehicle for additional bipartisan, bicameral bills (or policy riders) so they can be enacted without receiving a standalone vote.

The FY 2023 NDAA agreement includes the Financial Data Transparency Act (FDTA), led by Reps. Carolyn Maloney (D-NY) and Patrick McHenry (R-NC) in the U.S. House of Representatives and Sens. Mark Warner (D-VA) and Mike Crapo (R-ID) in the U.S. Senate. This bill was included as an amendment to the House Armed Services Committee's version of the NDAA that passed the U.S. House in July 2022. The bill would generally establish new financial data reporting standards for municipal securities market participants separate from the standards established by the Government Accounting Standards Board (GASB), which impacts BATA and other municipal bond issuers.

The DC Team worked closely with our partners to express concerns to the bill's sponsors in both chambers of Congress and coordinated an effort to suggest alternate language. Suggested changes included moving the rulemaking away from Municipal Securities Rulemaking Board (MSRB), lengthening the rulemaking timeline to allow for input from issuers and market participants and/or creating a pilot program or study to better determine the impact these new standards would have on the municipal industry.

Several of these suggestions were incorporated into the final NDAA agreement. The new language directs the Securities and Exchange Commission (SEC) to set and implement these new data standards instead of the MSRB. This language is more favorable since SEC already has regulatory authority and procedures and the commission is subject to congressional oversight. The section also includes new language specifically directing SEC to consult with affected agencies during the rulemaking process and addresses the timeline concerns by providing that there be two years to implement the rule.

While not the ideal outcome, these changes will allow BATA and other affected groups to work with SEC on the rulemaking process and provide a longer timeframe to implement the changes required by the new rule.

Federal Highway Administration (FHWA) Administrator Confirmed

The Senate confirmed Shailen Bhatt as the 21st Administrator of the FHWA where he will lead administration of more than \$350 billion of the Bipartisan Infrastructure Law (BIL). Prior to his confirmation, Shailen Bhatt served as the Executive Director of the Colorado Department of Transportation, a Cabinet Secretary of the Delaware Department of Transportation, FHWA Associate Administrator for Policy and Government Affairs, and CEO of the Intelligent Transportation Society of America (ITS America). His time at FHWA overlapped with MTC's Executive Director Therese W. McMillan's service in the Obama Administration and MTC's Deputy Executive Director Andrew Fremier served on ITS America's board during Mr. Bhatt's tenure as CEO.

New Leadership for Key Congressional Committees

The House Democratic Caucus has selected Rep. Rick Larsen (D-WA) to serve as the Democrat on the House Transportation & Infrastructure Committee next Congress. Ranking Member Rep. Sam Graves (R-MO) is expected to lead the committee in the 118th Congress when Republicans assume control. On the Senate side, current Senate Environment and Public Works Committee leadership is expected to stay in place. Senator Tom Carper (D-DE) serves as the chair and Senator Shelly Moore Capito (R-WV) is the ranking member. Senate Committee on Commerce, Science & Transportation Chair Maria Cantwell (D-WA) is expected to maintain her role, while Republican Senator Ted Cruz (R-TX) is expected to become the new ranking member. For the Senate Committee on Banking, Housing, & Urban Affairs, Senator Sherrod Brown (D-OH) is expected to maintain his role as Chair. Senator Tim Scott (R-SC) is predicted to assume the role of ranking member of the committee, replacing Senator Mike Crapo (R-ID), the current ranking member.

Other leadership changes in the 118th Congress include the Senate Appropriations Committee. With Senator Richard Shelby (R-AL) retiring, Senator Susan Collins (D-ME) is expected to be the ranking member on the committee. On the Democratic side, Senator Patty Murray is slated to take over for the retiring Senator Patrick Leahy (D-VT).

Agency Actions and Competitive Grant Update

USDOT Announces \$2.3 Billion in Funding to Expand and Modernize Passenger Rail

On Wednesday, December 7, 2022, the U.S. Department of Transportation (USDOT) issued a Notice of Funding Opportunity (NOFO) announcing the availability of nearly \$2.3 billion in funding to expand and modernize intercity passenger rail through the Federal-State Partnership for Intercity Passenger Rail Grant Program (Fed-State Partnership). Projects selected for Fed-State Partnership grants will improve existing rail corridors, create new ones, and enhance access to intercity passenger rail services for communities across the country. Historically, the program has focused on state of good repair. With the new announcement, the program will expand its reach to fund intercity rail service improvement. [More information on the announcement can be found here.](#)

USDOT Announces \$1.5 Billion Available through the 2023 RAISE Grant Program

On Thursday, December 15, 2022, USDOT issued a Notice of Funding Opportunity (NOFO) for \$1.5 billion in grant funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program for 2023. RAISE grants help states, local governments, and Tribes complete freight and passenger transportation infrastructure projects. Authorized by the Bipartisan Infrastructure Law (BIL), RAISE looks to build on its success from 2022 when it funded 166 projects in all 50 states. Half the funding will go to projects in rural areas, and half of the funding will go to projects in urban areas. The deadline for applications is February 28, 2023. [More information on the announcement can be found here.](#)

DOE Announces \$550 million to Support Community-Based Clean Energy

On Tuesday, November 22, 2022, the U.S. Department of Energy (DOE) released a Notice of Intent announcing \$550 million to support community-based clean energy in state, Tribal, and local governments. The \$550 million made available from the Bipartisan Infrastructure Law (BIL) represents the second time that the Energy Efficiency and Conservation Block Grant (EECBG) Program has been funded. The goal of the EECBG Program is to develop local programming and deploy clean energy technologies that will support communities across the country. Applications for the EECBG Program will open in January 2023. [More information on the announcement can be found here.](#)

National Transportation News Roundup (links to articles)

- [Transit-Oriented Planning Grants Begin to Change Cities. \(Governing\)](#)
- [FTA to Fund Transit Worker, Rider Safety Research. \(Railway Age\)](#)
- [With \\$1B at Stake, Clashes Emerge Over Highway Removal. \(Route Fifty\)](#)
- [New State and Local Government Financial Reporting Requirements Headed to Biden's Desk \(Route Fifty\)](#)

Bay Area Transportation Earmarks – 2023 Omnibus Appropriations Bill Draft

See below for a list of Bay Area transportation (road, bridge, transit) earmarks that made it into the final federal appropriations bill. The largest Bay Area earmark is for Caltrain electrification (\$10 million).

Link to report language text with earmarks listed:

<https://www.appropriations.senate.gov/imo/media/doc/Division%20L%20-%20THUD%20Statement%20FY23.pdf>

Transit (Transit Infrastructure Grants)

- Caltrain Electrification - \$10 million (Caltrain)
- Caltrain ROW fencing - \$800,000 (Caltrain)
- Caltrain grade separations in northern Santa Clara County - \$2 million (VTA)
- Operations control center - \$2 million (VTA)
- Diesel Ferry Particulate Filters - \$1.5 million (WETA)
- SolTrans battery electric buses - \$2 million (SolTrans)
- SMART Rail extension to Healdsburg (design) - \$1.8 million (SMART)

Road/Bridge/Bike/Ped (Highway Infrastructure Grants)

- Napa Valley Vine Trail Yountville – St. Helena Gap Closure - \$4 million
- SR 121/12 & 8th street East Intersection Improvements - \$1.5 million
- Bayview (SF) Community-Based Transportation Implementation - \$2.5 million
- Bernardo Avenue Undercrossing (Sunnyvale) - \$2.5 million (Caltrain grade crossing)
- Stevenson Bridge Rehabilitation Project - \$3.4 million
- Jepson Parkway Phase 2B/Canyon Road Safety Improvements - \$4 million
- SR 128/I-505 Overcrossing/Russell Blvd Bike/Ped Improvements - \$2 million
- I-505 Vaca Valley parkway Corridor Multimodal improvement project - \$4 million
- Citywide Traffic System Upgrade Phase 2 Project (Concord) - \$631,200
- School Street SRTS project (Lafayette) - \$3.1 million
- Village to Hakone Gardens Walkway Project (Saratoga) - \$1.52 million

- Middle Avenue Pedestrian/Bicycle Rail Crossing (Menlo Park) - \$4 million
- Resurfacing Sharp Park Priority Development Area (Pacifica) - \$800,000
- Spooky Knoll Trail (Los Gatos) - \$400,000
- Ygnacio Valley Road Fiber Installation (Contra Costa County) - \$2.52 million
- Lamorinda Smart Signal System Project (Orinda) - \$4.185 million
- Stevens Creek Trail Extension Project (City of Sunnyvale) - \$3 million
- Thornton Avenue Pavement Rehabilitation (Newark) - \$2 million
- Anna Drive Neighborhood Flood Protection (City of Santa Clara) - \$3 million
- Vision Zero – Bancroft Avenue and Williams Street Bicycle (San Leandro) - \$4 million
- SRTS at Christopher High School (Gilroy) - \$1.5 million
- Yerba Buena Island West Side Bridges Seismic Retrofit Project - \$2.2 million

Rail Earmarks (Consolidated Rail Infrastructure and Safety Improvements)

None, though the Bay Area did receive an earmark for the Bernardo Avenue Undercrossing (Caltrain grade crossing) in Sunnyvale through the Highway Infrastructure Grants earmark funds.