



Metropolitan Transportation Commission

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

Meeting Agenda

Policy Advisory Council

Randi Kinman, Chair
Ilaf Esuf, Vice Chair

Wednesday, April 12, 2023

1:30 PM

Board Room - 1st Floor

This meeting shall consist of a simultaneous teleconference call at the following location(s):
Alameda Free Library, 1550 Oak Street, Room #1, Alameda, California 94501

Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building. The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number. A Zoom panelist link for meeting participants will be sent separately to Council members.

Council 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/86170324313>

iPhone One-Tap: US: +13462487799,,86170324313# or +12532158782,,86170324313#

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: 861 7032 4313

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

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.

The Policy Advisory Council advises the Metropolitan Transportation Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy, and social equity.

1. Call Meeting to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this council shall be a majority of its regular voting members (14).

2. Welcome - Randi Kinman, Council Chair

3. [23-0427](#) Chair's Report
(5 minutes)

Action: Information

Presenter: Randi Kinman, Council Chair

4. [23-0428](#) Approval of the March 8, 2023 Meeting Minutes
(5 minutes)

Action: Approval

Presenter: Randi Kinman, Council Chair

Attachments: [04 23-0428 2023-03-08 Policy Advisory Council Draft Minutes.pdf](#)

5. Public Comments / Other Business

*Council 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.*

6. [23-0426](#) Transit Fiscal Cliff Advocacy Efforts Update
(40 minutes)

Update on MTC's efforts to secure stop-gap funding from the state to address the transit fiscal cliff and provide funding to assist in transit transformation.

Action: Information

Presenter: Rebecca Long

Attachments: [06i 23-0426 Fiscal Cliff Advocacy Update.pdf](#)
[06ii 23-0426 Attachment A Budget Coalition Letter.pdf](#)
[06iii 23-0426 Attachment B Sen Wiener Coalition Letter.pdf](#)
[06iv 23-0426 Attachment C 3.17.23 Transit budget letter Cortese Cap and](#)
[06v 23-0426 PowerPoint Fiscal Cliff Advocacy Update.pdf](#)

7. [23-0417](#) Brown Act Legislative Landscape
(40 minutes)
- Update on the 2023 legislative landscape related to Brown Act reform.
- Action:** Information
- Presenter:** Georgia Gann Dohrmann
- Attachments:** [07i 23-0417 Brown Act Legislative Landscape Overview.pdf](#)
[07ii 23-0417 Attachment A Brown Act Legislative Landscape Overview.pdf](#)
8. [23-0533](#) Nominations for 2022-2023 Policy Advisory Council Vice Chair
(3 minutes)
- Nominations for the 2022-2023 Vice Chair of the Policy Advisory Council will be opened at the April 12, 2023 meeting. The nomination period will remain open until the election scheduled for the May 10, 2023 meeting.
- Action:** Information
- Presenter:** Kÿ-Nam Miller
- Attachments:** [08 23-0533 Nominations for Council Officer Vice Chair.pdf](#)
9. [23-0429](#) Subcommittee Reports
(10 minutes)
- Action:** Information
- Presenter:** Ilaf Esuf, Policy Advisory Council Equity & Access Subcommittee Chair
and
Adina Levin, Policy Advisory Council Transit Transformation Action Plan Subcommittee Chair
10. [23-0430](#) Staff Liaison Report
(3 minutes)
- Overview of recent MTC policy decisions and other activities.
- Action:** Information
- Presenter:** Kÿ-Nam Miller, Staff Liaison
- Attachments:** [10 23-0430 Summary Sheet April 2023 Staff Liaison Report.pdf](#)

11. [23-0431](#) Council Member Reports
(5 minutes)

Members of the Council may report on locally relevant issues or events.

Action: Information

Presenter: Randi Kinman, Council Chair

12. [23-0432](#) New Business
(5 minutes)

Members of the Council may bring up new business for discussion or addition to a future agenda.

Action: Discussion

Presenter: Randi Kinman, Council Chair

13. Adjournment / Next Meeting

The next meeting of the Policy Advisory Council will be held on Wednesday, May 10, 2023 at 1:30 p.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. 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.

MTC's Chair and Vice-Chair are ex-officio voting members of all standing Committees.



Metropolitan Transportation Commission

Meeting Minutes - Draft

Policy Advisory Council

Randi Kinman, Chair
Ilaf Esuf, Vice Chair

Agenda Item 4

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

Wednesday, March 8, 2023

1:30 PM

Board Room - 1st Floor

1. Call Meeting to Order / Roll Call / Confirm Quorum

- Present:** 14 - Council Member Eldred, Chair Kinman, Council Member Levin, Council Member Baldini, Council Member Welte, Council Member Hankerson, Council Member Orantes, Council Member Glaser, Council Member Wong, Council Member Campos, Council Member Pimple, Council Member Goodwin, Council Member Parker and Council Member Lodin
- Excused:** 8 - Council Member Florez, Council Member Kallins, Council Member Lieu, Council Member Markham, Vice Chair Esuf, Council Member Pierce, Council Member Deutsch-Gross and Council Member Scott
- Absent:** 4 - Council Member Wilson, Council Member Fitzgerald, Council Member Zack and Council Member Nickens

The following individual participated from a noticed remote location: Member Eldred

The following individuals participated from unnoticed remote locations. Their participation did not count toward the quorum, and they did not vote on any items: Zack Deutsch-Gross, Ilaf Esuf, Carina Lieu, Phillip Pierce, and Terry Scott.

2. Welcome - Randi Kinman, Council Chair

3. [23-0261](#) Chair's Report
(5 minutes)

Action: Information

Presenter: Randi Kinman, Council Chair

4. [23-0262](#) Approval of the February 8, 2023 Meeting Minutes
(5 minutes)

Action: Approval

Presenter: Randi Kinman, Council Chair

Attachments: [04_23-0262_2023-02-08_Policy_Advisory_Council_Draft_Minutes.pdf](#)

Upon the motion by Council Member Baldini and second by Council Member Campos, the February 8, 2023 Meeting Minutes were approved. The motion carried by the following vote:

Aye: 13 - Council Member Eldred, Chair Kinman, Council Member Levin, Council Member Baldini, Council Member Hankerson, Council Member Orantes, Council Member Glaser, Council Member Wong, Council Member Campos, Council Member Pimple, Council Member Goodwin, Council Member Parker and Council Member Lodin

Nay: 1 - Council Member Welte

Absent: 12 - Council Member Florez, Council Member Kallins, Council Member Wilson, Council Member Lieu, Council Member Fitzgerald, Council Member Markham, Vice Chair Esuf, Council Member Pierce, Council Member Zack, Council Member Nickens, Council Member Deutsch-Gross and Council Member Scott

5. Public Comments / Other Business

6. [23-0267](#) 2023 Youth Programs Update
(20 minutes)

Overview of MTC/ABAG Youth Programs.

Action: Information

Presenter: John Kannegieser and Ky-Nam Miller

Attachments: [06i_23-0267_Cover_Summary_Sheet_2023_Youth_Programs_Update.pdf](#)
[06ii_LEGIS_5bi_Summary_Sheet_2023_Youth_Programs_Update.pdf](#)
[06iii_LEGIS_5bij_PowerPoint_2023_Youth_Programs_Update.pdf](#)
[06iv_LEGIS_5biii_Attachment_B_Bay_Area_Summer_Academy_Flier_2023_with_QR_Code.pdf](#)

Daveed Mandel was called to speak.

7. [23-0328](#) Next Generation Bay Area Freeways Study: Pathways for Round 1 Analysis
(40 minutes)

Summary of summer and fall 2022 engagement efforts, goals for next generation freeways, and proposed portfolio of pricing pathways for the first round of analysis.

Action: Information

Presenter: Anup Tapase

Attachments: [07i 23-0328 Summary Sheet Next-Generation Bay Area Freeways Study-Pathways for Round 1 Analysis.pdf](#)
[07ii 23-0328 Attachment A NextGen Bay Area Freeways Study Study Timeline.pdf](#)
[07iii 23-0328 Attachment B NextGen Bay Area Freeways Study Engagement Round 1.pdf](#)
[07iv 23-0328 Attachment C NextGen Bay Area Freeways Study Goals.pdf](#)
[07v 23-0328 Attachment D NextGen Bay Area Freeways Study Portfolio of Pathways.pdf](#)
[07vi 23-0328 PowerPoint Attachment E NextGen Bay Area Freeways Study Pathways for Round 1 Analysis.pdf](#)

8. [23-0263](#) Subcommittee Reports
(10 minutes)

Action: Information

Presenter: Ilaf Esuf, Policy Advisory Council Equity & Access Subcommittee Chair
 and
 Adina Levin, Policy Advisory Council Transit Transformation Action Plan Subcommittee Chair

9. [23-0264](#) Staff Liaison Report
(3 minutes)

Overview of recent MTC policy decisions and other activities.

Action: Information

Presenter: Kÿ-Nam Miller, Staff Liaison

Attachments: [09 23-0264 Summary Sheet March 2023 Staff Liaison Report.pdf](#)

10. [23-0265](#) Council Member Reports
(5 minutes)

Members of the Council may report on locally relevant issues or events.

Action: Information

Presenter: Randi Kinman, Council Chair

11. [23-0266](#) New Business
(5 minutes)

Members of the Council may bring up new business for discussion or addition to a future agenda.

Action: Discussion

Presenter: Randi Kinman, Council Chair

12. Adjournment / Next Meeting

The next meeting of the Policy Advisory Council will be held on Wednesday, April 12, 2023 at 1:30 p.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.

**Metropolitan Transportation Commission
Policy Advisory Council**

April 12, 2023

Agenda Item 6

Transit Fiscal Cliff Advocacy Efforts Update

Subject:

Update on MTC's efforts to secure stop-gap funding from the state to address the transit fiscal cliff and provide funding to assist in transit transformation.

Background:

Bay Area transit agencies face a significant fiscal cliff in the coming years as they struggle to recover their ridership from before the COVID-19 pandemic and face costs that are far outpacing revenue. Transit agencies rely on fare revenue, among other funding sources – such as sales taxes – to pay for their operating costs, including staffing, fuel/electricity, and maintenance. While almost a million trips are taken every day on transit in the Bay Area, overall recovery is around 55 percent of 2019 levels.

Ridership Recovery & Reasons for Fiscal Cliff Vary By Operator

In general, the Bay Area has embraced remote work more readily than any other region in North America and this is affecting ridership across the region, with the greatest impact on commute-focused systems and routes serving downtown San Francisco. As such, some operators face much greater financial challenges than others, with systems that were primarily serving commute trips, such as BART and Caltrain seeing the lowest ridership recovery rates at 40 percent and 32 percent, respectively. These agencies also had very high fare-box recovery ratios (the share of operating costs that were covered by fare revenue) making them especially vulnerable to the reduced number of riders.

Some agencies that didn't have especially high farebox recovery ratios are still greatly affected by the rise in remote work. For instance, Golden Gate Transit relied heavily on bridge tolls for its operating costs and with weekday trips into San Francisco down substantially and bridge maintenance taking priority over transit, their fiscal cliff is significant and will begin in FY 2023-24 one year before most agencies. In the case of S.F. Muni, which has recovered about 60 percent of their 2019 ridership, their budget relies partially on revenue from San Francisco

parking receipts and traffic fines, both of which have dropped substantially due to significantly fewer work-related trips into San Francisco.

The upshot is that regionwide, **the Bay Area faces an estimated cumulative deficit in the range of \$2.5-\$2.9 billion over the next five years**, beginning with about \$70 million in fiscal year (FY) 2023-24 but growing to almost \$400 million in FY 2024-25 and then jumping to over \$700 million in FY 2025-26. BART and S.F. Muni comprise roughly 2/3 of the total need.

Strategy:

Since last fall, staff has been organizing with key stakeholders, including transit agencies, transit rider advocacy organizations, the business community, labor, environmental advocates, equity advocates and more to develop a cohesive advocacy strategy and communications effort in support of state funding to address the fiscal cliff and fund transformative initiatives aimed at attracting new riders. Known informally as the “Survive and Thrive” coalition, this collaborative approach has resulted in two sign-on letters with close to or over 100 organizations (see Attachment A for most recent letter). This effort along with numerous meetings with legislators has helped attract significant attention to the topic in Sacramento. Notably, budget hearings held in both the Assembly and the Senate included specific discussion of the transit fiscal cliff and dozens of witnesses testified in favor of new transit operating funding at both hearings. Additionally, Bay Area senators have sent letters indicating their support for addressing the problem and offering some initial ideas about potential funding sources to be (and not to be) considered (see Attachments B and C).

Next Steps:

The next phase of the advocacy strategy is to **define and build support for a specific funding package** to help close the funding shortfall and support transit transformation as well as identifying and reaching consensus on how funds will be allocated. Staff has been participating in a California Transit Association (CTA) subcommittee formed on this issue to identify potential funding sources. Given the state’s deficit and the need for multi-year funding, staff is advocating that the Legislature look to non-General Fund sources of revenue. The attached presentation includes information on the options that have been under discussion at CTA and in Sacramento in general. Staff looks forward to hearing the Council’s feedback on these options

and answering your questions in advance of bringing a recommendation to the Commission at its April meeting.

Attachments:

- Attachment A: Coalition Letter
- Attachment B: Sign-on Letter from Senator Wiener
- Attachment C: Sign-on Letter from Senator Cortese
- Attachment D: Presentation



Friday, March 10, 2023

The Honorable Steve Bennett
Chair, Assembly Budget Subcommittee No. 3
California State Assembly

Re: Request to Protect Public Transit in FY 2023-24 State Budget

Dear Chair Bennett,

In advance of your upcoming budget hearings this month, we are writing to share our concerns about the funding shortfalls facing transit operators across the state due primarily to the ridership declines caused by the COVID 19 Pandemic. We ask that your committees hear this issue to provide a forum for exploring solutions since it is not addressed in the Governor's proposed FY 2023-24 State Budget, which instead proposes \$2 billion in cuts to public transit capital funding that the Legislature approved just last year.

The undersigned organizations request your support to help the state's public transit systems avoid looming cuts to critical transit service that millions of Californians rely upon and that is foundational to our state's climate strategy. Transit operating shortfalls reflect the lingering impact of the COVID-19 pandemic, which has devastated transit agency budgets as a result of

diminished fare revenue from lower ridership as well as higher costs arising from inflation. We look forward to engaging with your budget subcommittees to ensure that this year's final budget bill provides additional transit operating assistance to sustain critical transit service riders depend upon *and* fund proven strategies to attract new riders and help lessen financial challenges in the future.

A Strong Public Transit System is Vital to Creating an Equitable, Economically Vibrant and Climate Friendly Future

Based on 2021 U.S. Census data, almost 60 percent of California residents who commute via public transit have a household income below \$35,000. Over half a million California households own no vehicle and count on public transit for their daily needs, including access to K-12 education and college. Public transit is an economic lifeline for these residents, especially seniors and persons with disabilities. Yet residents of all income levels also depend on transit to access their jobs and maintaining the viability of the transit systems is essential for the future of the state's economy and quality of life. Public transit also supports good-paying jobs, employing over 31,000 California workers statewide in FY 2021.

When it comes to climate change, California prides itself on being a global leader. The state has taken a two-pronged strategy to reduce transportation-related emissions – the largest of any sector – by decarbonizing the vehicle fleet, while also encouraging less driving through a combination of investments in transit and other modes plus a suite of policies to encourage more infill, transit-oriented development. Policies aimed at reducing vehicle miles traveled (VMT) depend on a reliable and convenient public transit system; they have little chance of success if transit agencies across the state have to make severe cuts to service.

Today, about 65 million trips/month are taken on transit in California, reducing VMT by hundreds of millions each year. To meet the state's carbon neutrality goals by 2045, however, significantly more people will need to choose transit instead of driving. To encourage this shift, California Air Resources Board has urged the state to support efforts to *double local transit coverage and service frequencies* by 2030, recognizing that both vehicle decarbonization *and* less driving are needed to achieve our state's bold greenhouse reduction targets. However, without a multi-year commitment of state funds to help sustain transit and put it on a path to attracting millions of new riders, the state's climate strategy is in serious jeopardy.

Bay Area Operators Face Significant Looming Budget Shortfalls

We are at an unprecedented moment, with the survival of transit as we know it at risk. The rise of remote work, growing costs due to inflation, and apprehension to ride transit due to health concerns has led to a growing fiscal cliff on the horizon. Additionally, the transit sector is severely understaffed (with some agencies reporting as high as 30 percent of jobs unfilled for some positions), limiting service agencies can put on the street and placing upward pressure on salaries and benefits as agencies work to retain and attract workers.

Based on current ridership, service levels, and cost trends, Bay Area operators forecast annual budget shortfalls in the tens of millions of dollars in FY 2023-24, growing to hundreds of millions of dollars beginning in FY 2024-25 and thereafter. Funding gaps of this magnitude cannot be addressed through fare increases or service cuts; doing so would lead to service of such poor quality that it would erode transit's climate benefits and cut off even basic access to critical destinations for those who rely on it most. For instance, to achieve budgetary savings in

the range of 20-40 percent, the Bay Area Rapid Transit District (BART) would need to cut service by 65-85 percent, eliminating access to jobs, schools, grocery stores, and other essential services for many current riders. This, in turn, would further reduce passengers, leading to further cuts. We cannot let this doomsday scenario happen.

Fortunately, in the medium and long term, there is reason for optimism. While statewide ridership is around 62 percent of its 2019 levels and Bay Area ridership is around 53 percent, ridership is steadily growing. In December 2022, statewide ridership was up 9 percent compared to a year before and in the Bay Area up by 23 percent. Bay Area transit operators are working more closely than ever, together with the Metropolitan Transportation Commission (MTC), to create a better, more seamless transit experience across the region. Plans are beginning for a future regional transportation measure. A unified mapping and wayfinding system is being designed to make transit easier to navigate. The first all-agency transit pass using the Clipper[®] card is being piloted at key colleges and affordable housing sites. Operators across the state are likewise deploying technology to shift to mobile fare payment and updating their routes and frequencies to better serve existing riders while also attracting more of them.

Honor Transit Commitments from FY 2022-23 Budget

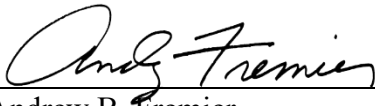
Under your leadership, California has made historic investments in our transit capital infrastructure, supporting critical rail and bus expansion and the zero-emission transit transition. The historic transit investment made in last year's Transportation Package includes \$4 billion over the next two years for further transit and intercity rail capital investments, yet Governor Newsom proposes to cut this in half, reducing the amount to \$1 billion next year and \$500 million for the following two years. Doing so would put at risk the funding plans for high priority projects in the Bay Area, several of which are already under construction or poised to receive billions of dollars in highly competitive federal funds.

Request: Provide New Multi-Year Funding for Transit Operating Assistance

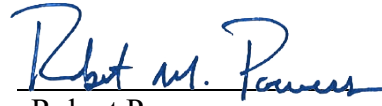
To address the operating challenges, we are seeking a new multi-year operations funding commitment on a limited term basis to assist California's transit systems as they recover from the pandemic and develop long-term funding plans, as necessary. The funding picture for each transit system is unique and there is no one-size-fits-all path to financial sustainability. While some agencies need assistance to stave off service cuts next year, other agencies face deficits in the hundreds of millions of dollars starting in FY 2024-25 or FY 2025-26. Others may not face near-term service cuts but have priorities that, *if funded*, could attract significantly more riders (advancing the state's climate goals) and help avoid budgetary challenges down the road. We are working in coordination with partners statewide, including the California Transit Association, to refine our assessment of the funding need and put forward a specific budget request later this month. In addition, we are seeking an extension of the statutory relief previously provided to transit agencies through FY 2024-25.

Californians demand meaningful action on climate change and want their state representatives to ensure transit is not just a viable option, but an attractive one to get to work, school, health care, shopping, dining, entertainment and more. We know that you share these goals and we look forward to working with you to ensure that public transit both survives and thrives in California.

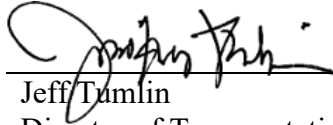
Sincerely,



Andrew B. Fremier
Executive Director, MTC



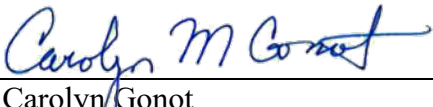
Robert Powers
General Manager, BART



Jeff Tumlin
Director of Transportation, San Francisco
Municipal Transportation Agency



Mike Hursh
General Manager, AC Transit



Carolyn Gonot
General Manager/CEO, Santa Clara Valley
Transportation Authority



April Chan
General Manager/CEO/Executive Director,
SamTrans/San Mateo County Transportation
Authority



Michelle Bouchard
Executive Director, Caltrain



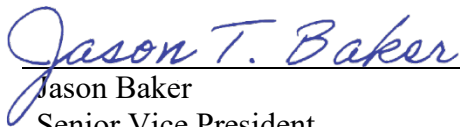
Denis Mulligan
General Manager, Golden Gate Bridge,
Highway and Transportation District



Steve Adams
Transit Manager, Union City Transit



Bryan Albee
Transit Systems Manager,
Sonoma County Transit



Jason Baker
Senior Vice President,
Silicon Valley Leadership Group



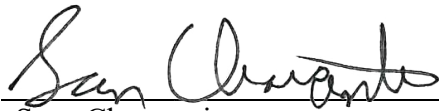
Daniel Barad
Associate Director, Sierra Club



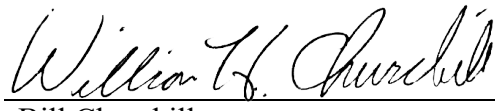
Rashidi Barnes
Chief Executive Officer, Tri Delta Transit



Tilly Chang
Executive Director, San Francisco County
Transportation Authority



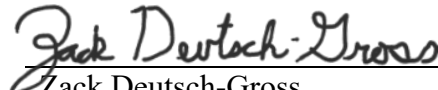
Sean Charpentier
Executive Director, City/County Association
of Governments of San Mateo County



Bill Churchill
General Manager, County Connection



Eddy Cumins
General Manager,
Sonoma-Marin Area Rail Transit



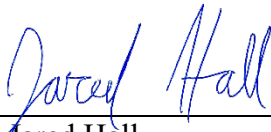
Zack Deutsch-Gross
Policy Director, Transform



Ian Griffiths
Policy Director, Seamless Bay Area



Tim Haile
Executive Director, CCTA



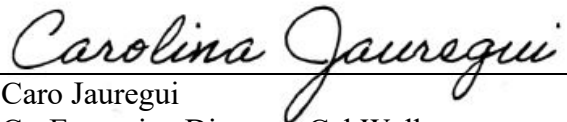
Jared Hall
Transit Manager, Petaluma Transit



Daryl Halls
Executive Director, Solano Transportation
Authority (Solano Express)



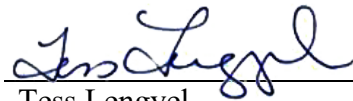
Johannes J. Hoevertsz
Director, Sonoma County
Department of Public Infrastructure



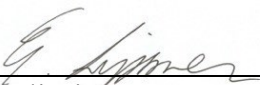
Caro Jauregui
Co-Executive Director, Cal Walks



Beth Kranda
Executive Director, Solano County Transit



Tess Lengyel
Executive Director, Alameda County
Transportation Commission



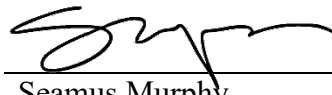
Eli Lipman
Executive Director, Move LA



Carolina Martinez
Climate Justice Director,
Environmental Health Coalition



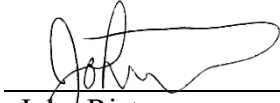
Kate Miller
Executive Director,
Napa Valley Transportation Authority



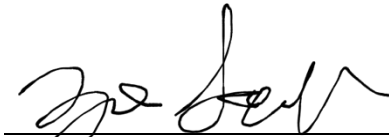
Seamus Murphy
Executive Director, Water Emergency
Transportation Authority / SF Bay Ferry



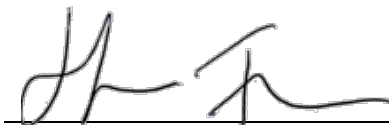
Sofia Rafikova
Policy Advocate,
California Coalition for Clean Air



John Ristow
San José Department of Transportation



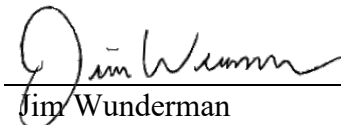
Zoe Siegel
Director of Climate Resilience,
Greenbelt Alliance



Jennifer Thompson, Executive Director
Sustainable Silicon Valley



Adam Van De Water
Executive Director,
Transbay Joint Powers Authority



Jim Wunderman
President & CEO, Bay Area Council

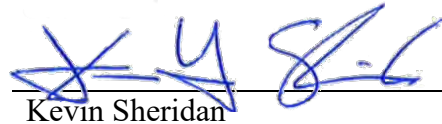
Zak Accuardi
Transportation Advocate,
Natural Resources Defense Council

Arturo E. Aguilar
Chairman, California Conference Board
Amalgamated Transit Union

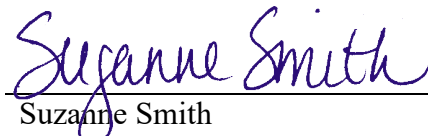
Stephen Baiter
Executive Director,
East Bay Economic Development Alliance



Anne Richman
Executive Director,
Transportation Authority of Marin



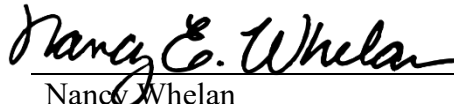
Kevin Sheridan
Executive Director, Tri-Valley – San Joaquin
Valley Regional Rail Authority



Suzanne Smith
Executive Director, Sonoma County
Transportation Authority/Regional Climate
Protection Authority



Rob Thompson
General Manager,
Western Contra Costa Transit Authority



Nancy Whelan
General Manager, Marin Transit

Emily Abraham
Director of Legislative and Community Affairs
San Francisco Chamber of Commerce

Eli Akira Kaufman
BikeLA

Shiloh Ballard
Executive Director,
Silicon Valley Bike Coalition

Steve Birdlebough
Chair, Sonoma County Transportation and
Land Use Coalition

Adam Buchbinder
Policy Lead, Silicon Valley Democratic
Socialists of America (SV DSA)

Rita Clement
Transportation Co-Leader,
San Diego 350

Corinna Contreras
Policy Advocate, Climate Action Campaign

Zack Defazio Farrell
RideSD

Christine Fitzgerald
Community Advocate, Silicon Valley
Independent Living Center

Rosanne Foust
President and CEO, San Mateo County
Economic Development Association
(SAMCEDA)

Solange Gould
Co-Director,
Human Impact Partners

Sara Greenwald
Transportation Committee Member,
350 Bay Area Transportation Committee

Josh Hawn
President,
Common Ground California

Michelle Hudson
Co-Leader,
San Mateo Climate Action Team

Lavie Kakol
Democratic Socialists of America,
San Francisco

Eugene Bradley
Founder,
Silicon Valley Transit Users

Patrick Chaffey
Chair Housing Working Group,
Silicon Valley Democratic Socialists of
America (SV DSA)

Ellie Cohen
CEO, The Climate Center

Janet Cox
CEO, Climate Action California

David Diaz, MPH
Executive Director,
Active San Gabriel Valley

Alexa Forrester
Co-Lead,
Bikeable Santa Rosa

Glen Garfunkel
Co-chair, Climate Reality Project,
Silicon Valley

Vinita Goyal
Executive Director,
San Francisco Transit Riders

Chris Guenther
Co-Lead,
Bikeable Santa Rosa

Brandi Howard
President & CEO,
East Bay Community Foundation

Rafael Jaime
President,
UAW Local 2865

Tarrell Kullaway
Executive Director,
Marin County Bicycle Coalition

Gary Latshaw
Co-chair, Silicon Valley Chapter of the
Climate Reality Project

Bryn Lindblad
Deputy Director, Climate Resolve

Kevin Ma
UUCPA Green Sanctuary Committee

Jerry Maldonado
Vice President of Programs,
PolicyLink

Ashley McClure, MD
Climate Health Now

Cynthia Murray
CEO & President,
North Bay Leadership Council

Alicia Nichols Gonzalez
Organizing Manager, California,
Mothers Out Front CA

Zayda Ortiz
Center for Independent Living Berkeley
(CIL)

Kristina Pappas
President, SF League of Conservation Voters

Amee Raval
Policy and Research Director,
Asian Pacific Environmental Network

Tiffany Rodriguez
TDM Manager, San Jose State University,
Associated Students

Jared Sanchez
Senior Policy Advocate, CalBike

Arnold Sowell, Jr.
Executive Director, NextGen California

Adina Levin
Executive Director, Friends of Caltrain

Liza Lutzker
Coordinating Committee Member,
Walk Bike Berkeley

Richard Marcantonio
Managing Attorney, Public Advocates

Emma Martin
Community Engagement Program Manager,
Center for Independent Living

Amanda Millstein, MD
Climate Health Now

Debbie Mytels
Chair, Peninsula Interfaith Climate Action
(PICA)

Nassim Nouri
Coordinating Committee Member,
Green Party of Santa Clara County

Jesse O'Sullivan
Policy Counsel, Circulate SD

Maia Piccagli
Mothers Out Front SF

Leah Redwood
Extinction Rebellion San Francisco Bay Area

Carol Rothman
Member Coordinating Committee, 1000
Grandmothers for Future Generations

David Sorrell
Northern California Chapter of the
Association for Commuter Transportation

Brian Stewart
Founder, Electrify Now

Annie Stuart
Steering Committee Member,
350 Petaluma

Jack Swearengen
Chair, Friends of SMART

Jean Tepperman
Sunflower Alliance

Laura Tolkoff
Transportation Policy Director, SPUR

Igor Tregub
Alameda County Democratic Party

Hoai-An Truong
Mothers Out Front Silicon Valley

Marc Vukceвич
Co-Director of State Policy,
Streets For All

David Watson
Mountain View YIMBY

Cheryl Weiden
Steering Committee Member
350 Silicon Valley

Christy Wegener
Executive Director, Livermore Amador
Valley Transit Authority, Tri-Valley Wheels

Lauren Weston
Executive Director, Acterra

Kristel Wickham
President, Democratic Club of Sunnyvale

Sam Wilkins
California State Conference Chairperson
Transport Workers Union of America,
AFL-CIO

BK Williams
Steering Committee Co-Chair, Richmond
Progressive Alliance

Chris Wright
Senior Vice President, Advance SF

Janelle Wong
Executive Director,
San Francisco Bicycle Coalition

Ellen Wu
Executive Director, Urban Habitat

Sonoma County Climate Activist Network
(SoCoCAN!)

Silicon Valley Youth Climate Action

cc: The Honorable Gavin Newsom, Governor
The Honorable Toni Atkins, Senate President Pro Tempore
The Honorable Anthony Rendon, Assembly Speaker
The Honorable, Nancy Skinner, Senate Budget & Fiscal Review Committee Chair
The Honorable Phil Ting, Assembly Budget & Fiscal Review Chair
The Honorable María Elena Durazo, Chair, Senate Budget Subcommittee No. 5
The Honorable Lena Gonzalez, Senate Transportation Committee Chair
The Honorable Laura Friedman, Assembly Transportation Committee Chair
The Honorable Toks Omishakin, Secretary, California State Transportation Agency
Members, Senate Budget Subcommittee No. 5
Members, Assembly Budget Subcommittee No. 3

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SENATOR.WIENER@SENATE.CA.GOV

California State Senate

SENATOR
SCOTT WIENER

威善高
ELEVENTH SENATE DISTRICT



MENTAL HEALTH CAUCUS
CHAIR
LEGISLATIVE JEWISH CAUCUS
CO-CHAIR
COMMITTEES:
HOUSING
CHAIR
APPROPRIATIONS
GOVERNANCE & FINANCE
HEALTH
JOINT RULES
JUDICIARY
LEGISLATIVE ETHICS
PUBLIC SAFETY
SELECT COMMITTEE ON
BAY AREA PUBLIC TRANSIT
CHAIR
SELECT COMMITTEE ON
MENTAL HEALTH & ADDICTION
CHAIR

March 17, 2023

The Honorable Nancy Skinner
Chair, Senate Budget and Fiscal Review
Committee
1021 O Street, Suite 8630
Sacramento, CA 95814

The Honorable María Elena Durazo
Chair, Senate Budget Subcommittee No. 5
on Corrections, Public Safety, Judiciary,
Labor and Transportation
1021 O Street, Suite 7530
Sacramento, CA 95814

Dear Senators Skinner and Durazo,

We write to you to propose for inclusion in the Fiscal Year 2023-24 budget a suite of actions to help maintain and improve transit service, and ultimately, support the state in meeting our ambitious climate, equity, and mobility objectives.

In our letter to legislative leadership, dated January 18, 2023, we highlighted that transit agencies across the state continue to struggle with the adverse and severe impacts of the COVID-19 pandemic on their ridership, revenue streams, staffing levels, and capital & operating costs. As one-time federal relief runs out for these agencies – for many, as soon as FY 2023-24 – their challenges will only grow, threatening essential transit service, and undermining the progress the state is making in re-envisioning our transit systems and delivering cleaner mobility options to Californians. Preliminary estimates from California transit agencies show operating deficits totaling between \$6 billion to \$8 billion over the next 5 years, with major need for stopgap funding across the state. Without state assistance, transit agencies statewide will be forced to make major service cuts, severely curtailing mobility for countless Californians, further reducing ridership and hampering the ability for agencies to fund operating expenses. These concerns and the need for funding to address those concerns have been noted at the local, state, and even federal levels, with President Biden’s recently released budget noting the impact of the pandemic on transit operations funding.¹ Regrettably, the Governor’s proposed FY 2023-24 budget stands to further compound the challenges already faced by transit agencies by reducing funding for the

¹ https://www.whitehouse.gov/wp-content/uploads/2023/03/budget_fy2024.pdf

Transit and Intercity Rail Capital Program by \$2 billion in the coming fiscal years and remaining silent on the critical need for the state to provide operating support to transit agencies this year.

We can, and should, take a different course. 65 million trips per month are taken on public transit in California. Hundreds of thousands of Californian households do not own a car and rely on public transportation for everyday trips, and close to 60% of California transit riders have a household income of less than \$35,000 per year. Moreover, the California Air Resources Board calls for a doubling of local transit coverage and service frequencies by 2030 in order to help the state meet its greenhouse gas reduction goals. Public transit is thus an essential service that helps address congestion, meet our climate goals, and improve economic mobility.

While the state's budget outlook is dire, we must not lose sight of our commitment to combatting climate change, improving local air quality, supporting upward mobility for Californians, advancing equity, and creating good paying jobs. The short-term survival and long-term success of California's transit agencies is at the center of delivering on these commitments, and as such, must be a central focus of our Fiscal Year 2023-24 budget. As the Legislature reviews the Governor's proposed budget, we urge the budget committees to take the following actions:

- 1) **Honor last year's Transportation Funding Package by preserving the previously approved funding levels for the Transit and Intercity Rail Capital Program.** This funding was an integral component of the Administration's agreement with the Legislature that ultimately delivered the remaining Proposition 1A funding for the high-speed rail project, as well as much needed funding to the Active Transportation Program and Climate Adaptation Program. Reducing funding for the TIRCP would undercut the purported statewide benefits of the agreement, stymie the state's ability to unlock historic sums of federal capital funding, and stress transit agency capital budgets, further hampering their ability to sustain operations by creating pressure on flexible funding sources.
- 2) **Provide operations funding to transit agencies by creating new flexibility in existing transit funding programs and establishing new funding sources for transit agencies.** Recognizing the challenges associated with the state's fiscal outlook, the Legislature must create new flexibility in existing transit funding programs and identify and implement new funding sources for public transit, in coordination with the California Transit Association, to address transit operations funding needs. Potential funding sources include, but are not limited to: new flexibility to fund the preservation of transit service and ridership growth strategies through the Transit and Intercity Rail Capital Program and Low Carbon Transit Operations Program; an extension of the flexibility to use State Transit Assistance – State of Good Repair Program funds to preserve transit service; the direction of all revenue generated by the sales tax on diesel fuel to transit agencies; and, the increase of existing transportation funding mechanisms, like the Transportation Improvement Fee, to generate new revenue for transit agencies. Any newly flexible transit funding or new funding sources must be available to transit agencies statewide over multiple years to address near-term funding shortfalls that would threaten transit service or lead to layoffs and must support transit agencies in implementing strategies to regain and grow and retain ridership.

3) **Extend the statutory relief provided by the Legislature through Fiscal Year 2024-25.**

In 2020 and 2021, the Legislature enacted statutory relief for transit agencies to prevent ill-timed and unwarranted shifts in transit funding between regions and agencies, temporarily suspend the financial penalties associated with various transit performance measures and to create flexibility in the State Transit Assistance-State of Good Repair Program to meet operational needs. Unfortunately, the conditions that led the Legislature to take such unprecedented actions remain, requiring a further extension of this relief.

Failing to provide public transit agencies with this support, as they continue to recover and stabilize operations from pandemic ridership declines, is not an option. The project delays and service cuts would lead to fewer mobility options for Californians, resulting in increased driving, congestion, and greenhouse gas emissions, which undermine our shared equity, access, mobility, and climate goals. Near-term operations funding from the state will help provide agencies and the state with time to identify long-term, sustainable funding and operational models that will improve transit service and protect against future service declines. Thank you for considering our perspective on this critical issue.

Sincerely,



Scott Wiener
Senator, 11th District



Henry Stern
Senator, 27th District



John Laird
Senator, 17th District



Bill Dodd
Senator, 3rd District



Wendy Carrillo
Assemblymember, 52nd District



Damon Connolly
Assemblymember, 12th District



Alex Lee
Assemblymember, 24th District

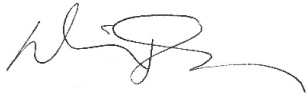


Marc Berman
Assemblymember, 23rd District

Senators Skinner and Durazo

March 17, 2023

Page 4



Diane Papan

Assemblymember, 21st District



Matt Haney

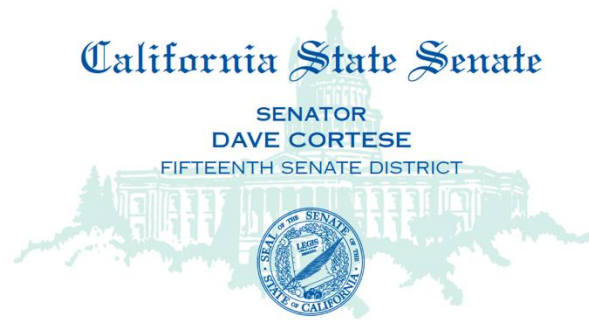
Assemblymember, 17th District

cc:

Members and Staff, Senate Budget & Fiscal Review Committee

Members and Staff, Assembly Budget Committee

STATE CAPITOL
SACRAMENTO, CA 95814
(916) 651-4015



March 17, 2023

The Honorable Nancy Skinner
Chair, Senate Budget Committee
1021 O Street, Suite 8630
Sacramento, CA 95814

The Honorable Phil Ting
Chair, Assembly Budget Committee
1021 O Street, Suite 8230
Sacramento, CA 95814

The Honorable Maria Elena Durazo
Chair, Senate Budget Subcommittee #5
1021 O Street, Suite 7530
Sacramento, CA 95814

The Honorable Steve Bennett
Chair, Assembly Budget Subcommittee #3
1021 O Street, Suite 4710
Sacramento, CA 95814

Re: Transit Funding in the FY 2023-2024 State Budget.

Dear Chairs Skinner, Ting, Durazo and Bennett,

We, the undersigned, write in support of continued investment in transit – both transit capital and transit operations. Transportation remains one of the largest contributors to GHG emissions in California, therefore the state needs to remain committed to both capital investments and increasing transit operations funding.

First and foremost, we must keep the promise made last year and restore the \$2 billion in Transit and Intercity Rail Capital Program funds for capital projects to be cut as part of Governor Newsom's January Budget proposal for FY 2023-2024. Funding for transportation capital projects must remain a top priority as a key to the state's climate goals and a strategy to modernize the state's economy and expand economic opportunity for all Californians. Transportation infrastructure projects can demonstrate significant return on the state's investment, leveraging state and local funds to draw huge federal investments through the Infrastructure Investment and Jobs Act. VTA's BART Extension, Silicon Valley is one such example where the state, regional and local contributions are poised to secure \$4.6 billion in

federal funds. In Southern California, both the extension of Gold Line and funding to advance the West Santa Ana Branch Line are dependent on these key resources. We urge you to maintain General Fund transit funding for FY 2023-24 at levels equal to the amounts enacted FY 2022-23 state budget, decline any budget action to cut transit funding and maintain these dollars for capital needs.

Current state funding sources for transit operations are increasingly insufficient and in some cases the policies that accompany these sources are outdated and complicate the overall funding picture. We support maintaining flexibility in existing funding sources such as Transportation Development Act (TDA) – and specifically ask that the suspension of farebox revenue requirements remain in place as we continue to recover from the pandemic and grow ridership overall. Additionally, we call on our colleagues to double the continuously allocated Greenhouse Gas Reduction Fund contributions to Low Carbon Transit Operations Program and allow for the continued flexibility in the program.

We recognize the budget challenges facing California but urge you to consider budget strategies that look to previously unallocated funds for transit capital and operations needs. Cap-and-trade funding not continuously allocated to existing programs or other sources could fund temporary relief for short-term transit operating shortfalls for agencies facing short-term fiscal cliffs and increased and ongoing state support to increase transit service levels across the state. We should avoid diverting other transportation funding, such as highway or transit capital funds, to operations and instead commit to increasing transit operations funding.

Now is not the time to scale back on our state's commitment to the transportation sector. We thank you for your consideration of this request and urge you to restore these funds. Please contact Sunshine Borelli at Sunshine.Borelli@sen.ca.gov if we can answer any questions or concerns.

Sincerely,



Dave Cortese
State Senate, District 15



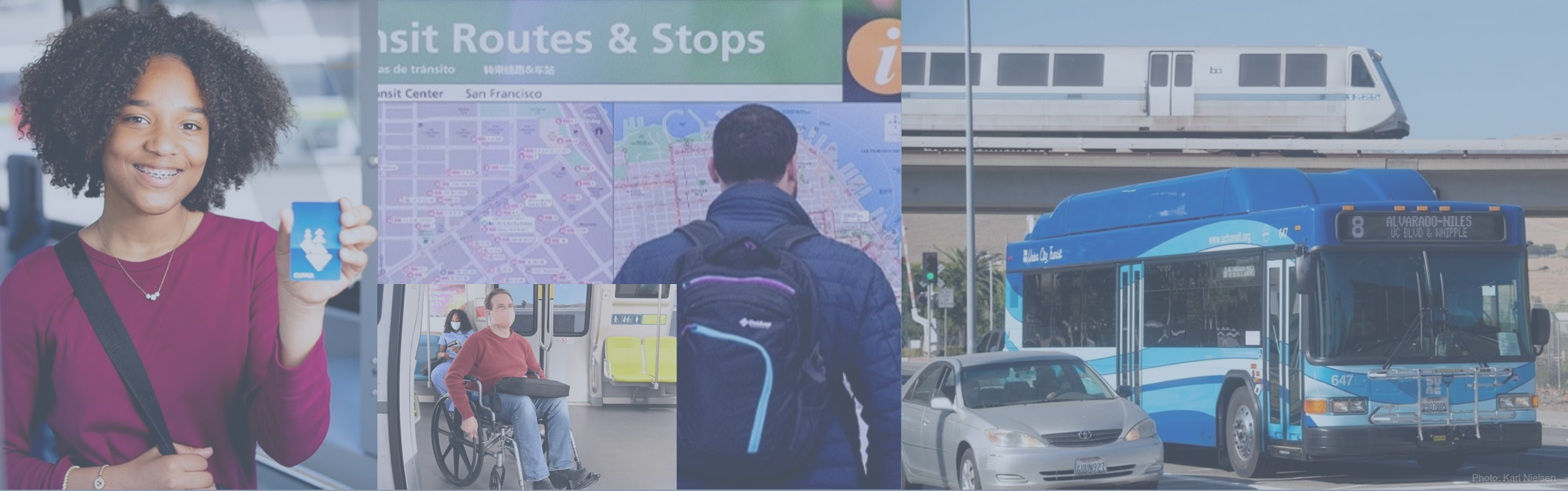
Josh Newman
State Senate, District 29



Bill Dodd
State Senate, District 3



Henry Stern
State Senate, District 27



Saving Transit Service: Understanding the Bay Area's Transit Operating Fiscal Crisis

Policy Advisory Council

April 12, 2023

Overview



Regional Overview of Transit's Ridership and Financial Challenges since Pandemic



Outlook for Transit Agencies Over the Coming Years



Regional Initiatives to Enhance the Transit Experience & Expand Transit Ridership



A Regional Approach to a Looming Transit 'Fiscal Cliff'



Photo: Jim Mauer



Regional Overview of Transit's Ridership and Financial Challenges since Pandemic

Photo: Karl Nielsen

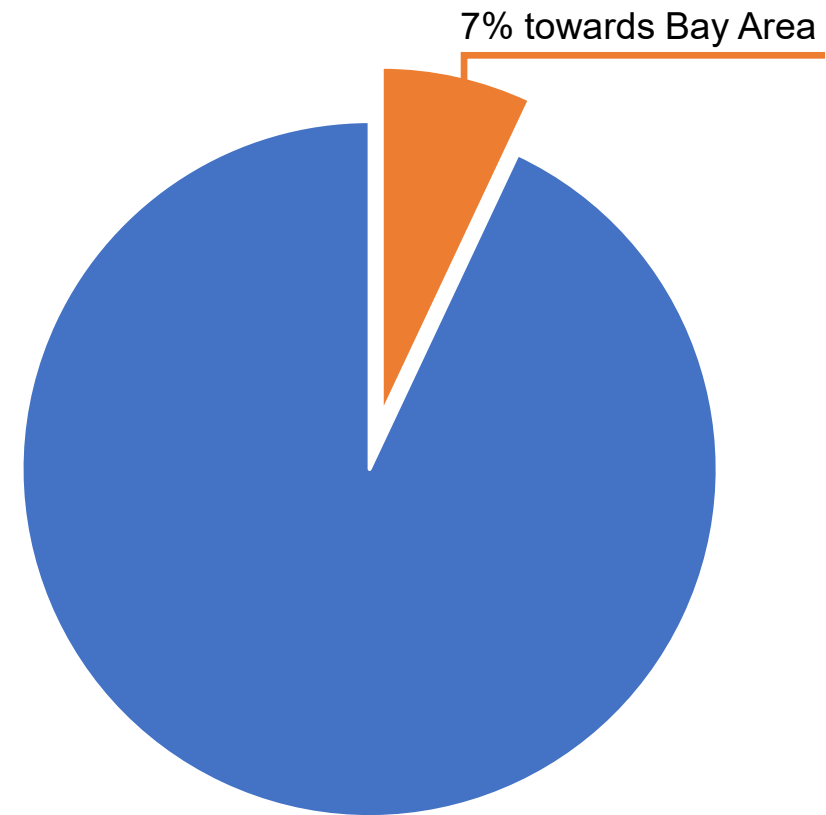


Federal Funds Have Been a Lifeline for Transit Service Since 2020; \$4.4 Billion in Bay Area



These funds have been critical for agencies dependent on passenger fares, bridge tolls, and parking revenues. Without federal relief the Bay Area would not have a functioning regional transit system.

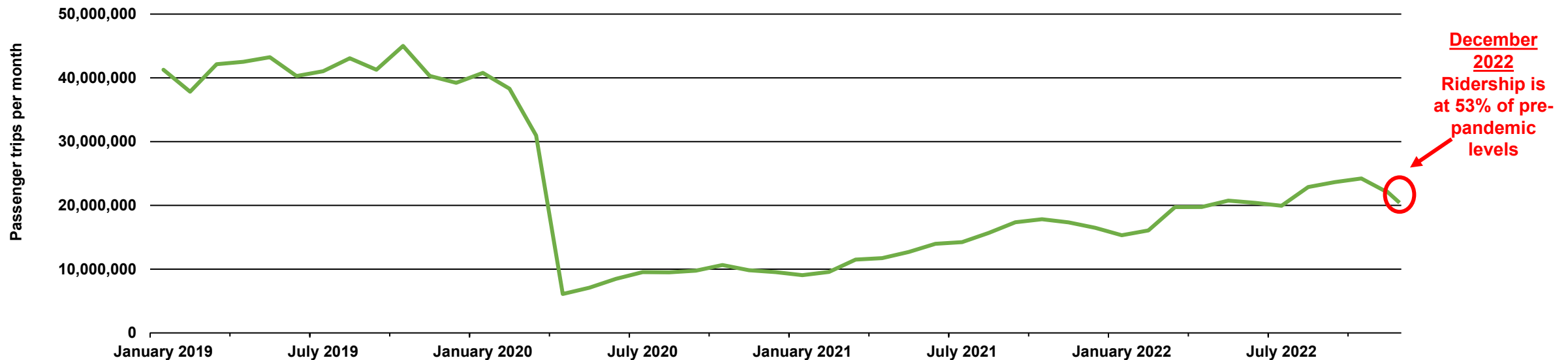
\$68 billion provided nationwide



Transit Ridership – All Bay Area Operators



Transit ridership across the Bay Area remains at only 53% of pre-pandemic levels. But **over 20 million passenger trips were still taken on transit during the month of December 2022.**



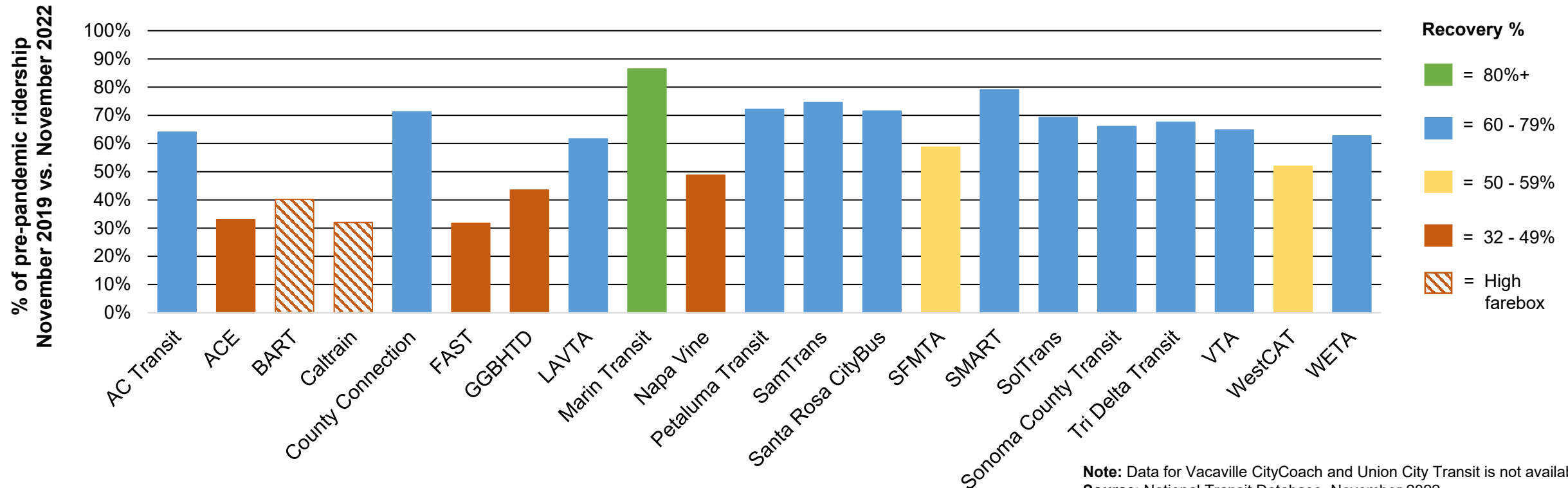
Source: National Transit Database



Ridership Recovery Varies Greatly by Operator



Ridership recovery by operator generally reflects the type of destinations served and the demographics of riders of each agency. Operators primarily serving riders without access to other modes of transportation have seen the most robust recovery.





Outlook for Transit Agencies Over the Coming Years

Photo: Karl Nielsen



The (Pre-Pandemic) Revenue Models of Bay Area Transit Operators



User Fee Focused

Fares, Tolls, Parking Revenues

Example Operators
BART, GGBHTD

Sales Tax Dominates

Sales Taxes = 70% of Operations Rev.

Example Operators
VTA, SamTrans

The financial position that Bay Area transit operators find themselves in today is closely tied to the type of **pre-pandemic revenue model** used by the agency to support operators

Mix of Tax-Based Sources

Property/Parcel Taxes, Sales tax

Example Operators
AC Transit, Marin Transit

Unique Funding Mix

City General Fund, Special Agreements, MOUs

Example Operators
SFMTA, WestCAT, ACE

Transit operators' **business model** (*the type of service they provide and the demographics of riders they target*) is also key to understanding their current financial position

A Challenged Business Model



Population Loss

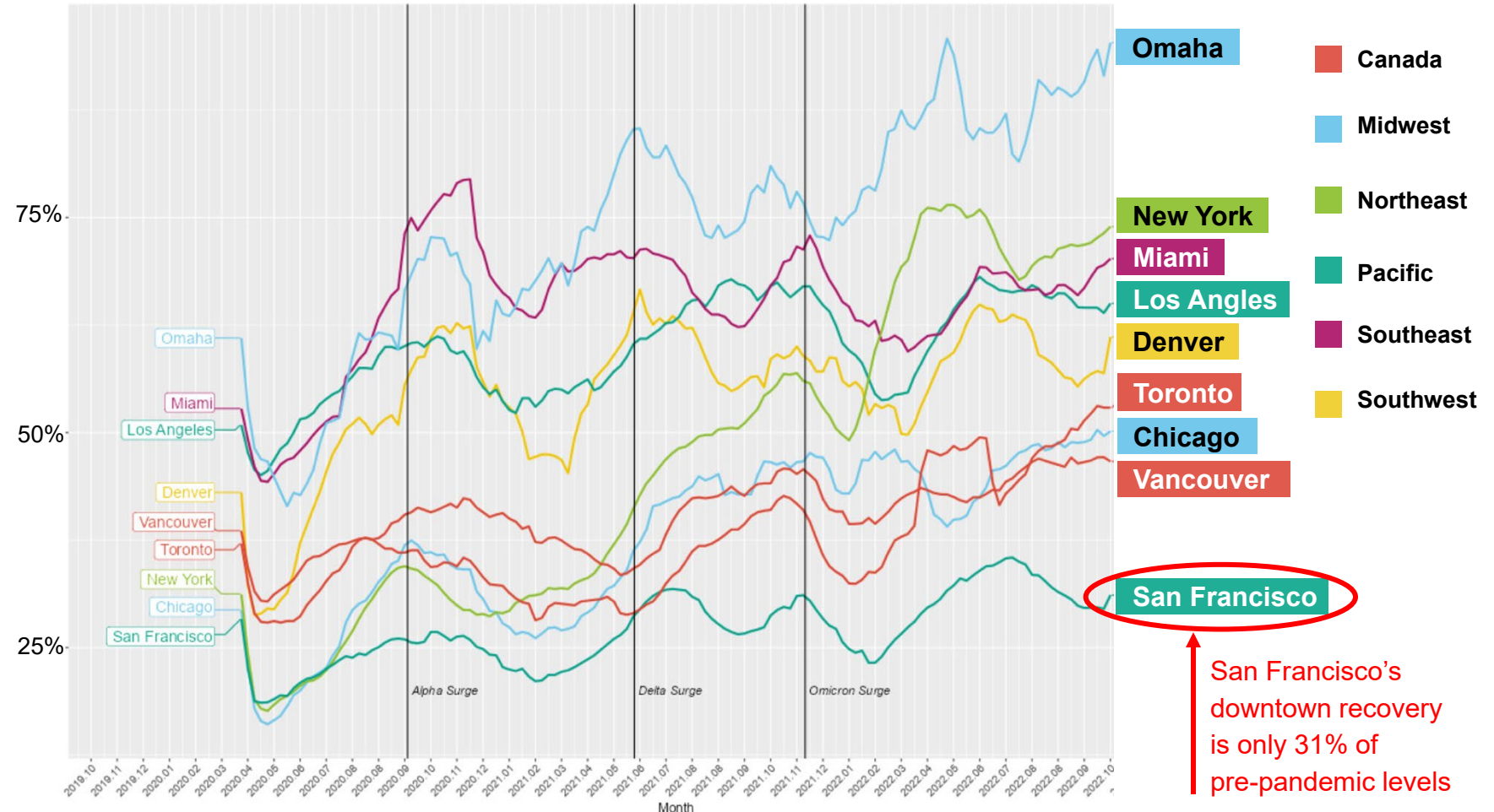
150,000 fewer people lived in the Bay Area 2022 than in 2015*



Workplace Changes

Downtown SF and Oakland have the *lowest rate of office in-person occupancy* in North America*.

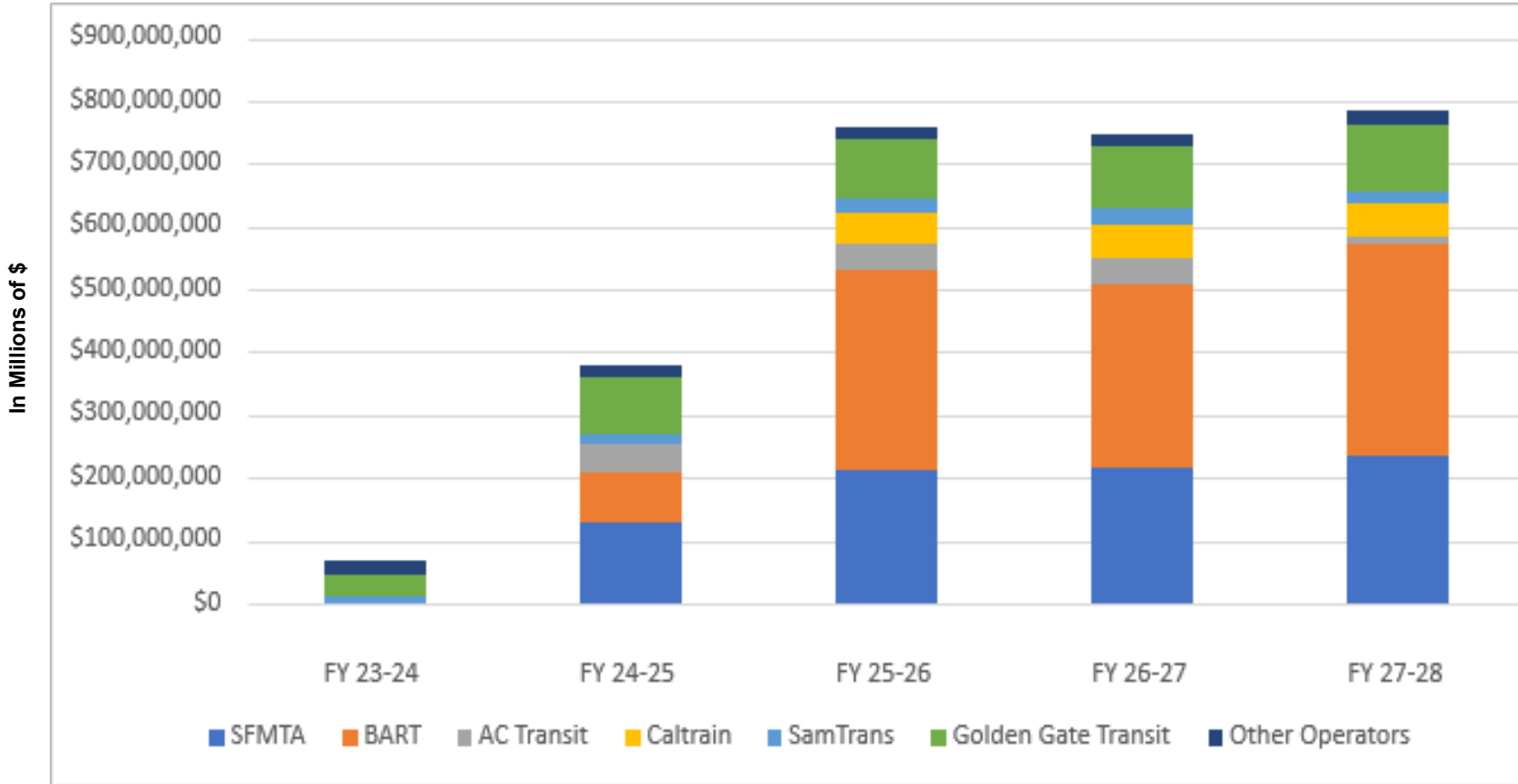
UC Berkeley Downtown Recovery Quotient Trajectories in 9 Select North American Cities*



San Francisco's downtown recovery is only 31% of pre-pandemic levels

*Sources: UC Berkeley/U of Toronto - [Downtown Recovery Study](#); [CA Dept. of Finance](#)

Forecast of Annual Operating Shortfalls by Operator



Bay Area transit operators anticipate a cumulative operating shortfall of between \$2.5 - \$2.9 billion over next five years

This range of potential shortfalls reflects the uncertainty of the coming years. The lower end of the range would require making hard decisions like delaying the zero-emission bus transition, canceling key Vision Zero safety projects on streets, and delaying customer facing repairs for assets like escalators.


Key Themes from Short Range Transit Plans

Fiscal and operating challenges vary dramatically across operators

1. Farebox dependent operators remain acutely vulnerable to sluggish ridership recovery
2. 100% of pre-pandemic revenues would not be sufficient to restore 100% of pre-pandemic service
3. Fiscal cliff is not the only challenge. For some agencies, operator recruitment and retention are as significant a challenge, if not more so, than fiscal ones when it comes to restoring transit service to levels operated pre-pandemic



Photo: Karl Nielsen



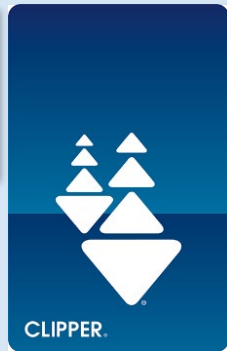
Regional Response: Implement Transit Transformation Action Plan to Enhance Transit Experience & Expand Ridership and Secure New Revenue

Photo: Joey Kotfica

Creating a Better, More Integrated Transit System: Implementing the Transit Transformation Action Plan (TAP)

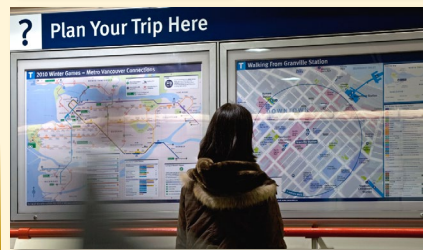
I. Fares and Payment

Simpler, consistent, and equitable fare and payment options.



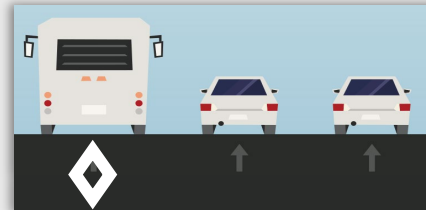
II. Customer Information

Make transit easier to navigate and more convenient.



III. Transit Network

Transit services managed as a unified, efficient, and reliable network.



IV. Accessibility

Transit services for older adults, people with disabilities, and those with lower incomes are coordinated efficiently.

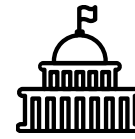


V. Funding

Use existing resources more efficiently and secure new, dedicated revenue to meet funding needs.



“Survive and Thrive” Coalition



MTC, Transit Operators, Advocates, Business Community, Labor: Working together to advocate in Sacramento and tell the story of transit riders and why protecting service is critical to California

“Backbone” committee of MTC, transit agencies, and community organizations collaborating to an unprecedented degree around “fiscal cliff”

State funding advocacy **today** is laying a foundation for a broad coalition to advocate for a regional measure **tomorrow**

Coordinating with other regions and CA Transit Association



Photo: Karl Nielsen

Making the Case

Addressing the Five Year \$2 Billion+ Shortfall

Key Message:

State action needed for transit to survive & thrive

- Protect existing capital funding commitments
- Provide new source of operating funding on multi-year basis

Presentations to Bay Area Legislative Caucus

Earned Media Coverage
(Local, State and National, coverage)

Social Media Campaign:
We Can't Afford to Lose Transit

Joint letters, on-line petitions, testimony at budget hearings



Friday, March 10, 2023

The Honorable Steve Bennett
Chair, Assembly Budget Subcommittee No. 3
California State Assembly

Re: Request to Protect Public Transit in FY 2023-24 State Budget

Dear Chair Bennett,

In advance of your upcoming budget hearings this month, we are writing to share our concerns about the funding shortfalls facing transit operators across the state due primarily to the ridership declines caused by the COVID 19 Pandemic. We ask that your committees hear this issue to provide a forum for exploring solutions since it is not addressed in the Governor's proposed FY 2023-24 State Budget, which instead proposes \$2 billion in cuts to public transit capital funding that the Legislature approved just last year.

The undersigned organizations request your support to help the state's public transit systems avoid looming cuts to critical transit service that millions of Californians rely upon and that is foundational to our state's climate strategy. Transit operating shortfalls reflect the lingering impact of the COVID-19 pandemic, which has devastated transit agency budgets as a result of

Transit is Foundational to California's Equity & Climate Goals

- Ridership may be down, but almost **24 million transit trips** are still being taken monthly on Bay Area transit systems – about 1 million trips per day.
- Transit riders are disproportionately low-income and people of color, even more so today than pre-COVID as many higher income riders are commuting less or not at all.
 - **Cutting transit disproportionately harms the most vulnerable**
- Transit is **essential** to state's climate goals
 - State's own plans note that reducing vehicle miles traveled is essential to reducing greenhouse gas emissions and transit must *improve* to achieve these goals.
 - **Decarbonizing the vehicle fleet won't happen fast enough to achieve California & region's climate goals.**

The Legislature is Engaged

- Four hearings over last four weeks – two budget hearings and two policy hearings, included a focus on public transit.
- Multiple legislative sign-on letters from Bay Area legislators, including Senators Cortese, Dodd, Laird & Wiener and Assemblymembers Berman, Connolly, Lee, Haney, Papan.

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SENATOR.WIENER@SENATE.CA.GOV



March 17, 2023

The Honorable Nancy Skinner
Chair, Senate Budget and Fiscal Review
Committee
1021 O Street, Suite 8630
Sacramento, CA 95814

The Honorable
Chair, Senate J
on Corrections
Labor and Tra
1021 O Street,
Sacramento, C

Dear Senators Skinner and Durazo,

We write to you to propose for inclusion in the Fiscal Year 2023-24 help maintain and improve transit service, and ultimately, support t ambitious climate, equity, and mobility objectives.

In our letter to legislative leadership, dated January 18, 2023, we h across the state continue to struggle with the adverse and severe im pandemic on their ridership, revenue streams, staffing levels, and o one-time federal relief runs out for these agencies – for many, as se challenges will only grow, threatening essential transit service, and state is making in re-envisioning our transit systems and delivering Californians. Preliminary estimates from California transit agencie totaling between \$6 billion to \$8 billion over the next 5 years, with funding across the state. Without state assistance, transit agencies s make major service cuts, severely curtailing mobility for countless ridership and hampering the ability for agencies to fund operating e the need for funding to address those concerns have been noted at t federal levels, with President Biden's recently released budget noti on transit operations funding.¹ Regrettably, the Governor's propose to further compound the challenges already faced by transit agenci

¹ https://www.whitehouse.gov/wp-content/uploads/2023/03/budget_fy2024

MENTAL HEALTH CAUCUS
CHAIR
LEGISLATIVE JEWISH CAUCUS
CO-CHAIR
COMMITTEES:
HOUSING
CIVIL
A REPEARED A FUTURE

STATE CAPITAL
SACRAMENTO, CA 95814
(916) 651-4015



March 17, 2023

The Honorable Nancy Skinner
Chair, Senate Budget Committee
1021 O Street, Suite 8630
Sacramento, CA 95814

The Honorable Phil Ting
Chair, Assembly Budget Committee
1021 O Street, Suite 8230
Sacramento, CA 95814

The Honorable Maria Elena Durazo
Chair, Senate Budget Subcommittee #5
1021 O Street, Suite 7530
Sacramento, CA 95814

The Honorable Steve Bennett
Chair, Assembly Budget Subcommittee #3
1021 O Street, Suite 4710
Sacramento, CA 95814

Re: Transit Funding in the FY 2023-2024 State Budget.

Dear Chairs Skinner, Ting, Durazo and Bennett,

We, the undersigned, write in support of continued investment in transit – both transit capital and transit operations. Transportation remains one of the largest contributors to GHG emissions in California, therefore the state needs to remain committed to both capital investments and increasing transit operations funding.

First and foremost, we must keep the promise made last year and restore the \$2 billion in Transit and Intercity Rail Capital Program funds for capital projects to be cut as part of Governor Newsom's January Budget proposal for FY 2023-2024. Funding for transportation capital projects must remain a top priority as a key to the state's climate goals and a strategy to modernize the state's economy and expand economic opportunity for all Californians. Transportation infrastructure projects can demonstrate significant return on the state's investment, leveraging state and local funds to draw huge federal investments through the Infrastructure Investment and Jobs Act. VTA's BART Extension, Silicon Valley is one such example where the state, regional and local contributions are poised to secure \$4.6 billion in

Shaping the Ask Amidst Budget Challenges

To provide transit agencies the predictable funding they need, we are:

- Pursuing a multi-year package that minimizes negative impact on General Fund.
- Pursuing multiple revenue options so cost is borne across different sources/ programs.

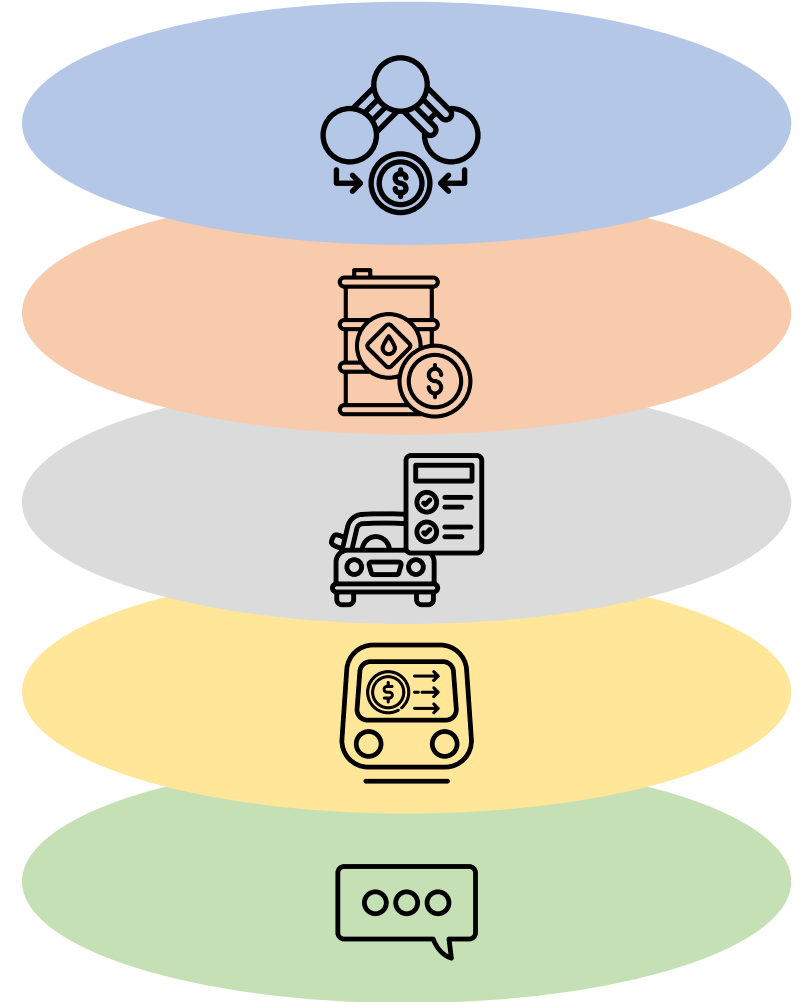
Challenges

- Legislature wants to see that transit agencies are making hard choices too.
- Questions of accountability are arising – how can Legislature ensure transit agencies are doing their best to bring back riders?
- Trade-offs – options on table to shift transit capital funding to operating purposes.
- MTC is making the case that **new, multi-year transit operating funding** must be part of any meaningful transit recovery package.

State Revenue Options to Close the Gap

Potential Funding Sources under exploration

- Cap and Trade funding (35% discretionary portion that is not already accounted for by law)
- 2.5% diesel sales tax that does not already go towards transit
- Increase to Transportation Improvement Fee (vehicle registration charge)
- Shift some existing state highway funding to transit given significant recent increase in federal highway funds.
- Allow other existing programs to be used for transit operations, including:
 - Transit & Intercity Rail Capital Program (TIRCP)
 - Transit State of Good Repair
 - Low Carbon Transit Operations Programs



Next Steps

State Budget Calendar

- May 10: Governor releases May Revision of the budget
- May-June: Budget hearings and negotiations
- June 15: Legislature must adopt budget
- Post-June – September: Subsequent budget bills may be adopted reflecting tax receipts since deadline postponed.

Planned Bay Area “Survive & Thrive” Coalition Actions

- MTC to consider adopting recommendations in April
- Organize a 3rd coalition sign on letter by early May
- Meetings with Legislature and Administration through April-May
- Sustained communications effort (social media campaign #2 in May)

An aerial photograph of San Francisco, California, featuring the Golden Gate Bridge in the distance and a densely populated hillside in the foreground. The text "Questions & Discussion" is overlaid in the center.

Questions & Discussion

Metropolitan Transportation Commission
Policy Advisory Council

April 12, 2023

Agenda Item 7

Brown Act Legislative Landscape

Subject:

Update on the 2023 legislative landscape related to Brown Act reform.

Background:

The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a local legislative body be open and public, and that all persons be permitted to attend, unless a closed session is authorized. The law for decades has provided for the option of teleconferencing, so long as each teleconferenced location is posted in the meeting agenda, that the agenda is posted outside the teleconference location; that the teleconference location is open to the public; and at least a quorum of the legislative body participate from locations within the boundaries of its jurisdiction.

With the onset of the COVID-19 pandemic, local legislative bodies – including advisory boards such as MTC’s Policy Advisory Council – struggled to conduct their meetings in compliance with the public accessibility and transparency requirements of the Brown Act while still abiding by stay-at-home orders. In response, Governor Newsom issued executive orders and Assembly Bill (AB) 361 (Rivas, 2020) was enacted providing that while a state of emergency was in place, local legislative bodies could hold meetings remotely without providing public access and notice of the remote location (i.e. homes). AB 361 supported continued public accessibility and transparency by, among other items, requiring the opportunity for public to join via telephone or video conference.

In February 28, 2023, the state-issued COVID-19 State of Emergency ended, which impacts legislative bodies’ ability to conduct remote meetings utilizing AB 361. A 2022 bill, AB 2249 (Rubio) does allow local agencies to hold remote public meetings without identifying each teleconference location and without making each location accessible to the public, however this alternative can only be used under limited circumstances and is challenging to utilize in conjunction with the more general teleconferencing option.

Overview of 2023 Legislative Landscape:

Six lawmakers have introduced bills this year related to revising Brown Act teleconferencing rules. In general, these bills seek to thread the needle between maintaining the transparency and

accountability spirit of the Brown Act while expanding options for remote participation. The aim is to retain the uptick in civic engagement made possible during the COVID emergency with the substantial increase in public meetings held online and with remote participation options. Attachment A provides a summary and status update on each of those bills. For example, AB 817 (Pacheco) would provide that *advisory* bodies (non-decision-making bodies that do not take action) may indefinitely meet remotely without posting location and without regard to where participants are located to meet current law's quorum requirements, regardless of whether a state of emergency is in place. This "compromise" bill – which would retain the requirement that decision-making bodies meet either in person or in compliance with current law's teleconference requirements – is co-sponsored by the League of Cities, California Association of Recreation and Parks Districts, California Association of Counties, Urban Counties of California and Rural Counties of California.

MTC/ABAG 2023 Advocacy Program – Brown Act Reform for Policy Advisory Council:

MTC's 2023 joint MTC/ABAG advocacy program supports Brown Act reform, with a specific focus on providing long-term flexibility for advisory councils, like the Policy Advisory Council, to conduct business remotely. This advocacy priority was developed in coordination with, and based on feedback from, the Policy Advisory Council. By reducing the time commitment and removing certain accessibility barriers, remote meetings make it possible for a more diverse cross sector of the Bay Area to serve on the Policy Advisory Council and participate in Council committees. Ongoing flexibility is essential to ensuring a robust cross-section of the Bay Area can continue to help shape the region via serving on the Policy Advisory Council.

Next Steps

Staff's aim is to bring to the Legislation committee a recommendation to support legislation that will provide flexibility for the Policy Advisory Council to meet remotely, and are seeking your input before bringing a recommendation. Staff will provide a more detailed overview of the legislative landscape at your committee meeting to help inform the discussion. We look forward to your feedback.

Attachments:

- Attachment A: Overview of Brown Act Legislative Landscape



LEGISLATIVE HISTORY

Brown Act Bills 2023 Legislative Session



Bill Number	Current Text	Status	Summary
AB 557 Hart	Introduced 2/8/2023	Assembly Local Government	Open meetings: local agencies: teleconferences. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.
AB 817 Pacheco	Amended 3/16/2023	Assembly Local Government	Open meetings: teleconferencing: subsidiary body. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

Bill Number	Current Text	Status	Summary
AB 1275 Arambula	Introduced 2/16/2023	Assembly Higher Education	Community colleges: student-run community college organizations: open meetings: teleconferences. The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. The act authorizes the legislative body of a local agency to use teleconferencing for its meetings subject to certain requirements, including, among others, public notice of, and access to, each teleconference location and posting of a meeting agenda at each of the teleconference locations. This bill would authorize the recognized statewide community college student organization and other student-run community college organizations to use teleconferencing for their meetings without having to (1) post agendas at all teleconferencing locations, (2) identify each teleconference location in the notice and agenda, (3) make each teleconference location accessible to the public, and (4) require that a quorum of the student organization's members participate from a singular physical location.
AB 1379 Papan	Amended 3/23/2023	Assembly Local Government	Open meetings: local agencies: teleconferences. The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.

Bill Number	Current Text	Status	Summary
SB 411 Portantino	Introduced 2/9/2023	Senate Gov. & F.	Open meetings: teleconferences: bodies with appointed membership. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a legislative body to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would alternatively define “legislative body” for this purpose to mean a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the Ralph M. Brown Act.
SB 537 Becker	Amended 3/22/2023	Senate Gov. & F.	Open meetings: local agencies: teleconferences. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would authorize certain legislative bodies to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would also require a legislative body to provide a record of attendance on its internet website within 7 days after a teleconference meeting, as specified. The bill would define “legislative body” for this purpose to mean a board, commission, or advisory body of a multijurisdictional cross county agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the act. The bill would also define “multijurisdictional” to mean a legislative body that includes representatives from more than one county, city, city and county, special district, or a joint powers entity.

**Metropolitan Transportation Commission
Policy Advisory Council**

April 12, 2023

Agenda Item 8

Nominations for 2022-2023 Policy Advisory Council Vice Chair

Subject:

Nominations for the 2022-2023 Vice Chair of the Policy Advisory Council will be opened at the April 12, 2023 meeting. The nomination period will remain open until the election scheduled for the May 10, 2023 meeting.

Background:

Potential candidates may nominate themselves. Effective upon election, the Vice Chair position will serve the remainder of the two-year term that ends December 2023. The election for the next two-year term will take place in January 2024, lasting through December 2025.

If you would like to nominate, you may do so in person at the meeting or submit it to staff any time before the election on May 10, 2023.

Issues:

None identified.

Recommendations:

Information

Attachments:

None

Metropolitan Transportation Commission
Policy Advisory Council

April 12, 2023

Agenda Item 10

Staff Liaison Report

Subject:

Overview of recent MTC policy decisions and other activities.

Issues:

None identified.

Recommendations:

Information

Attachments:

- Attachment A: Staff Liaison Report – April 2023

Staff Liaison Report – April 2022

Follow up from March 8, 2023 Policy Advisory Council Meeting

- Please share the [Norman Mineta Bay Area High School Summer Academy](#) opportunity with your networks. A flyer is attached at the bottom of this document. The deadline to [apply](#) is April 17, 2023.

Executive Director's Report:

The following items are excerpts from the March 2023, Executive Director's Report to the Commission. To read this and past reports in their entirety, check the agenda from a given Commission meeting (search for past meetings on [MTCs Legistar webpage](#)).

Key Updates:

- Add [items when available](#)

Items to Note:

- MTC's sister agency, the Bay Area Infrastructure Finance Authority (BAIFA), launched the Express Lanes START Pilot program on Friday, April 7 to advance equity on express lanes. Nationally, this first-of-its-kind 18-month pilot will provide qualified low-income drivers who enroll in the program at least a 50% discount on I-880 Express Lanes tolls. This program only applies to the I-880 Express Lanes while staff evaluate the Pilot's impact. The Policy Advisory Council's Equity and Access Subcommittee influenced the program significantly, engaging with BAIFA staff seven times on project planning, design and delivery dating back June 2020. Staff would like to Anne Olivia Eldred's contributions, through her service as a member of both the Equity and Access Subcommittee as well as a separate Advisory Group for the project. Project staff will return with a progress update on progress in the fall. In the meantime, please encourage potential Express Lanes START customers to learn more and apply for Express Lanes START at the website: www.ExpressLanesSTART.org

News Headlines from [The Bay Link Blog](#):

- [A million transit trips every day: Are you onboard?](#) Nearly a million trips are being taken on public transit each weekday right now in the Bay Area – are you one of the travel-savvy who know about the many benefits of riding transit?
- [Statewide coalition urges legislators to approve multi-year transit funding](#): MTC this week joined dozens of organizations from around California as signatories to a [letter seeking multi-year transit funding](#) from the Legislature to address financial shortfalls facing operators across the state.
- [Caltrans awards \\$225 million for roadway safety projects across the Bay Area](#): Caltrans is awarding more than \$225 million for local projects designed to reduce traffic deaths and serious injuries on city and county roads. Funding is provided through the Federal Highway Safety Improvement Program (HSIP).
- [Feds: check your vehicle for safety recalls](#): As daylight saving time approaches, the National Highway Traffic Safety Administration is raising awareness about the dangers of ignoring vehicle safety recalls and is calling on drivers to get the free repairs done as soon as possible.
- [Wanted: transit operators. Lack of workers leading to cancelations](#): As many Bay Area transit agencies deal with financial concerns, there is another issue: a dearth of drivers.
- [Bay Trail interactive map is now easier to use](#): The MTC website features a [Bay Trail interactive map](#) (formerly called the Bay Trail navigational map), which is now easier to use on desktop computers and mobile devices.
- [Study: Homeowners in Bay Area hold onto homes longer](#): Homeowners in several larger Bay Area cities hold onto their homes longer than in other parts of the state, [according to a new study by Point2Homes.com](#).

Further News Updates:

The [Bay Link blog](#) offers a more in-depth look at these topics, often in the context of the work that the Association of Bay Area Governments (ABAG) and MTC are doing, along with other stories of interest to Bay Area residents and professionals. The Bay Link Blog E-Newsletter, with the top Bay Link features of the week, is distributed every Tuesday. You can find more newsletters to subscribe to at this [link](#).

Have a Question? Ask a Librarian

If you need assistance locating information or are having difficulty navigating the MTC-ABAG websites, please feel free to contact the MTC-ABAG head librarian. Reference assistance is available by telephone (415-778-5236), or email library@bayareametro.gov Information can also be found on the [MTC-ABAG library webpage](#).

For MTC and Plan Bay Area Glossaries:

- [Glossary of Transportation Planning Acronyms & Terms](#)
- [Plan Bay Area Glossary](#)

Norman Mineta Bay Area Summer Academy Flyer:



The flyer is primarily yellow with orange and blue accents. At the top, it features logos for the Bay Area Air Quality Management District, the Association of Bay Area Governments (MT), and the Metropolitan Transportation Commission (MTC). A small photo of a smiling woman is on the left. The word 'PRESENT' is centered. The main title 'BAY AREA SUMMER ACADEMY' is in large, bold, white letters on an orange background. Below it, text describes the program: 'APPLY TO SUMMER ACADEMY ON URBAN PLANNING, EQUITY, HOUSING & MORE (INCLUDES STIPEND)' and 'For Bay Area High Schoolers to learn about how our regional governments work and careers in public service'. A blue banner at the bottom right states 'July 6-27, 2023', 'Online Weekly Sessions', and '+ in-person finale @SF Headquarters'. A section titled 'Requirements:' lists four bullet points: 'Live in the Bay Area', '16+ & completed 9th grade', 'Attend all weekly seminars', and 'Parent/guardian consent'. A photo of a smiling man is next to the requirements. At the bottom, it says 'Limited Slots - Apply Today!' and provides the URL 'http://mtc.one/BayAreaSummerAcademy2023'. A QR code for the application form is in the bottom right corner.

BAY AREA SUMMER ACADEMY

APPLY TO SUMMER ACADEMY ON URBAN PLANNING, EQUITY, HOUSING & MORE (INCLUDES STIPEND)

For Bay Area High Schoolers to learn about how our regional governments work and careers in public service

July 6-27, 2023
Online Weekly Sessions
+ in-person finale @SF Headquarters

Requirements:

- Live in the Bay Area
- 16+ & completed 9th grade
- Attend all weekly seminars
- Parent/guardian consent

Limited Slots - Apply Today!

<http://mtc.one/BayAreaSummerAcademy2023>

2023 Bay Area Summer Academy Application Form