



Metropolitan Transportation Commission

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

Meeting Agenda

Legislation Committee

Committee Members:

Jake Mackenzie, Chair Sam Liccardo, Vice Chair

*Damon Connolly, Dave Cortese, Anne W. Halsted, David Rabbitt,
Warren Slocum, James P. Spering*

Non-Voting Members: Dorene M. Giacomini and Jimmy Stracner

Friday, October 11, 2019

9:35 AM

Board Room - 1st Floor

This meeting is scheduled to take place at 9:35 a.m. or immediately following the 9:30 a.m. Operations Committee meeting and will be webcast live on the following website: <http://mtc.ca.gov/whats-happening/meetings>

1. Roll Call / Confirm Quorum

A quorum of the MTC Legislation Committee shall be a majority of its regular voting members (5).

2. Consent Calendar

- 2a. [19-1042](#) Approval of the Minutes of the September 13, 2019 Meeting

Action: Committee Approval

Attachments: [2a MTC LEGIS Minutes Sept 13 2019.pdf](#)

- 2b. [19-1044](#) Legislative History

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

Action: Information

Presenter: Rebecca Long

Attachments: [2b Handout October LegisHistory State and Federal.pdf](#)

3. State and Federal Legislation

- 3a. [19-1045](#) 2019 Legislative Scorecard
- Overview of legislative outcomes relative to the joint MTC / ABAG 2019 Advocacy Program.
- Action:** Information
- Presenter:** Rebecca Long
- Attachments:** [3a 2019 Legislative Scorecard.pdf](#)
[3a_Handout_2019 Legislative Scorecard Final.pdf](#)
- 3b. [19-1046](#) Tom Bulger's Report
- Report from Washington, D.C. advocate.
- Action:** Information
- Presenter:** Georgia Gann Dohrmann
- Attachments:** [3b Tom Bulger's DC Report Sept 2019.pdf](#)

4. Federal Advocacy

- 4a. [19-1132](#) 2020 Federal Advocacy Representation
- Overview of staff's proposal to transition our federal representation via a competitive procurement.
- Action:** Information
- Presenter:** Rebecca Long
- Attachments:** [4a_Federal Advocacy Update.pdf](#)

5. Public Comment / Other Business

6. Adjournment / Next Meeting

The next meeting of the MTC Legislation Committee will be Friday, November 8, 2019 9:40 a.m. the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.

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

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-1042 **Version:** 1 **Name:**
Type: Minutes **Status:** Consent
File created: 9/3/2019 **In control:** Legislation Committee
On agenda: 10/11/2019 **Final action:**
Title: Approval of the Minutes of the September 13, 2019 Meeting
Sponsors:
Indexes:
Code sections:
Attachments: [2a_MTC LEGIS_Minutes_Sept 13 2019.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Approval of the Minutes of the September 13, 2019 Meeting

Recommended Action:
Committee Approval

Attachments:

Meeting Minutes - Draft

Joint MTC Legislation Committee and ABAG Legislation Committee

Friday, September 13, 2019

9:40 AM

Board Room - 1st Floor

1. Roll Call / Confirm Quorum

Present: 6 - Commissioner Connolly, Commissioner Cortese, Vice Chair Liccardo, Chair Mackenzie, Commissioner Rabbitt and Commissioner Spering

Absent: 2 - Commissioner Halsted and Commissioner Slocum

Non-Voting Member Present: Commissioner Giacomini

Non-Voting Member Absent: Commissioner Stracner

Ex Officio Voting Member Present: Commission Chair Haggerty

Ad Hoc Non-Voting Members Present: Commissioner Josefowitz

ABAG Legislation Committee Members Present: Arreguin, Cortese, Eklund, Haggerty, Hudson, Mitchoff, Pierce, Rabbitt, and Ramos.

2. ABAG Legislation Committee Consent Calendar

- 2a. [19-0912](#) Approval of ABAG Legislation Committee Summary Minutes of the July 12, 2019 Meeting

Action: ABAG Legislation Committee Approval

Attachments: [2a LC 20190913 Item 02A Minutes 20190712.pdf](#)

3. MTC Legislation Committee Consent Calendar

Approval of the Consent Calendar

Upon the motion by Commissioner Spering and second by Commissioner Cortese, the Consent Calendar was unanimously approved by the following vote:

Aye: 6 - Commissioner Connolly, Commissioner Cortese, Vice Chair Liccardo, Chair Mackenzie, Commissioner Rabbitt and Commissioner Spering

Absent: 2 - Commissioner Halsted and Commissioner Slocum

- 3a.** [19-0913](#) Approval of MTC Legislation Committee Minutes of the July 12, 2019 Meeting

Action: MTC Legislation Committee Approval

Attachments: [3a MTC LEGIS Minutes July 12 2019.pdf](#)

- 3b.** [19-0946](#) SB 277 (Beall): Local Partnership Program

Action: Support / MTC Commission Approval

Presenter: Rebecca Long

Attachments: [6h LEGIS 3b SB 277.pdf](#)

- 3c.** [19-0948](#) AB 1142 (Friedman): Transportation Planning and Transportation Network Companies

Action: Information

Presenter: Rebecca Long

Attachments: [3c AB 1142.pdf](#)

4. State Legislation

- 4a.** [19-0916](#) 2019 Legislative Update on Priority Bills

Overview of the 2019 state legislative session, with a focus on bills for which MTC and ABAG have taken a position.

Action: Information

Presenter: Rebecca Long

Attachments: [10a LEGIS 4a Legislative Update on PriorityBills.pdf](#)

5. Federal Legislation

5a. [19-0947](#) Federal Surface Transportation Bill Update

Status update regarding the reauthorization of the federal surface transportation law, including an overview of the five-year bill passed by the Senate Environment and Public Works Committee.

Action: Information

Presenter: Georgia Gann Dohrmann

Attachments: [5a_Federal Transportation Bill Update.pdf](#)

5b. [19-0917](#) Tom Bulger's Report

Report from Washington, D.C. advocate.

Action: Information

Presenter: Randy Rentschler

Attachments: [5b_Tom Bulger's DC Report_July and Aug_2019.pdf](#)

6. Public Comment / Other Business

7. Adjournment / Next Meeting

The next meeting of the MTC Legislation Committee will be Friday, October 11, 2019
9:40 a.m. the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.



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File #:	19-1044	Version:	1	Name:	
Type:	Report	Status:		Consent:	
File created:	9/3/2019	In control:		Legislation Committee:	
On agenda:	10/11/2019	Final action:			
Title:	Legislative History				

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

Sponsors:

Indexes:

Code sections:

Attachments: [2b_Handout_October_LegisHistory_State_and_Federal.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Legislative History

Detailed list of bills the Commission is tracking in Sacramento and Washington D.C., including those ABAG or MTC supports or opposes.

Presenter:

Rebecca Long

Recommended Action:

Information

Attachments:



METROPOLITAN
TRANSPORTATION
COMMISSION

LEGISLATIVE HISTORY
MTC and ABAG Priority Bills
October 10, 2019

Handout - Agenda Item 2b



Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
AB 10 Chiu	Amended 8/12/2019	Senate Appropriations Suspense File	Income taxes: credits low-income housing: farmworker housing. Current law limits the total annual amount of the state low-income housing credit for which a federal low-income housing credit is required to the sum of \$70,000,000, as increased by any percentage increase in the Consumer Price Index for the preceding calendar year, any unused credit for the preceding calendar years, and the amount of housing credit ceiling returned in the calendar year, and authorizes CTCAC, for calendar years beginning in 2020, to allocate an additional \$500,000,000 to specified low-income housing projects and, for calendar years beginning in 2021, requires this additional amount only to be available for allocation pursuant to an authorization in the annual Budget Act or related legislation, and specified regulatory action by CTCAC. This bill would remove the requirement that, beginning in the 2021 calendar year, the above-described additional \$500,000,000 allocation only be available pursuant to an authorization in the annual Budget Act or related legislation, and specified regulatory action by CTCAC.		
AB 11 Chiu	Amended 4/11/2019	Assembly 2 year	Community Redevelopment Law of 2019. Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined.	Support and Seek Amendments	Support and Seek Amendments

AB 36 Bloom	Amended 4/22/2019	Assembly Rules	Residential tenancies: rent control. The Costa-Hawkins Rental Housing Act prescribes statewide limits on the application of local rent control with regard to certain properties. This bill would modify those provisions to authorize an owner of residential real property to establish the initial and all subsequent rental rates for a dwelling or unit that has been issued its first certificate of occupancy within 20 years of the date upon which the owner seeks to establish the initial or subsequent rental rate, or for a dwelling or unit that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision and the owner is a natural person who owns 10 or fewer residential units within the same jurisdiction as the dwelling or unit for which the owner seeks to establish the initial or subsequent rental rate, subject to certain exceptions.		
AB 68 Ting	Chaptered 10/9/2019	Assembly Chaptered	Land use: accessory dwelling units. The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and requires such an ordinance to impose standards on accessory dwelling units, including, among others, lot coverage. Current law also requires such an ordinance to require that the accessory dwelling units to be either attached to, or located within, the living area of the proposed or existing primary dwelling, or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling. This bill would delete the provision authorizing the imposition of standards on lot coverage and would prohibit an ordinance from imposing requirements on minimum lot size.	Support	Support
AB 69 Ting	Amended 6/20/2019	Senate 2 year	Land use: accessory dwelling units. Current law requires the Department of Housing and Community Development to propose building standards to the California Building Standards Commission, and to adopt, amend, or repeal rules and regulations governing, among other things, apartment houses and dwellings, as specified. This bill would require the department to propose small home building standards governing accessory dwelling units smaller than 800 square feet, junior accessory dwelling units, and detached dwelling units smaller than 800 square feet, as specified, and to submit the small home building standards to the California Building Standards Commission for adoption on or before January 1, 2021.	Support	Support

AB 148 Quirk-Silva	Introduced 12/14/2018	Assembly 2 year	Regional transportation plans: sustainable communities strategies. Current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Current law requires the regional transportation plan to include, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. This bill would require each sustainable communities strategy to identify areas within the region sufficient to house an 8-year projection of the emergency shelter needs for the region, as specified.		
AB 185 Grayson	Chaptered 10/7/2019	Assembly Chaptered	California Transportation Commission: transportation and transportation-related policies: joint meetings. Current law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Existing law requires the commission and the State Air Resources Board to hold at least 2 joint meetings per calendar year to coordinate their implementation of transportation policies. This bill would instead require the commission, the state board, and a representative from the Department of Housing and Community Development to hold those joint meetings to coordinate their implementation of policies that jointly affect transportation, housing, and air quality.		
AB 252 Daly	Chaptered 7/31/2019	Assembly Chaptered	Department of Transportation: environmental review process: federal program. Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states may assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2020, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the program. This bill would extend the operation of these provisions indefinitely.	Support	Support

AB 291 Chu	Amended 4/30/2019	Assembly 2 year	Local Emergency Preparedness and Hazard Mitigation Fund. Would establish a Local Emergency Preparedness and Hazard Mitigation Fund to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals. The bill would, upon appropriation by the Legislature, require the Controller to transfer \$500,000,000 to the fund. The bill would require the Office of Emergency Services to establish the Local Emergency Preparedness and Hazard Mitigation Fund Committee under the Standardized Emergency Management System Advisory Board.		
AB 323 Daly	Amended 4/2/2019	Assembly 2 year	Disaster Preparedness Account. Current law establishes the various funds in the State Treasury, including the Disaster Response-Emergency Operations Account, Disaster Relief Fund, and the Disaster Assistance Fund. This bill would establish the Disaster Preparedness Account in the State Treasury and would provide that funds in the account are available only for specified purposes, for appropriation by the Legislature, upon the Governor's proclamation of a state of emergency, as provided.		
AB 393 Nazarian	Amended 5/29/2019	Senate 2 year	Building codes: earthquake safety: functional recovery standard. Would require the California Building Standards Commission, by June 30, 2020, to assemble a functional recovery working group comprised of certain state entities and members of the construction and insurance industries, as specified. The bill would require the working group, by June 30, 2021, to consider whether a "functional recovery" standard is warranted for all or some building occupancy classifications, using specified criteria, and to investigate the practical means of implementing that standard, as specified. The bill would require the working group to advise the appropriate state agencies to propose the building standards, as specified.		Support
AB 421 Waldron	Introduced 2/7/2019	Assembly 2 year	Transportation finance: De Luz Community Services District. With respect to the portion of revenues that is derived from increases in the motor vehicle fuel excise tax beginning in 2010, current law requires, after certain allocations are made, the Controller to allocate the remaining amount of this portion of revenues 44% to the state transportation improvement program, 12% to the State Highway Operation and Protection Program, and 44% to cities and counties for local street and road purposes. This bill would require the Controller to allocate a portion of these revenues available for counties to the De Luz Community Services District for local street and road purposes as though the De Luz Community Services District were a county. The bill would thereby make an appropriation.		

AB 429 Nazarian	Amended 8/30/2019	Senate 2 year	Seismically vulnerable buildings: inventory. Current law establishes a program within all cities and all counties and portions thereof located within seismic zone 4, as defined, to identify all potentially hazardous buildings and to establish a mitigation program for these buildings. The mitigation program may include, among other things, the adoption by ordinance of a hazardous buildings program, measures to strengthen buildings, and the application of structural standards necessary to provide for life safety above current code requirements. Current law requires the Alfred E. Alquist Seismic Safety Commission to report annually to the Legislature on the filing of mitigation programs relating to building construction standards from local jurisdictions. This bill would require the commission, by specified deadlines, to identify funding and develop a bidding process for hiring a third-party contractor to create an inventory of potentially vulnerable buildings, as defined.		Support
AB 587 Friedman	Chaptered 10/9/2019	Assembly Chaptered	Accessory dwelling units: sale or separate conveyance. Current property tax law establishes a welfare exemption under which property is exempt from taxation if the property is owned and operated by a nonprofit corporation that is organized and operated for the purpose of building and rehabilitating single-family or multifamily residences for sale, as provided, at cost to low-income families. This bill would authorize a local agency to allow, by ordinance, an accessory dwelling unit that was created pursuant to the process described above to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.		
AB 659 Mullin	Introduced 2/15/2019	Assembly 2 year	Transportation: emerging transportation technologies: California Smart City Challenge Grant Program. Would establish the California Smart City Challenge Grant Program to enable municipalities to compete for grant funding for emerging transportation technologies to serve their transportation system needs, and would specify certain program goals. The bill would require the commission to form the California Smart City Challenge Workgroup on or before July 1, 2020, to guide the commission on program matters, as specified. The bill would require the commission, in consultation with the workgroup, to develop guidelines on or before March 1, 2021, for the program, which would not be subject to the Administrative Procedure Act, and would authorize the commission to revise them as necessary.		

AB 671 Friedman	Chaptered 10/9/2019	Assembly Chaptered	Accessory dwelling units: incentives. Would require a local agency to include a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent for very low, low-, or moderate-income households in its housing element. The bill would require the Department of Housing and Community Development to develop a list of existing state grants and financial incentives for operating, administrative, and other expenses in connection with the planning, construction, and operation of accessory dwelling units with affordable rent, as specified. The bill would require the department to post that list on its internet website by December 31, 2020.		
AB 724 Wicks	Amended 4/25/2019	Assembly 2 year	Rental property data registry. Would require the Department of Housing and Community Development to create a rental registry online portal, which would be designed to receive specified information from landlords regarding their residential tenancies and to disseminate this information to the general public. The bill would require the department to complete the rental registry online portal, the form necessary to support it, by January 1, 2021, and would require landlords who own or operate property that includes more than 15 dwelling units to register within 90 days and annually thereafter.		
AB 725 Wicks	Amended 4/2/2019	Assembly 2 year	General plans: housing element: above moderate-income housing: suburban and metropolitan jurisdictions. The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable for residential development, to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need determined pursuant to specified law. This bill would prohibit more than 20% of a suburban or metropolitan jurisdiction's share of the regional housing need for above moderate-income housing from being allocated to sites with zoning restricted to single-family development.		
AB 745 Petrie-Norris	Amended 4/3/2019	Assembly Appropriations Suspense File	Sales and use taxes: exemption: retail hydrogen vehicle fuel. Would, on and after January 1, 2020, and before January 1, 2024, exempt from sales and use taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, retail hydrogen vehicle fuel, as defined.		

AB 784 Mullin	Chaptered 10/9/2019	Assembly Chaptered	Sales and use taxes: exemption: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses. Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes. This bill would, until January 1, 2024, provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, specified zero-emission technology transit buses sold to specified public agencies. The bill would provide that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund.	Support	
AB 821 O'Donnell	Introduced 2/20/2019	Assembly 2 year	Transportation: Trade Corridor Enhancement Account: project nomination: California Port Efficiency Program. Current law creates the Trade Corridor Enhancement Account to receive revenues attributable to 50% of a \$0.20 per gallon increase in the diesel fuel excise tax imposed by the Road Repair and Accountability Act of 2017 for corridor-based freight projects nominated by local agencies and the state. Current law makes these funds and certain federal funds apportioned to the state available upon appropriation for allocation by the California Transportation Commission for trade infrastructure improvement projects that meet specified requirements. This bill would require the commission to allocate not less than 10% of the funds that are required to be allocated to projects nominated by the department to projects nominated pursuant to the California Port Efficiency Program, which this bill would create		
AB 847 Grayson	Amended 3/27/2019	Assembly 2 year	Housing: transportation-related impact fees grant program. Would require the Department of Housing and Community Development , upon appropriation by the Legislature, to establish a competitive grant program to award grants to cities and counties to offset up to 100% of any transportation-related impact fees exacted upon a qualifying housing development project, as defined, by the local jurisdiction.		

AB 873 Irwin	Amended 5/2/2019	Senate 2 year	California Consumer Privacy Act of 2018. The California Consumer Privacy Act of 2018 excludes from the definition of personal information consumer information that is deidentified, or aggregate consumer information. This bill would revise the definition of "deidentified" to instead mean information that does not identify, and is not linkable, directly or indirectly, to a particular consumer, provided that the business makes no attempt to reidentify the information and takes reasonable technical and administrative measures designed to ensure that the data is deidentified, publicly commits to maintain and use the data in a deidentified form, and contractually prohibits recipients of the data from trying to reidentify it.		
AB 874 Irwin	Enrollment 9/25/2019	Assembly Enrolled	California Consumer Privacy Act of 2018. The California Consumer Privacy Act of 2018, beginning on January 1, 2020, grants consumers various rights with regard to their personal information held by businesses, including the right to request a business to disclose specific pieces of personal information it has collected and the right to request a business to delete any personal information collected by the business. The act generally provides for its enforcement by the Attorney General, but also provides for a private right of action in certain circumstances. The act defines "personal information" to mean information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. The act excludes "publicly available information" from the definition of "personal information," and defines the term "publicly available" to mean information that is lawfully made available from federal, state, or local government records, if any conditions associated with that information.		
AB 880 Obernolte	Chaptered 10/8/2019	Assembly Chaptered	Transportation network companies: participating drivers: criminal background checks. Would prohibit a transportation network company from contracting with, employing, or retaining a driver if the driver has been convicted of specified human trafficking offenses and would delete erroneous cross-references to code sections specified in existing law. By expanding the scope of a crime, the bill would impose a state-mandated local program.		

AB 881 Bloom	Chaptered 10/9/2019	Assembly Chaptered	Accessory dwelling units. The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires the ordinance to designate areas where accessory dwelling units may be permitted and authorizes the designated areas to be based on criteria that includes, but is not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. This bill would require a local agency to designate these areas based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. The bill would also prohibit a local agency from issuing a certificate of occupancy for an accessory dwelling unit before issuing a certificate of occupancy for the primary residence.		
AB 923 Wicks	Chaptered 9/20/2019	Assembly Chaptered	Bay Area Rapid Transit District: electricity procurement and delivery. Would authorize BART to elect to obtain electricity purchased from an electrical corporation or marketer, as defined, and electricity purchased through a market operated by the Independent System Operator.		
AB 931 Boerner Horvath	Enrollment 9/13/2019	Assembly Enrolled	Local boards and commissions: representation: appointments. Current law establishes the policy of the Legislature to ensure equal access to specific information about the many local regulating and advisory boards, commissions, and committees and to ensure equal opportunity to be informed of vacancies on those boards. Current law requires each legislative body of a local agency to prepare an appointments list of all regular and ongoing boards, commissions, and committees that are appointed by the legislative body of the local agency. This bill, on and after January 1, 2030, would require, with respect to a city with a population of 50,000 or more, that the city not appoint members of nonsalaried, nonelected boards or commissions consisting of 5 or more members such that individuals of the same gender identity comprise more than 60% of the board or commission's membership.		
AB 961 Reyes	Amended 4/23/2019	Assembly 2 year	Energy programs and projects: nonenergy benefits. Would require the Public Utilities Commission to (1) establish common definitions of nonenergy benefits and attempt to determine consistent values for use in all distributed energy resource programs, (2) meaningfully consider producing nonenergy benefits in distributed energy resource programs and projects, (3) incorporate nonenergy benefits in distributed energy resource programs and projects in environmental and social justice communities, as defined, and (4) track the nonenergy benefits produced in distributed energy resource programs and report those benefits during program evaluations.		

AB 970 Salas	Enrollment 9/11/2019	Assembly Enrolled	California Department of Aging: grants: transportation. Current law establishes certain wellness, injury prevention, and other programs within the California Department Of Aging to serve both older individuals and persons with a disability, as defined. This bill would make grant awards available under the State Air Resources Board's Clean Mobility Options program for disadvantaged communities and low-income communities to eligible applicants, including, but not limited to, area agencies on aging and public transit operators. The grant awards would be used to fund transportation to and from nonemergency medical services for older individuals and persons with a disabilities, for the purpose of reducing greenhouse gas emissions.	Support if Amended	
AB 983 Boerner Horvath	Introduced 2/21/2019	Assembly 2 year	Transportation electrification. Would require an electrical corporation to work with local agencies or regional planning agencies in its service territory with responsibility for planning electric vehicle deployment to determine where to install new electrical charging stations along local transit corridors. The bill would authorize an electrical corporation to file an application with the PUC by December 31, 2020, with the support of the local or regional planning agency, for the infrastructure investments required to support electrical charging stations at transit corridor entry and exit points or other locations.		
AB 992 Mullin	Amended 4/22/2019	Assembly 2 year	Open meetings: local agencies: social media. The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines "meeting" for purposes of the act and prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This bill would provide that the prohibition described above does not apply to the participation, as defined, in an internet-based social media platform, as defined, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.		
AB 1017 Boerner Horvath	Chaptered 9/5/2019	Assembly Chaptered	New or modified railroad crossings: approval. Would require the The Public Utilities Commission, if a city or county develops and adopts, by resolution upon a majority vote of the city council or the board of supervisors, a plan to improve mobility for multimodal access that calls for new or modified railroad crossings, to make an engineer available from the Rail Crossings and Engineering Branch to assist and advise that city or county on the safety of the planned railroad crossings before the filing of an application to the commission for the approval of the new or modified railroad crossings.		

AB 1035 Mayes	Amended 5/23/2019	Senate 2 year	Personal information: data breaches. Would require a person or business, as defined, that owns or licenses computerized data that includes personal information to disclose a breach of the security of the system in the most expedient time possible and without unreasonable delay, but in no case more than 45 days, following discovery or notification of the breach, subject to the legitimate needs of law enforcement, as provided. The bill would make other conforming changes.		
AB 1112 Friedman	Amended 6/19/2019	Senate 2 year	Shared mobility devices: local regulation. Current law generally regulates the operation of bicycles, electric bicycles, motorized scooters, and electrically motorized boards. Current law allows local authorities to regulate the registration, parking, and operation of bicycles and motorized scooters in a manner that does not conflict with state law. This bill would define a "shared mobility device" as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation, as provided.		
AB 1142 Friedman	Amended 8/12/2019	Senate 2 year	Regional transportation plans: transportation network companies. Current law requires a regional transportation plan to include a policy element, an action element, a financial element, and, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. Under current law, the policy element describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, as well as pragmatic objective and policy statements. Current law authorizes the policy element of transportation planning agencies with populations that exceed 200,000 persons to quantify a set of specified indicators. This bill would authorize the inclusion of an additional indicator regarding measures of policies to increase use of existing transit.	Support	
AB 1190 Irwin	Amended 5/1/2019	Senate Rules	Unmanned aircraft: state and local regulation: limitations. Would, among other things, prohibit a state or local agency from adopting any law or regulation that bans the operation of an unmanned aircraft system. The bill would also authorize a local agency to adopt regulations to enforce FAA regulations regarding the operation of unmanned aircraft systems and would authorize local agencies to regulate the operation of unmanned aircraft and unmanned aircraft systems within their jurisdictions, as specified. The bill would also authorize a local agency to require an unmanned aircraft operator to provide proof of federal, state, or local registration to licensing or enforcement officials.		

AB 1198 Stone, Mark	Amended 3/21/2019	Assembly 2 year	Public employees' retirement: pension reform: excepted employees: transit workers. Would except transit workers hired before January 1, 2016, from PEPRA by removing the federal district court contingency language from the provision excepting certain transit workers from PEPRA, as specified.		
AB 1243 Fong	Amended 4/3/2019	Assembly Transportation	Traffic Relief and Road Improvement Act. Would create the Traffic Relief and Road Improvement Program to address traffic congestion and deferred maintenance on the state highway system and the local street and road system. The bill would provide for the deposit of various existing sources of revenue in the Traffic Relief and Road Improvement Account, which the bill would create in the State Transportation Fund, including revenues attributable to the sales and use tax on motor vehicles, revenues attributable to automobile and motor vehicle insurance policies from the insurer gross premiums tax, and certain miscellaneous State Highway Account revenues.		
AB 1255 Rivas, Robert	Chaptered 10/9/2019	Assembly Chaptered	Surplus public land: inventory. Would require each county and each city to make a central inventory of specified surplus land and excess land identified pursuant to that inventory on or before December 31 of each year. The bill would require the city or county to make a description of each parcel and its present uses a matter of public record and to report this information to the Department of Housing and Community Development (HCD) no later than April 1 of each year, beginning April 1, 2021, as provided, but would authorize HCD to delay implementation of this requirement for one year. The bill would require a county or city, upon request, to provide a list of its surplus governmental properties to a citizen, limited dividend corporation, housing corporation, or nonprofit corporation without charge.		
AB 1277 Obernolte	Amended 3/19/2019	Assembly 2 year	Transportation projects: oversight committees. Would require a public agency administering a megaproject, which the bill would define as a transportation project with total estimated development and construction costs exceeding \$1,000,000,000, to take specified actions to manage the risks associated with the megaproject, including establishing a comprehensive risk management plan and regularly reassessing its reserves for potential claims and unknown risks. The bill would require a public agency administering a megaproject to establish a project oversight committee composed of specified individuals to review the megaproject and perform other specified duties.		

AB 1279 Bloom	Introduced 2/21/2019	Senate 2 year	Planning and zoning: housing development: high-resource areas. Would require the department to designate areas in this state as high-resource areas, as provided, by January 1, 2021, and every 5 years thereafter. The bill would authorize a city or county to appeal the designation of an area within its jurisdiction as a high-resource area during that 5-year period. In any area designated as a high-resource area, the bill would require that a housing development project be a use by right, upon the request of a developer, in any high-resource area designated pursuant to be a use by right in certain parts of the high-resource area if those projects meet specified requirements, including specified affordability requirements. For certain development projects where the initial sales price or initial rent exceeds the affordable housing cost or affordable rent to households with incomes equal to or less than 100% of the area median income, the bill would require the applicant agree to pay a fee equal to 10% of the difference between the actual initial sales price or initial rent and the sales price or rent that would be affordable, as provided. The bill would require the city or county to deposit the fee into a separate fund reserved for the construction or preservation of housing with an affordable housing cost or affordable rent to households with a household income less than 50% of the area median income. This bill contains other related provisions and other existing laws.		
AB 1286 Muratsuchi	Amended 6/6/2019	Senate 2 year	Shared mobility devices: agreements. Would require a shared mobility service provider, as defined, to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. The bill would require that the provider maintain a specified amount of commercial general liability insurance and would prohibit the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. The bill would define shared mobility device to mean an electrically motorized board, motorized scooter, electric bicycle, bicycle, or other similar personal transportation device, except as provided.		
AB 1350 Gonzalez	Amended 3/26/2019	Assembly 2 year	Youth Transit Pass Pilot Program. Would create the Youth Transit Pass Pilot Program upon the appropriation of moneys from the Greenhouse Gas Reduction Fund by the Legislature, and would require the Department of Transportation to administer the program. The bill would require the department to award available moneys to eligible participants, as defined, to provide free transit passes to persons under the age of 25 through new or existing transit pass programs, as specified.		

<u>AB 1402</u> <u>Petrie-Norris</u>	Amended 3/26/2019	Assembly 2 year	Active Transportation Program. Would require the Department of Transportation, instead of the California Transportation Commission, to award funds to projects in the statewide and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. The bill would require that 75% of available funds be awarded to MPO's in urban areas with populations greater than 200,000, in proportion to their relative share of the population, 15% to small urban and rural regions with populations of 200,000 or less, competitively awarded by the department to projects in those regions, and 10% to projects competitively awarded by the department, in consultation with the commission, on a statewide basis.		
<u>AB 1479</u> <u>Cervantes</u>	Amended 4/8/2019	Assembly 2 year	Opportunity Zone Credit Enhancement Act. Would require the California Infrastructure and Economic Development Bank to consider providing a credit enhancement to support an economic development facility in a qualified opportunity zone and to establish procedures for the expeditious review of applications for those credit enhancements. The bill would further authorize the bank to provide credit enhancements that support financing for economic development facilities located in a qualified opportunity zone.		
<u>AB 1481</u> <u>Grayson</u>	Amended 5/20/2019	Assembly 2 year	Tenancy termination: just cause. Would, with certain exceptions, prohibit a lessor of residential property from terminating the lease without just cause, as defined, stated in the written notice to terminate.	Support	Support
<u>AB 1482</u> <u>Chiu</u>	Chaptered 10/8/2019	Assembly Chaptered	Tenant Protection Act of 2019: tenancy: rent caps. Would, with certain exceptions, prohibit an owner, as defined, of residential real property from terminating a tenancy without just cause, as defined, which the bill would require to be stated in the written notice to terminate tenancy when the tenant has continuously and lawfully occupied the residential real property for 12 months, except as provided. The bill would require, for certain just cause terminations that are curable, that the owner give a notice of violation and an opportunity to cure the violation prior to issuing the notice of termination. The bill, if the violation is not cured within the time period set forth in the notice, would authorize a 3-day notice to quit without an opportunity to cure to be served to terminate the tenancy. The bill would require, for no-fault just cause terminations, as specified, that the owner, at the owner's option, either assist certain tenants to relocate, regardless of the tenant's income, by providing a direct payment of one month's rent to the tenant, as specified, or waive in writing the payment of rent for the final month of the tenancy, prior to the rent becoming due.	Support	Support

AB 1483 Grayson	Chaptered 10/9/2019	Assembly Chaptered	Housing data: collection and reporting. Would require a city, county, or special district to maintain on its internet website, as applicable, a current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special district, applicable to a proposed housing development project, all zoning ordinances and development standards, and annual fee reports or annual financial reports, as specified. The bill would require a city, county, or special district to provide on its internet website an archive of impact fee nexus studies, cost of service studies, or equivalent, as specified. By requiring a city or county to include this information on its internet website, the bill would impose a state-mandated local program.	Support and Seek Amendments	Support and Seek Amendments
AB 1484 Grayson	Amended 9/6/2019	Senate Rules	Mitigation Fee Act: housing developments. The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. This bill would prohibit a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project, as defined, unless specified requirements are satisfied by the local agency, including that the housing impact requirement be roughly proportional in both nature and extent to the impact created by the housing development project.		
AB 1485 Wicks	Chaptered 10/9/2019	Assembly Chaptered	Housing development: streamlining. The Planning and Zoning Law requires that a development be subject to a requirement mandating a minimum percentage of below market rate housing based on one of 3 specified conditions. This bill would modify that condition to authorize a development that is located within the San Francisco Bay area, as defined, to instead dedicate 20% of the total number of units to housing affordable to households making at or below 120% of the area median income with the average income of the units at or below 100% of the area median income, except as provided.	Support	Support

AB 1486 Ting	Chaptered 10/9/2019	Assembly Chaptered	Surplus land. Current law prescribes requirements for the disposal of surplus land by a local agency. Current law defines "local agency" for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land. The bill would specify that the term "district" includes all districts within the state, and that this change is declaratory of existing law.	Support	Support
AB 1487 Chiu	Chaptered 10/8/2019	Assembly Chaptered	San Francisco Bay area: housing development: financing. Current law provides for the establishment of various special districts that may support and finance housing development, including affordable housing special beneficiary districts that are authorized to promote affordable housing development with certain property tax revenues that a city or county would otherwise be entitled to receive. This bill, the San Francisco Bay Area Regional Housing Finance Act, would establish the Bay Area Housing Finance Authority (hereafter the authority) and would state that the authority's purpose is to raise, administer, and allocate funding for affordable housing in the San Francisco Bay area, as defined, and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. The bill would provide that the governing board of the Metropolitan Transportation Commission serve as the governing board of the authority.	Support	Support
AB 1560 Friedman	Chaptered 10/8/2019	Assembly Chaptered	California Environmental Quality Act: transportation: major transit stop. CEQA requires the Office of Planning and Research to prepare and propose guidelines for the implementation of CEQA by public agencies and the Secretary of the Natural Resources Agency to certify and adopt the guidelines. CEQA requires the office to propose revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to meet certain objectives. CEQA defines "transit priority area" as an area within 1/2 mile of a major transit stop. This bill would revise the definition of "major transit stop" to include a bus rapid transit station, as defined.		

AB 1568 McCarty	Amended 4/11/2019	Assembly 2 year	Housing law compliance: prohibition on applying for state grants. The Housing Element Law, prescribes requirements for the preparation of the housing element, including a requirement that a planning agency submit a draft of the element or draft amendment to the element to the Department of Housing and Community Development prior to the adoption of the element or amendment to the element. Current law requires the department to review the draft and report its written findings, as specified. Current law also requires the department, in its written findings, to determine whether the draft substantially complies with the Housing Element Law. This bill would authorize the city or county to submit evidence that the city or county is no longer in violation of state law to the department and to request the department to issue a finding that the city or county is no longer in violation of state law.		
AB 1580 Levine	Amended 7/1/2019	Senate 2 year	Major infrastructure construction projects: oversight committees. Current law requires the Department of Transportation and the Bay Area Toll Authority to establish the Toll Bridge Program Oversight Committee, as provided, to review and provide program direction for seismic retrofit and replacement projects on toll bridges within the geographic jurisdiction of the committee. This bill, except as specified, would similarly require a state agency undertaking a publicly funded major infrastructure construction project that is estimated to cost \$1,000,000,000 or more to form an oversight committee, as provided, to develop and use risk management plans throughout the course of the project, and to take specified actions relating to managing risks. The bill would require the oversight committee to act as the authority for critical decisions regarding the implementation of the project's risk management plan and to have sufficient staff to support decisionmaking.		
AB 1605 Ting	Enrollment 9/11/2019	Assembly Enrolled	City and County of San Francisco: Crooked Street Reservation and Pricing Program. Would authorize the Board of Supervisors of the City and County of San Francisco by ordinance to conduct a reservation and pricing pilot program for vehicles that use the "Crooked Street," which the bill would define to mean the portion of Lombard Street located between Leavenworth Street and Hyde Street in the City and County of San Francisco. Before the board of supervisors adopts an ordinance to conduct the pilot program, the bill would require the board of supervisors to make certain findings and to conduct at least 2 public outreach meetings or hearings.		

<u>AB 1633</u> <u>Grayson</u>	Chaptered 10/8/2019	Assembly Chaptered	Regional transportation plans: traffic signal optimization plans. Current law designates the Metropolitan Transportation Commission (MTC) as the regional transportation planning agency for the 9-county San Francisco Bay area, with various powers and duties relative to transportation planning, programming, and funding. This bill would authorize a city located within the jurisdiction of MTC to develop and implement a traffic signal optimization plan intended to reduce travel times, the number of stops, and fuel use. The bill would also require the Department of Transportation and a city that develops a traffic signal optimization plan pursuant to these provisions to coordinate on any adjustments to traffic signals owned or operated by the department.		
<u>AB 1697</u> <u>Grayson</u>	Amended 5/1/2019	Assembly 2 year	Housing: tenancy termination: just cause. Would, with certain exceptions, prohibit a lessor of residential property, for a term not specified by the parties, in which the tenant has occupied the property for 10 months or more, from terminating the lease without just cause, stated in the written notice to terminate.		
<u>AB 1706</u> <u>Quirk</u>	Amended 3/26/2019	Assembly 2 year	Housing development: incentives. Would, until January 1, 2035, provide specified financial incentives that ensure financial feasibility to a development proponent of a residential housing development in the 9-county San Francisco Bay area region that dedicates at least 20% of the development's housing units to households making no more than 150% of the area median income. The incentives provided to those developments include an exemption from the California Environmental Quality Act, a density bonus of 35%, a waiver of local parking requirements, and a waiver of physical building requirements imposed on development by the local agency, such as green building standards.		
<u>AB 1717</u> <u>Friedman</u>	Amended 4/10/2019	Assembly 2 year	Transit-Oriented Affordable Housing Funding Program Act. Would establish the Transit-Oriented Affordable Housing Funding Program, to be administered by the California Housing Finance Agency (CalHFA). The bill would authorize the city council of a city, or the board of supervisors of a city and county, to participate in the program by enactment of an ordinance establishing a transit-oriented affordable housing district, as provided.		

AB 1763 Chiu	Chaptered 10/9/2019	Assembly Chaptered	Planning and zoning: density bonuses: affordable housing. Would require a density bonus to be provided to a developer who agrees to construct a housing development in which 100% of the total units, exclusive of managers' units, are for lower income households, as defined. However, the bill would provide that a housing development that qualifies for a density bonus under its provisions may include up to 20% of the total units for moderate-income households, as defined. The bill would also require that a housing development that meets these criteria receive 4 incentives or concessions under the Density Bonus Law and, if the development is located within ½ of a major transit stop, a height increase of up to 3 additional stories or 33 feet.		
AB 1782 Chau	Amended 5/24/2019	Senate 2 year	Automated license plate recognition information: usage and privacy policy. Current law authorizes the Department of the California Highway Patrol to share automatied license plate data with law enforcement agencies for specified purposes and requires both an ALPR operator and an ALPR end-user, as those terms are defined, to implement a usage and privacy policy regarding that ALPR information, as specified. Current law requires that the usage and privacy policy implemented by an ALPR operator and an ALPR end-user include the length of time ALPR information will be retained, and the process the ALPR operator and ALPR end-user will utilize to determine if and when to destroy retained ALPR information. This bill would delete the requirement that the usage and privacy policy implemented by an ALPR operator and an ALPR end-user include the retention and destruction information described above, and would instead require those usage and privacy policies to include a procedure to ensure the destruction of all nonanonymized ALPR information no more than 60 days from the date of collection, except as provided.		
ACA 1 Aguiar-Curry	Amended 3/18/2019	Assembly Third Reading	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.	Support	Support

<u>SB 4</u> <u>McGuire</u>	Amended 4/10/2019	Senate 2 year	Housing. Would authorize a development proponent of a neighborhood multifamily project or eligible transit-oriented development (TOD) project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood multifamily project" to mean a project to construct a multifamily unit of up to 2 residential dwelling units in a nonurban community, as defined, or up to 4 residential dwelling units in an urban community, as defined, that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019.		
<u>SB 5</u> <u>Beall</u>	Enrollment 9/18/2019	Senate Enrolled	Affordable Housing and Community Development Investment Program. Would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria. The bill would also authorize certain local agencies to establish an affordable housing and community development investment agency and authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program.	Support	Support
<u>SB 6</u> <u>Beall</u>	Chaptered 10/9/2019	Senate Chaptered	Residential development: available land. Would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. The bill would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website.	Support	Support
<u>SB 13</u> <u>Wieckowski</u>	Chaptered 10/9/2019	Senate Chaptered	Accessory dwelling units. Would authorize the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The bill would also revise the requirements for an accessory dwelling unit by providing that the accessory dwelling unit may be attached to, or located within, an attached garage, storage area, or other structure, and that it does not exceed a specified amount of total floor area. This bill contains other related provisions and other existing laws.	Support if Amended	Support if Amended

SB 18 Skinner	Chaptered 7/30/2019	Senate Chaptered	Keep Californians Housed Act. Current law requires a tenant or subtenant in possession of a rental housing unit under a month-to-month lease at the time that property is sold in foreclosure to be provided 90 days' written notice to quit before the tenant or subtenant may be removed from the property. Current law also provides tenants or subtenants holding possession of a rental housing unit under a fixed-term residential lease entered into before transfer of title at the foreclosure sale the right to possession until the end of the lease term, except in specified circumstances. Current law repeals these provisions as of December 31, 2019. This bill would delete the above-described repeal date, thereby extending the operation of these provisions indefinitely.		
SB 50 Wiener	Amended 6/4/2019	Senate 2 year	Planning and zoning: housing development: streamlined approval: incentives. Would authorize a development proponent of a neighborhood multifamily project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood multifamily project" to mean a project to construct a multifamily structure on vacant land, or to convert an existing structure that does not require substantial exterior alteration into a multifamily structure, consisting of up to 4 residential dwelling units and that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019.		
SB 59 Allen	Amended 7/3/2019	Assembly 2 year	California Transportation Commission: advisory committee: autonomous vehicle technology. Current law creates the California Transportation Commission with various powers and duties, including the duty to advise and assist the Secretary of Transportation and the Legislature in formulating and evaluating state policies and plans for transportation programs in the state. This bill would require the chair of the commission to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that California continues to be the world leader in autonomous, driverless, and connected vehicle technology.		

SB 127 Wiener	Enrollment 9/18/2019	Senate Enrolled	<p>Transportation funding: active transportation: complete streets. Current law requires the Department of Transportation, in consultation with the California Transportation Commission, to prepare an asset management plan to guide selection of projects for the State Highway Operation and Protection Program consistent with any applicable state and federal requirements. Current law requires the commission, in connection with the asset management plan, to adopt targets and performance measures reflecting state transportation goals and objectives. This bill would require the asset management plan to prescribe a process for community input and complete streets implementation to prioritize the implementation of safe and connected facilities for pedestrians, bicyclists, and transit users on all State Highway Operation and Protection Program projects, as specified.</p>		
SB 128 Beall	Chaptered 10/3/2019	Senate Chaptered	<p>Public contracts: Best Value Construction Contracting for Counties Pilot Program. Current law establishes a pilot program to allow the Counties of Alameda, Los Angeles, Riverside, San Bernardino, San Diego, San Mateo, Solano, and Yuba to select a bidder on the basis of best value, as defined, for construction projects in excess of \$1,000,000. Current law also authorizes these counties to use a best value construction contracting method to award individual annual contracts, not to exceed \$3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Existing law establishes procedures and criteria for the selection of a best value contractor and requires that bidders verify specified information under oath. Current law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before January 1, 2020. Existing law repeals the pilot program provisions on January 1, 2020. This bill would authorize the County of Santa Clara and the County of Monterey to utilize this pilot program and would extend the operation of those provisions until January 1, 2025.</p>		

SB 137 Dodd	Chaptered 10/8/2019	Senate Chaptered	Federal transportation funds: state exchange programs. Current law requires that all moneys in the State Highway Account in the State Transportation Fund derived from federal sources or from appropriations to other state agencies, or deposited in the account by local agencies or by others, to be continuously appropriated to, and available for expenditure by, the Department of Transportation for the purposes for which the money was made available, including, among other purposes, transportation improvements. This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for nonfederal State Highway Account funds appropriated to the department on a dollar-for-dollar basis for federal local assistance funds received by a city, county, or city and county, as specified. The bill would require, among other things, the total amount of federal funds exchanged to not exceed \$100,000,000 during each federal fiscal year.	Support	Support
SB 146 Beall	Introduced 1/18/2019	Assembly 2 year	Peninsula Rail Transit District. Current law, operative under certain conditions, redesignates the Peninsula Corridor Study Joint Powers Board as the Peninsula Rail Transit District, comprised of 9 members appointed from various governing bodies situated in the City and County of San Francisco and the Counties of San Mateo and Santa Clara, with specified powers. This bill would repeal the provisions relating to the Peninsula Rail Transit District.		
SB 152 Beall	Amended 4/25/2019	Senate 2 year	Active Transportation Program. Current law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires specified funds for the program to be appropriated to the department in the annual Budget Act and allocated to eligible projects by the California Transportation Commission. This bill would require that 60% of available funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than 200,000, with the available funds distributed to each MPO based on its relative share of the population, 15% to fund projects in small urban and rural regions, and 25% to projects competitively awarded by the commission on a statewide basis.	Support (Sponsor)	Support

SB 182 Jackson	Amended 9/6/2019	Assembly 2 year	Local government: planning and zoning: wildfires. Current law requires the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element. Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after January 1, 2020, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.		
SB 235 Dodd	Enrollment 9/20/2019	Senate Enrolled	Planning and zoning: housing production report: regional housing need allocation. Would authorize the County of Napa and the City of Napa to reach a mutually acceptable agreement to allow one of those jurisdictions to report on its annual production report to the department those completed entitlements, building permits, and certificates of occupancy issued by the other jurisdiction for the development of housing if certain conditions are met. The bill would require the Board of Supervisors of the County of Napa and the City Council of the City of Napa to each hold a public hearing to solicit public comment on the proposed agreement and to make specified written findings based on substantial evidence before approving the agreement. The bill would make conforming changes with respect to the production report required to be submitted to the department.		
SB 254 Hertzberg	Amended 4/1/2019	Senate Appropriations Suspense File	California Earthquake Authority. Current law authorizes the California Earthquake Authority, with the Treasurer as its agent, to issue and sell investment grade revenue bonds or issue or secure other debt financing, or both, in amounts up to \$1,000,000,000 plus specified costs, if claims and claim expenses paid following an earthquake event exhaust 4 specified sources of capital, including the CEA's available capital and all insurer capital contributions and assessments. This bill would, instead, limit the amount of the investment grade revenue bonds or other debt financing to an amount up to \$1,000,000,000 outstanding at any time, excluding those specified costs.		Support and Seek Amendments

SB 277 Beall	Enrollment 9/18/2019	Senate Enrolled	<p>Road Maintenance and Rehabilitation Program: Local Partnership Program. Current law continuously appropriates \$200,000,000 annually from the Road Maintenance and Rehabilitation Account for allocation by the commission for a program commonly known as the Local Partnership Program to local or regional transportation agencies that have sought and received voter approval of taxes or that have imposed certain fees, which taxes or fees are dedicated solely for road maintenance and rehabilitation and other transportation improvement projects. Current law requires the commission, in cooperation with the Department of Transportation, transportation planning agencies, county transportation commissions, and other local agencies, to develop guidelines for the allocation of those moneys. This bill would require the commission to annually deposit 85% of these funds into the Local Partnership Formula Subaccount, which the bill would create, and 15% of these funds into the Small Counties and Uniform Developer Fees Competitive Subaccount, which the bill would create.</p>	Support	
SB 278 Beall	Amended 3/28/2019	Senate 2 year	<p>Metropolitan Transportation Commission. The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a local area planning agency to provide comprehensive regional transportation planning for the region comprised of the 9 San Francisco Bay area counties. The act requires the commission to continue to actively, on behalf of the entire region, seek to assist in the development of adequate funding sources to develop, construct, and support transportation projects that it determines are essential. This bill would also require the commission to determine that those transportation projects are a priority for the region.</p>		

SB 293 Skinner	Enrollment 9/6/2019	Senate Enrolled	Infrastructure financing districts: formation: issuance of bonds: City of Oakland. Would establish alternative procedures for the formation of an infrastructure financing district by the City of Oakland under these provisions. The bill would require the City Council of the City of Oakland to initiate proceedings for the formation of the district by adoption of a resolution of intention to establish the district that, among other things, directs the preparation of an infrastructure financing plan. The bill would require the infrastructure financing plan to include a provision for the division of taxes, but would prohibit the division of taxes with respect to nonconsenting affected taxing agencies and specified local educational agencies. The bill would require a district board, composed of specified members, to hold 3 noticed public hearings on the infrastructure financing plan and to conduct a protest proceeding, as provided. The bill would authorize the establishment of the district if fewer than 25% of the combined number of landowners and residents in the area file a protest to the infrastructure financing plan, or if between 25% and 50% of those landowners file such a protest and the infrastructure financing plan is submitted to the voters and approved. This bill contains other related provisions.		
SB 330 Skinner	Chaptered 10/9/2019	Senate Chaptered	Housing Crisis Act of 2019. The The Housing Accountability Act requires a local agency that proposes to disapprove a housing development project that complies with applicable, objective general plan and zoning standards and criteria that were in effect at the time the application was deemed to be complete, or to approve it on the condition that it be developed at a lower density, to base its decision upon written findings supported by substantial evidence on the record that specified conditions exist, and places the burden of proof on the local agency to that effect. The act requires a court to impose a fine on a local agency under certain circumstances and requires that the fine be at least \$10,000 per housing unit in the housing development project on the date the application was deemed complete. This bill would, until January 1, 2025, specify that an application is deemed complete for these purposes if a preliminary application was submitted, as specified.	Support	
SB 336 Dodd	Amended 4/29/2019	Assembly 2 year	Transportation: fully-automated transit vehicles. Would require a transit operator, as defined, until January 1, 2025, to ensure each of its fully-automated transit vehicles, as defined, is staffed by at least one of its employees, who has had specified training, while the vehicle is in service. The bill would require a transit operator that deploys a fully-automated transit vehicle to report the results of that deployment to the Legislature on or before March 31, 2025.		

SB 358 Committee on Transportation	Chaptered 10/8/2019	Senate Chaptered	Transportation. Before receiving an apportionment of funds under the Road Maintenance and Rehabilitation Program from the Controller in a fiscal year, current law requires a city or county to submit to the California Transportation Commission a list of projects proposed to be funded with these funds. In order to receive an allocation or apportionment of these funds, existing law requires the city or county to annually expend a certain minimum amount from its general fund for street, road, and highway purposes. Current law authorizes the Controller to perform audits to ensure compliance with this expenditure requirement and requires a city or county that has not complied with this expenditure requirement to reimburse the state the funds it received during the fiscal year it was not in compliance. This bill would require, for an eligible city or county that has not met its minimum expenditure requirement, as described above, the Controller to withhold from its apportionment for a fiscal year following an audit an amount up to the amount of funds that the city or county received during the fiscal year that was audited.		
SB 397 Glazer	Chaptered 10/9/2019	Senate Chaptered	Public transit operators: passengers with pets: evacuation orders. Would require the Office of Emergency Services and the Department of Food and Agriculture, in consultation with public transit operators and county emergency management officials, to develop best practices for allowing pets on public transit vehicles serving areas subject to an evacuation order. If an evacuation order is issued that covers all or a portion of a public transit operator's service area, the bill would require the operator to authorize passengers to board public transit vehicles with their pets in the area covered by the evacuation order, consistent with those best practices. By creating new duties for public transit operators, the bill would impose a state-mandated local program.		
SB 526 Allen	Amended 4/30/2019	Senate 2 year	Regional transportation plans: greenhouse gas emissions: State Mobility Action Plan for Healthy Communities. Would require the State Air Resources Board to adopt a regulation that requires a metropolitan planning organization to provide any data that the state board determines is necessary to fulfill the requirements of the above-described report and to determine if the metropolitan planning organization is on track to meet its 2035 greenhouse gas emission reduction target. After completing each report, the bill would require the state board to determine if each metropolitan planning organization is on track to meet its 2035 target.		

SB 529 Durazo	Amended 5/17/2019	Senate 2 year	Tenant associations: eviction for cause. Current law prohibits a lessor from retaliating against a lessee because the lessee has lawfully organized or participated in a lessees' association or an organization advocating lessees' rights, or has lawfully and peaceably exercised any rights under the law, by increasing rent, decreasing services, causing a lessee to quit involuntarily, bringing an action to recover possession, or from threatening to do any of those acts. A lessor who violates this latter provision is liable to the lessee for actual damages and, under certain circumstances, punitive damages. This bill would declare that tenants have the right to form, join, and participate in the activities of a tenant association, subject to any restrictions as may be imposed by law, or to refuse to join or participate in the activities of a tenant association.		
SB 592 Wiener	Amended 9/9/2019	Assembly Rules	Housing development: Housing Accountability Act: permit streamlining. The Housing Accountability Act (the HAA), among other things, requires a local agency that proposes to disapprove or impose specified conditions on a housing development project that complies with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete, within the meaning of the Permit Streamlining Act, to make specified written findings based on a preponderance of the evidence in the record. This bill would additionally require a local agency to make those findings if it proposes to disapprove or impose specified conditions on a housing development project that is determined to be complete, as provided, and would make other related conforming changes.		
SB 621 Glazer	Amended 6/17/2019	Assembly 2 year	California Environmental Quality Act: expedited judicial review: affordable housing projects: reports. Would require the Judicial Council, by July 1, 2020, to adopt a rule of court applicable to an action or proceeding brought to attack, review, set aside, void, or annul the certification of an environmental impact report for an affordable housing project, as defined, or the granting of an approval of an affordable housing project that requires the action or proceeding, including any potential appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceeding with the court. The bill would provide that these provisions do not apply to an affordable housing project if it is in certain locations.		

SB 664 Allen	Amended 9/10/2019	Assembly 2 year	Electronic toll and transit fare collection systems. Current law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with specified objectives, including that a vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Current law authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility. This bill would expand the above-described objective so that a user of a toll facility shall also not be required to purchase or install more than one device to use on all toll facilities.	Support	
SB 672 Hill	Amended 4/25/2019	Assembly 2 year	Planning and zoning: regional housing need allocation: City of Brisbane. Would, for the 5th and 6th cycle of the housing element planning period for the City of Brisbane, prohibit the Association of Bay Area Governments from allocating to the City of Brisbane a share of the regional housing need that exceeds the share allocated to the city for the current planning period if specified conditions apply. Among these conditions, the bill would require that the City of Brisbane has taken action during the current planning period to zone or rezone sites sufficient to accommodate 615% or more of its regional housing need allocation for the current planning period.		
SB 742 Allen	Chaptered 10/8/2019	Senate Chaptered	Intercity passenger rail services: motor carrier transportation of passengers. Would authorize the Department of Transportation to provide funding to certain joint powers authorities responsible for the administration of intercity passenger rail services for the purpose of entering into a contract with Amtrak or a public or private motor carrier of passengers for the intercity transportation of passengers by motor carrier over regular routes connecting to intercity rail service, as specified. The bill would authorize motor carrier connections funded pursuant to these provisions to transport passengers who are not connecting to a passenger rail service. The bill would require a joint powers authority that contracts for service pursuant to this authorization, in consultation with the department, to submit a report to the Legislature on or before January 1, 2023, relating to that service.		

SB 744 Caballero	Chaptered 9/26/2019	Senate Chaptered	<p>Planning and zoning: California Environmental Quality Act: permanent supportive housing. CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Current law authorizes the court, upon the motion of a party, to award attorney's fees to a prevailing party in an action that has resulted in the enforcement of an important right affecting the public interest if 3 conditions are met. This bill would specify that a decision of a public agency to seek funding from, or the department's awarding of funds pursuant to, the No Place Like Home Program is not a project for purposes of CEQA.</p>		
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Federal Bills

United States House of Representatives					
Bill Number (Author)	Topic	Current Version	Status	Summary	Position
H. R. 109 (Ocasio-Cortez)	Green New Deal	2/12/19	House Energy & Commerce; Science, Space & Technology; Education & Labor; Transportation & Infrastructure; Agriculture; Natural Resources; Foreign Affairs; Financial Services; Judiciary; Ways & Means; and Oversight & Reform Committees	Recognizes the duty of the Federal Government to create a Green New Deal.	
H.R. 149 (Green)	Housing Fairness Act	1/3/19	House Financial Services Committee	Authorizes funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes.	
H.R. 180 (Hastings)	Build America Act	1/3/19	House Transportation & Infrastructure Committee; House Ways & Means Committee	Directs the Department of Transportation (DOT) to carry out a national infrastructure investment grant program for capital investments in surface transportation infrastructure. Projects eligible for funding under the program include, at a minimum, highway and bridge projects, public transportation projects, passenger and freight rail transportation projects, and port infrastructure investments.	
H.R. 228 (Velazquez)	Increase Transportation Alternatives Investment Act	1/3/19	House Transportation & Infrastructure Committee	Authorizes programs and activities to support transportation options in areas that are undergoing extensive repair or reconstruction of transportation infrastructure, including highways, federally owned roads open for public travel, passenger rail facilities, and public transportation facilities.	

<u>H.R. 330</u> (Lieu)	Climate Solutions Act	1/8/19	House Energy & Commerce Committee; House Foreign Affairs Committee	Contains findings related to the risks of climate change and declares the sense of Congress that the U.S. should honor its commitments to the Paris Climate Agreement. Requires the U.S. Energy Secretary to promulgate regulations that require an annual increase in the share of electric energy generated by renewable sources with 100% established by 2035 and thereafter. Establishes a national energy efficiency standard. Sets national greenhouse gas reduction targets for 2035 and 2050.	
<u>H.R. 731</u> (Malinowski)	Transportation Funding Fairness Act	2/7/19	House Transportation & Infrastructure Committee	Eliminates FTA's discretionary authority to declare TIFIA and RRIF loans as the federal share of an infrastructure project, to allow states to attribute federal transportation loans towards their share of jointly funded large-scale infrastructure projects.	
<u>H.R. 763</u> (Deutch)	Energy Innovation and Carbon Dividend Act	1/24/19	House Energy & Commerce Committee; House Foreign Affairs Committee; House Ways and Means Committee	Creates a Carbon Dividend Trust Fund to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations. Institutes a federal carbon fee of \$15/ton in 2019 (growing by \$10/year thereafter) of greenhouse gas content on the use, sale or transfer of fuel related to refineries and importers of any petroleum product; coal mining; natural gas.	
<u>H.R.876</u> (DeFazio)	Pacific Northwest Earthquake Preparedness Act	2/7/19	Senate Committee on Homeland Security and Governmental Affairs	Requires the Federal Emergency Management Agency (FEMA) to develop a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone. The term "Cascadia Subduction Zone" means the landward-dipping fault that is approximately 684 miles long, separates the Juan De Fuca and North America plates, and stretches along a portion of the western coast of the United States beginning off Cape Mendocino, California, along the states of Oregon and Washington, to Northern Vancouver Island, British Columbia, Canada.	

<u>H.R. 879</u> (Brownely)	Support Local Transportation Act	2/7/19	House Transportation & Infrastructure Committee	Increase the percentage of surface transportation block grant program funds to be allocated to certain urbanized areas from 55 percent to 65 percent by 2020	
<u>H.R. 880</u> (Brownley)	Surface Transportation Investment Act of 2019	2/7/19	House Transportation & Infrastructure and Ways & Means Committees	Amends the Internal Revenue Code of 1986 to repeal loopholes for major integrated oil companies and directs savings to the surface transportation block grant program.	
<u>H.R. 927</u> (Torres)	Sustainable Communities Act of 2019	2/7/19	House Financial Services and Transportation & Infrastructure Committees	Authorizes the Secretary of Housing and Urban Development, in conjunction with the Secretary of Transportation, to carry out a Sustainable Communities Initiative, and for other purposes.	
<u>H.R. 1139</u> (Napolitano)	Transit Worker and Pedestrian Protection Act	2/12/19	House Transportation & Infrastructure Committee	Amends title 49, United States Code, to require the development of public transportation operations safety risk reduction programs, and for other purposes.	
<u>H.R. 1517</u> (DeSaulnier)	Connecting Opportunities through Mobility Metrics and Unlocking Transportation Efficiencies Act	3/5/19	House Transportation & Infrastructure Committee	Requires the Secretary of Transportation to carry out a pilot program to develop and provide to States and transportation planning organizations accessibility data sets.	
<u>H.R. 1545</u> (Walker)	Lessening Impediments From Taxes for Charities Act	3/5/19	House Ways & Means Committee	Amends the Internal Revenue Code to repeal the provision of the 2017 tax bill that newly taxed tax-exempt entities on the cost of providing certain fringe benefits to employees, including transit and parking benefits.	
<u>H.R. 2164</u> (Brownley)	Green Bus Act of 2019	4/10/19	House Transportation & Infrastructure Committee	Increases federal funding for zero-emission buses and beginning in 2029 requires that any bus purchased for use in public transportation with funds provided by the Federal Transit Administration to be a zero-emission bus.	

H.R. 2864 (Blumenauer)	Rebuild America Act of 2019	5/21/19	House Ways & Means Committee	Increases the federal gas tax by 5 cents per gallon, indexed to inflation. Includes intent language that Congress should, by 2029, repeal and replace the gas tax with a more sustainable funding source.	
H.R. 3388 (DeSaulnier)	Moving and Fostering Innovation to Revolutionize Smarter Transportation Act	6/20/19	House Transportation & Infrastructure Committee	Establishes a Strengthening Mobility and Revolutionizing Transportation (SMART) Challenge Grant Program to promote technological innovation in our Nation's communities.	
H.R. 4217 (Katko)	State and Local Cybersecurity Improvement Act	8/30/19	House Homeland Security Committee	Amends the Homeland Security Act of 2002 to develop tools to help State and local governments establish or improve cybersecurity, among other purposes.	
H.R. 4307 (Peters)	Build More Housing Near Transit Act	9/12/19	House Transportation & Infrastructure Committee	Amends Capital Investment Grant requirements to include a consideration of a "commitment of local land use policies to accommodate affordable and market-rate housing development associated with the project."	

United States Senate					
Bill Number (Author)	Topic	Current Version	Status	Summary	Position
S. 146 (Hoeven)	Move America Act of 2019	1/16/19	Senate Finance Committee	Amends the Internal Revenue Code of 1986 to provide for Move America bonds and Move America credits.	
S. 615 (Portman)	State Transportation Flexibility Act	2/28/19	Senate Environment & Public Works Committee	Devolves the federal highway transportation program down to the states.	
S. 654 (Baldwin)	Connecting Opportunities through Mobility Metrics and Unlocking Transportation	3/5/19	Senate Commerce, Science and Transportation Committee	Requires the Secretary of Transportation to carry out a pilot program to develop and provide to States and transportation planning organizations accessibility data sets.	

	Efficiencies Act				
S. 674 (Carper)	Clean Corridors Act of 2019	3/6/19	Senate Environment & Public Works Committee	Establishes a grant program for the installation of electric vehicle charging infrastructure and hydrogen fueling infrastructure along the National Highway System.	
S. 787 (Warren)	American Housing and Economic Mobility Act of 2019	3/13/19	Senate Finance Committee	Authorizes a number of new federal programs and amends existing programs to make housing more affordable. Includes increasing investments in the National Housing Trust Fund and Capital Magnet Fund, expanding the Community Reinvestment Act and creates a \$10 billion incentive program for local governments to eliminate certain land use restrictions. Funds new programs through increasing the federal estate tax.	
S. Res. 59 (Markey)	Green New Deal	2/7/19	Senate Environment & Public Works Committee	Recognizes the duty of the Federal Government to create a Green New Deal.	
S. 1098 (Cardin)	Transportation Alternatives Enhancement Act	4/9/19	Senate Environment & Public Works Committee	Increases suballocation of the federal funding for bicycle and pedestrian infrastructure (the “STP set-aside”) to 66 percent from 50 percent.	
S. 1909 (Gillibrand)	Resilient Highways Act of 2019	6/19/19	Senate Environment & Public Works Committee	Amends the Title 23 to expand the types of resiliency activities eligible to be funded under certain federal highway programs.	
S. 2302 (Barrasso)	America’s Transportation Infrastructure Act of 2019	7/29/19	Senate Environment & Public Works Committee	Reauthorizes federal highway programs and provides \$287 billion over five years for the authorized programs.	

California State Legislative Calendar 2019*

January 1 Statutes take effect 7 Legislature reconvenes 10 Budget must be submitted by Governor (Art. IV, Sec. 12(a)) 21 Martin Luther King, Jr. Day 25 Last day to submit bill requests to the Office of Legislative Counsel	June 3 Committee meetings may resume 15 Budget Bill must be passed by midnight
February 18 Presidents' Day 22 Last day for bills to be introduced	July 4 Independence Day 10 Last day for policy committees to hear and report fiscal bills to fiscal committees 12 Last day for policy committees to hear and report bills. Summer Recess begins upon adjournment of session, provided Budget Bill has been passed
March 29 Cesar Chavez Day	August 12 Legislature reconvenes from Summer Recess 30 Last day for fiscal committees to meet and report bills to the floor
April 11 Spring Recess begins upon adjournment 22 Legislature reconvenes from Spring recess 26 Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house	September 2 Labor Day 3-13 Floor session only. No committee may meet for any purpose, except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees 6 Last day to amend on floor 13 Last day for any bill to be passed. Interim Recess begins upon adjournment
May 3 Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house 10 Last day for policy committees meet prior to June 3 17 Last day for fiscal committees to hear and report to the floor bills introduced in their house. Last day for fiscal committee to meet prior to June 3 27 Memorial Day 28 – 6/1 No committee may meet for any purpose except for Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees	October 13 Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 13 and in the Governor's possession after Sept. 13 November 6 General Election. December January 2020 1 Statutes take effect.

Source: Senate & Assembly websites.

*Dates are subject to change.

116th United States Congress, First Session (Tentative) Calendar*

January 1 New Year's Day 3 House and Senate reconvene 4 Senate district work period 21 Martin Luther King, Jr. Day 21-25 House and Senate district work periods	July 1-5 House and Senate district work periods 4 Independence Day 29-31 House district work period
February 4 Deadline for President's budget submission 18 President's Day 18-22 House and Senate district work periods	August 1-31 House district work period 5-31 Senate district work period
March 18-22 House and Senate district work periods	September 2 Labor Day 2-6 House and Senate district work periods 30 House and Senate district work periods
April 15 Congressional concurrent resolution budget deadline 15-26 House and Senate district work periods	October 1-11 House and Senate district work periods 14 Columbus Day
May 27 Memorial Day 27-31 House and Senate district work periods	November 1 Fiscal year 2020 begins 1-8 House district work period 11 Veterans' Day 25-29 House and Senate district work periods 28 Thanksgiving Day
June 30 General deadline for Congressional action on regular appropriations bills and budget reconciliation	December 16-31 House and Senate empty calendar 25 Christmas day

Source: Senate & House of Representatives websites.

*Dates are subject to change.

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

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Legislation Details (With Text)

File #:	19-1045	Version:	1	Name:	
Type:	Report	Status:		Informational	
File created:	9/3/2019	In control:		Legislation Committee	
On agenda:	10/11/2019	Final action:			
Title:	2019 Legislative Scorecard				

Overview of legislative outcomes relative to the joint MTC / ABAG 2019 Advocacy Program.

Sponsors:

Indexes:

Code sections:

Attachments: [3a 2019 Legislative Scorecard.pdf](#)
[3a Handout 2019 Legislative Scorecard Final.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

2019 Legislative Scorecard

Overview of legislative outcomes relative to the joint MTC / ABAG 2019 Advocacy Program.

Presenter:

Rebecca Long

Recommended Action:

Information

Attachments:

Metropolitan Transportation Commission
MTC Legislation Committee

October 11, 2019

Agenda Item 3a

2019 Legislative Scorecard

Subject: Overview of legislative outcomes relative to the joint MTC/ABAG 2019 Advocacy Program.

Overview: At the time of this writing, the Governor's office is facing an October 13 deadline to either sign or veto 532 bills passed by the Legislature in 2019, having already signed 786 bills this year. To date, the Governor has deferred action on any housing bills supported by MTC and has acted on only two of MTC's transportation-related priority bills, both enacted much earlier in the year (See Items 2D and 3 in the attachment).

Our 2019 Legislative Scorecard, which compares our advocacy program with outcomes in Sacramento and Washington D.C. to date, is attached for your reference.

Staff will provide an update with the latest information at your meeting.

Attachments: Attachment A: 2019 Legislative Scorecard


Therese W. McMillan



2019 Legislative Scorecard



STATE		
Issue	Goal	Outcome
1. Housing Crisis	A. Support bills to address the 3Ps	<p>As of this writing, eight housing bills supported by both MTC and ABAG are awaiting action by the Governor. These include AB 1482 (Chiu), the anti-rent gouging bill, and several production-related bills, including those aimed at increasing funding for affordable housing (AB 1487 (Chiu)), streamlining of production of accessory dwelling units (ADUs) and middle-income housing (AB 68 (Ting) and AB 1485 (Wicks)), and increasing availability of public land for affordable housing and awareness of land zoned for residential development (AB 1486 (Ting)).</p> <p>Also awaiting action by the Governor is SB 330 (Skinner), supported by MTC but not ABAG, which for five years provides greater certainty to developers with respect to project approval and fee requirements and prohibits downzoning in high-rent, low-vacancy areas unless there is “no net loss” in development capacity. SB 50 (Wiener), which originally resembled CASA Compact Element 5 focused on upzoning near public transit, was held in the Senate Appropriations Committee. It evolved significantly in the legislative process to incorporate lower development capacity standards for counties with fewer than 600,000 residents, include upzoning in job-rich areas, and authorize four-plexes statewide. Senator Wiener has indicated he intends to resume efforts to advance the bill in 2020 and is working on amendments this fall.</p>

Issue	Goal	Outcome
	B. Support complementary legislative efforts to increase funding for affordable housing and accelerate production	<p>The FY 2019-20 State Budget allocated \$2.4 billion to help support housing production and address homelessness throughout the state. In addition to directly funding affordable housing, housing-supportive infrastructure, and homelessness, the budget provides significant planning and housing-supportive infrastructure resources to local governments and councils of government (COGs). Staff worked to ensure that a portion of those planning funds will be available to support ABAG in fulfilling the near-term planning requirements, including development of a Regional Housing Needs Allocation (RHNA) education and outreach strategy. The primary trailer bill implementing these provisions, AB 101, was signed in August and a clean-up bill authorizing early access to the COG funding (SB 113) awaits approval by the Governor. Related to RHNA, SB 13 (Wieckowski) authorizes a local agency to count accessory dwelling units (ADUs) for the purpose of identifying adequate sites for its housing element, among other ADU provisions and awaits action by the Governor.</p> <p>MTC and ABAG also supported SB 5 (Beall), awaiting action by the Governor, which enables local jurisdictions to use a portion of their own county’s local property taxes (based on their county’s Educational Revenue Augmentation Fund contribution) to invest in affordable housing, infrastructure and sea level rise mitigation. Unfortunately, the other significant ABAG and MTC-supported housing funding bills – AB 11 (Chiu), which would revive a reformed version of redevelopment, and ACA 1 (Aguiar-Curry), which would reduce to 55 percent the voter approval threshold for housing and transportation infrastructure measures – are on hold until January.</p>
2. Transportation Funding	A. Defend and expand state investment in transportation	<p>With SB 1 funds intact due to voter rejection of Proposition 6, staff focused our legislative efforts related to transportation funding on expanding the predictability of statewide resources for the Bay Area. SB 277 (Beall)—which MTC supported and awaits action by the Governor—revises the Local Partnership Program to expand the portion of funds that flow via formula, increasing Bay Area formula funding by approximately \$19 million/year (80 percent). Importantly, we also succeeded at maintaining the existing transportation and housing programs funded by Cap and Trade and securing additional discretionary funding for low carbon transportation incentives, including zero-emission bus incentives.</p>
	B. Transportation Development Act (TDA) Performance Standards Review	<p>Staff participated in a subcommittee convened by the California Transit Association to evaluate the appropriateness of California’s current TDA (Transportation Development Act) fare-box requirements in an era of disruptive on-demand transportation options that are contributing to declining transit ridership nationwide. The subcommittee is continuing to refine a TDA reform recommendation for consideration in the 2020 legislative session.</p>

Issue	Goal	Outcome
Transportation Funding, cont.	C. Active Transportation Program Reform	MTC-sponsored legislation (SB 152 (Beall, 2019)) to streamline the administration of the Active Transportation Program (ATP) and suballocate a larger share of the funds to regional transportation planning agencies did not advance this year. Although a number of Bay Area organizations endorsed the bill, including the Napa County Bicycle Coalition, the City of Oakland, the City-County Association of Governments of San Mateo County, the Napa Valley Transportation Authority, Solano Transportation Authority as well as Southern California partners, the bill encountered strong opposition by staff and members of the California Transportation Commission and a number of advocacy organizations opposed to reducing the state's authority over the program. It was ultimately held in the Senate Appropriations Committee.
	D. Capturing Sales Tax from Internet Sales	AB 147 (Burke)—supported by MTC and ABAG—was enacted early in the 2019 legislative session. The bill conformed state sales and use tax law to the 2018 Supreme Court <i>South Dakota v. Wayfair</i> ruling that certain internet retailers can be required to collect sales taxes, even in states where they have no physical presence. Expanding the state sales tax base holds promise to increase transportation funding from local-option sales taxes and TDA funding across the region, as well as local county and city resources.
	E. Transportation Options Seniors/Persons with Disabilities	The Legislature approved AB 970 (Salas), which awaits action by the Governor, and authorizes a new Transportation for Medical Services grant program for nonemergency medical transportation (NEMT) for seniors and persons with disabilities with the goal of reducing greenhouse gas emissions. Notably, funding for the program is subject to inclusion in a future budget. MTC identified this bill as an opportunity to directly support implementation of MTC's 2018 Coordinated Public Transit Human Services Transportation Plan. Though our amendment requests were not ultimately incorporated into the bill, the final version does reflect our recommendation to avoid creating an entirely new grant program within the California Department of Aging—an agency with no experience administering statewide transportation programs. Instead, the program would be run as a new element of the existing Clean Mobility Options program administered by the California Air Resources Board.
	F. Disadvantaged Communities	Staff engaged in a number of efforts this year related to our ongoing concern that the state's narrow definition of disadvantaged communities (DACs) unduly limits the Bay Area's eligibility to compete for Cap and Trade funds and other funding programs. Unfortunately, AB 352 (Garcia, E.), which would have significantly expanded the number of communities in the Bay Area and throughout the state that could compete for Transformative Climate Communities grants, did not advance through the legislative process. We were pleased that AB 970, described above, provides for both state-defined disadvantaged communities <i>and</i> low-income communities in the authorized grant program.

Issue	Goal	Outcome
3. Project Delivery	Speed up the design and construction of transportation projects	MTC and ABAG this year supported a number of bills to expedite transportation project delivery, including AB 252 (Daly), which indefinitely extends the ability for California to assume responsibility for federal environmental review under the National Environmental Policy Act and was enacted in July. In addition, SB 137 (Dodd), awaiting action by the Governor, will help Bay Area transportation agencies deliver certain local bridge or safety projects faster by newly allowing local agencies in metropolitan areas to swap federal funds for state funds, subject to Caltrans' approval, on projects that are not otherwise subject to the more cumbersome and time-consuming federal requirements.
4. Climate Change & Resilience	A. Accelerate the transition to a low carbon future	See the Cap and Trade funding update in item 2A above. Additionally, AB 784 (Mullin)—which MTC supported and awaits action by the Governor—provides additional funding via a zero-emission bus (ZEB) state sales tax exemption to help transit operators meet the state's ambitious ZEB target. We estimate the bill will save transit operators between \$30,000 to \$50,000 per ZEB bus purchase.
	B. Improve the Bay Area's resilience to various hazards	ABAG supported three bills this year aimed at improving the resiliency of vulnerable buildings in preparation for a major seismic event. AB 252 (Hertzberg) would have provided approximately \$70-\$100 million per year in annual funding for the state's Brace and Bolt residential seismic retrofit program but was held in the Senate Appropriations Committee as a two-year bill. AB 393 (Nazarian) and AB 429 (Nazarian) were more modest earthquake safety bills aimed at strengthening building code standards and developing an inventory of seismically-vulnerable buildings. Unfortunately, neither of these bills made it to the Governor's desk. Another bill aimed at wildfire hazard planning, SB 182 (Jackson), also ultimately failed to make it through the legislative process. On a positive note, the 2019-20 State Budget invests nearly \$1 billion to build resiliency against wildfires, improve emergency preparedness and response and tackle recovery.
	C. SB 375 Update	No legislative activity occurred this year related to amending SB 375 (Steinberg, 2008). However, staff anticipates stakeholder interest in exploring an SB 375 update in the 2020 legislative session, in light of the aggressive new regional greenhouse gas emissions reduction targets set by the California Air Resources Board (CARB) and the recent CARB <i>2018 Progress Report</i> on the bill, which identified state level challenges contributing to the report's conclusion that implementation of the legislation is falling short of expectations with respect to reducing greenhouse gas reductions from changes in land use and travel behavior.

Issue	Goal	Outcome
5. Toll Collection & Enforcement	Technical clean-up to toll statutes related to enforcement and interoperability	<p>Legislation to address this issue made progress this year, but did not reach the Governor’s desk. Specifically, SB 664 (Allen) would clarify current law with respect to handling of personally identifiable information by toll agencies and their subcontractors and more clearly define toll agencies obligations with respect to delivery of toll violation notices. Not surprisingly, given about six class action lawsuits pending statewide, the bill attracted opposition from the Consumer Attorneys of California, whose members include one of the law firms involved in a case against BATA and other toll agencies. Other organizations that opposed the bill include the Western Center on Law & Poverty and the American Civil Liberties Union due to general concerns about toll agency penalties and privacy protections, respectively. Over the fall, staff plans to engage the Bay Area delegation and staff on the importance of tolls to our current and future transportation system and ensure that they are well informed about how we administer toll violations and disputes, as well as our privacy policies with respect to protecting personally identifiable information. We will also resume conversations with Assembly and Senate leadership, committee staff, and members of the relevant committees to help lay the foundation for the bill to reach the finish line next year.</p>
6. HOV Lanes	Improve HOV and Express Lane performance	<p>There were no bills introduced specifically related to this topic in 2019. Staff sought to include provisions expanding the type of technology that could be used for enforcement of occupancy requirements on toll facilities to SB 664 (Allen), referenced above, but encountered opposition to including those changes in that bill since it was focused on clarifying current law.</p>
7. Bus Service	Authorize “bus-on-shoulder”	<p>“Bus-on-shoulder” is a policy that allows buses to use the shoulder of roadways during periods of heavy traffic in order to provide bus riders with a more reliable travel time. No legislation was pursued on this in 2019 and Caltrans has been authorizing bus-on-shoulder projects to proceed on a pilot basis. The California Transit Association may still pursue broad authority for “bus on shoulder” in 2020.</p>
8. Active Transportation	Improve roadway safety for all users	<p>The Legislature approved SB 127 (Wiener), currently awaiting action by the Governor, which requires the State Department of Transportation (Caltrans) to ensure access improvements for bicycles, pedestrians and transit users are considered as part of any State Highway Operation and Protection Program (SHOPP) project on state highways that act as local streets and roads. It also requires that after operation, maintenance and rehabilitation of the state highway system, Caltrans prioritize safety projects that reduce fatalities and injuries on the state highway system, specifically including fatalities and severe injuries of bicyclists, pedestrians and transit users on the state highway system.</p>

9. Shared Mobility	Support policies that enable technological innovations to improve mobility, while protecting the public's interest	The most high-profile shared mobility bill this year—AB 1112 (Friedman), which would have created new rules related to deployment of shared bicycles and scooters—is on hold until next January. AB 1142 (Friedman), which MTC supported, would have required transportation network companies (TNCs) to share anonymized data with regional transportation planning agencies so that we can effectively plan for the impacts on TNCs on our transportation networks. Though AB 1142 did not reach the Governor's desk, staff has pursued regulatory opportunities to engage on the topic, including by becoming a formal party to the California Public Utilities Commission's (CPUC) ongoing TNC regulatory proceedings related to data sharing. MTC also engaged on a related ongoing proceeding aimed at improving TNC accessibility for riders who require wheelchairs.
10. Connected and Autonomous Vehicles	Monitor and engage in legislation and regulations to facilitate deployment of connected vehicles and autonomous vehicles	SB 336 (Dodd), the most significant bill on this topic, is on hold until next January, having been designated a "two-year bill." SB 336 would require, until January 1, 2025, that transit operators ensure that fully automated transit vehicles be staffed by at least one employee while the vehicle is in service. Numerous stakeholders, including the California Transit Administration, raised concerns that the bill could unduly inhibit innovation in an inherently risk-averse industry by predetermining staffing and training requirements. Likewise, TNC's were concerned that the bill would limit their automation efforts. Of note, the California Department of Motor Vehicles has yet to open a proceeding to specifically allow the testing or use of autonomous <i>transit vehicles</i> , including buses and paratransit vehicles, on public streets.

FEDERAL		
Issue	Goal	Outcome
1. FAST Act Reauthorization	Engage in national deliberations prioritizing the funding and policy framework for the next surface transportation act	<p>MTC this year worked directly with Congressional committees, our Bay Area delegation and with our local, state and national partners to advocate for a long-term transportation authorization framework that builds on the progress made in the Fixing America's Surface Transportation (FAST) Act as follows:</p> <ol style="list-style-type: none"> 1) Raise new revenues and sustainably grow existing surface transportation programs; 2) Within the FAST Act framework, grow federal support for transit and regional mobility solutions, update transit programs to reward Bay Area best practices, and expedite project delivery without harming the environment; and 3) Establish the federal government as a strong partner in state and regional efforts to make transportation networks responsive to transformative technologies and the changing climate. <p>We are pleased that the Senate's highway reauthorization proposal—America's Transportation Infrastructure Act of 2019 (ATIA)—which was released this summer as the first step in the FAST Act reauthorization, includes many of the recommendations described above. Importantly, the proposal grows the existing FAST Act programs and, as advocated by MTC, includes a new focus on climate change, explicitly making resiliency activities eligible within core highway programs and creating new programs for improving resiliency and reducing carbon emissions in major metropolitan areas.</p> <p>Despite this initial step, there is still <i>much more</i> work to be done on the FAST Act reauthorization. We anticipate that this item will be front and center in our 2020 federal advocacy program.</p>
2. Infrastructure Initiative	Increase federal transportation and housing investment in metropolitan regions under any new infrastructure funding initiative	Congress did not take up an infrastructure initiative in 2019. As described in the item above, the focus has shifted to the FAST Act reauthorization.

Issue	Goal	Outcome
3. Transportation and Housing Appropriations	A. Defend fiscal year (FY) 2019 and FY 2020 transportation appropriations	In spite of the month-long 2018-2019 government shutdown, Congress ultimately delivered on its promise of providing FY 2019 funding increases to federal highway and transit programs, some of which were funded <i>above</i> FAST Act-authorized levels. Staff worked with our Congressional delegation to maximize Bay Area funding and flexibility in these appropriations. As of the writing of this memo, Congress has not yet approved a FY 2020 transportation funding bill, though both the House and Senate funding proposals would again augment highway and transit programs in a way that would benefit the Bay Area. Staff is continuing to coordinate with our Congressional delegation on this issue.
	B. Advocate for Capital Investment Grant funding for Resolution 3434/ <i>Plan Bay Area 2040</i> Projects	Caltrain in FY 2019 received \$100 million in federal appropriations, consistent with the full funding grant agreements (FFGAs) approved for the Peninsula Corridor Electrification project, as advocated for by MTC. Both House and Senate FY 2020 funding proposals would fully fund the project. Additionally, BART to Silicon Valley: Phase 2 and the Transbay Corridor Core Capacity project—both priorities for the Bay Area’s next generation of transit expansion projects—received funding commitments from the Federal Transit Administration, though both are still awaiting a signed FFGA.
	C. Support robust FY 2019 and FY 2020 housing appropriations	Congress in FY 2019 rejected the President’s proposal to significantly reduce federal support for affordable housing funds and programs, including Section 8 housing vouchers, the HOME Investment Partnership Program and the Community Development Block Grant Program. Both the House and Senate proposals for FY 2020 housing appropriations maintain support for these programs.
4. Connected Vehicles and Autonomous Vehicles (CV/AV)	Monitor and engage in legislation and regulations to facilitate CV/AV deployment	No major legislative or regulatory action occurred in 2019 on this issue. The Administration remained in “information-gathering” mode while Congress focused on drafting legislation related to CV/AV deployment. In partnership with Bay Area, state, and national partners, staff continued to advocate for strong federal vehicle safety standards while also preserving the ability of state and local agencies to maintain authority over the <i>operation</i> of vehicles on highways and local roads, regardless of whether they are driven autonomously or manually.
5. Climate Change and Resiliency	Strengthen federal partnership to support resiliency and climate change preparedness	See Issue 1 (FAST Act Reauthorization) for an update.



STATE		
Issue	Goal	Outcome
1. Housing Crisis	A. Support bills to address the 3Ps	<p>This year, As of this writing, eight housing bills supported by both MTC and ABAG were signed into law are awaiting action by the Governor. These include AB 1482 (Chiu), the anti-rent gouging bill, and several production-related bills, including those aimed at increasing funding for affordable housing (AB 1487 (Chiu)), streamlining of production of accessory dwelling units (ADUs) and middle-income housing (AB 68 (Ting) and AB 1485 (Wicks)), and increasing availability of public land for affordable housing and awareness of land zoned for residential development (AB 1486 (Ting)).</p> <p>Also awaiting action by the Governor Newsom has also signed is SB 330 (Skinner), supported by MTC but not ABAG, which for five years provides greater certainty to developers with respect to project approval and fee requirements and prohibits downzoning in high-rent, low-vacancy areas unless there is “no net loss” in development capacity. SB 50 (Wiener), which originally resembled CASA Compact Element 5 focused on upzoning near public transit, was held in the Senate Appropriations Committee. It evolved significantly in the legislative process to incorporate lower development capacity standards for counties with fewer than 600,000 residents, include upzoning in job-rich areas, and authorize four-plexes statewide. Senator Wiener has indicated he intends to resume efforts to advance the bill in 2020 and is working on amendments this fall.</p>

Issue	Goal	Outcome
	B. Support complementary legislative efforts to increase funding for affordable housing and accelerate production	<p>The FY 2019-20 State Budget allocated \$2.4 billion to help support housing production and address homelessness throughout the state. In addition to directly funding affordable housing, housing-supportive infrastructure, and homelessness, the budget provides significant planning and housing-supportive infrastructure resources to local governments and councils of government (COGs). Staff worked to ensure that a portion of those planning funds will be available to support ABAG in fulfilling the near-term planning requirements, including development of a Regional Housing Needs Allocation (RHNA) education and outreach strategy. The primary trailer bill implementing these provisions, AB 101, was signed in August and a clean-up bill authorizing early access to the COG funding (SB 113) was signed in October awaits approval by the Governor. Related to RHNA, SB 13 (Wieckowski) authorizes a local agency to count accessory dwelling units (ADUs) for the purpose of identifying adequate sites for its housing element, among other ADU provisions and awaits action by the Governor.</p> <p>MTC and ABAG also supported SB 5 (Beall), awaiting action by the Governor, which enables local jurisdictions to use a portion of their own county's local property taxes (based on their county's Educational Revenue Augmentation Fund contribution) to invest in affordable housing, infrastructure and sea level rise mitigation. Unfortunately, the other significant ABAG and MTC-supported housing funding bills – AB 11 (Chiu), which would revive a reformed version of redevelopment, and ACA 1 (Aguiar-Curry), which would reduce to 55 percent the voter approval threshold for housing and transportation infrastructure measures – are on hold until January.</p>
2. Transportation Funding	A. Defend and expand state investment in transportation	With SB 1 funds intact due to voter rejection of Proposition 6, staff focused our legislative efforts related to transportation funding on expanding the predictability of statewide resources for the Bay Area. SB 277 (Beall)—which MTC supported and awaits action by the Governor—revises the Local Partnership Program to expand the portion of funds that flow via formula, increasing Bay Area formula funding by approximately \$19 million/year (80 percent). Importantly, we also succeeded at maintaining the existing transportation and housing programs funded by Cap and Trade and securing additional discretionary funding for low carbon transportation incentives, including zero-emission bus incentives.
	B. Transportation Development Act (TDA) Performance Standards Review	Staff participated in a subcommittee convened by the California Transit Association to evaluate the appropriateness of California's current TDA (Transportation Development Act) fare-box requirements in an era of disruptive on-demand transportation options that are contributing to declining transit ridership nationwide. The subcommittee is continuing to refine a TDA reform recommendation for consideration in the 2020 legislative session.

Issue	Goal	Outcome
Transportation Funding, cont.	C. Active Transportation Program Reform	MTC-sponsored legislation (SB 152 (Beall, 2019)) to streamline the administration of the Active Transportation Program (ATP) and suballocate a larger share of the funds to regional transportation planning agencies did not advance this year. Although a number of Bay Area organizations endorsed the bill, including the Napa County Bicycle Coalition, the City of Oakland, the City-County Association of Governments of San Mateo County, the Napa Valley Transportation Authority, Solano Transportation Authority as well as Southern California partners, the bill encountered strong opposition by staff and members of the California Transportation Commission and a number of advocacy organizations opposed to reducing the state's authority over the program. It was ultimately held in the Senate Appropriations Committee.
	D. Capturing Sales Tax from Internet Sales	AB 147 (Burke)—supported by MTC and ABAG—was enacted early in the 2019 legislative session. The bill conformed state sales and use tax law to the 2018 Supreme Court <i>South Dakota v. Wayfair</i> ruling that certain internet retailers can be required to collect sales taxes, even in states where they have no physical presence. Expanding the state sales tax base holds promise to increase transportation funding from local-option sales taxes and TDA funding across the region, as well as local county and city resources.
	E. Transportation Options Seniors/Persons with Disabilities	The Legislature approved AB 970 (Salas), which awaits action by the Governor, and authorizes a new Transportation for Medical Services grant program for nonemergency medical transportation (NEMT) for seniors and persons with disabilities with the goal of reducing greenhouse gas emissions. Notably, funding for the program is subject to inclusion in a future budget. MTC identified this bill as an opportunity to directly support implementation of MTC's 2018 Coordinated Public Transit Human Services Transportation Plan. Though our amendment requests were not ultimately incorporated into the bill, the final version does reflect our recommendation to avoid creating an entirely new grant program within the California Department of Aging—an agency with no experience administering statewide transportation programs. Instead, the program would be run as a new element of the existing Clean Mobility Options program administered by the California Air Resources Board.
	F. Disadvantaged Communities	Staff engaged in a number of efforts this year related to our ongoing concern that the state's narrow definition of disadvantaged communities (DACs) unduly limits the Bay Area's eligibility to compete for Cap and Trade funds and other funding programs. Unfortunately, AB 352 (Garcia, E.), which would have significantly expanded the number of communities in the Bay Area and throughout the state that could compete for Transformative Climate Communities grants, did not advance through the legislative process. We were pleased that AB 970, described above, provides for both state-defined disadvantaged communities <i>and</i> low-income communities in the authorized grant program.

Issue	Goal	Outcome
3. Project Delivery	Speed up the design and construction of transportation projects	MTC and ABAG this year supported a number of bills to expedite transportation project delivery, including AB 252 (Daly), which indefinitely extends the ability for California to assume responsibility for federal environmental review under the National Environmental Policy Act and was enacted in July. In addition, SB 137 (Dodd), awaiting action by the Governor , will help Bay Area transportation agencies deliver certain local bridge or safety projects faster by newly allowing local agencies in metropolitan areas to swap federal funds for state funds, subject to Caltrans' approval, on projects that are not otherwise subject to the more cumbersome and time-consuming federal requirements.
4. Climate Change & Resilience	A. Accelerate the transition to a low carbon future	See the Cap and Trade funding update in item 2A above. Additionally, AB 784 (Mullin)—which MTC supported and awaits action by the Governor —provides additional funding via a zero-emission bus (ZEB) state sales tax exemption to help transit operators meet the state's ambitious ZEB target. We estimate the bill will save transit operators between \$30,000 to \$50,000 per ZEB bus purchase.
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Issue	Goal	Outcome
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	C. Support robust FY 2019 and FY 2020 housing appropriations	Congress in FY 2019 rejected the President’s proposal to significantly reduce federal support for affordable housing funds and programs, including Section 8 housing vouchers, the HOME Investment Partnership Program and the Community Development Block Grant Program. Both the House and Senate proposals for FY 2020 housing appropriations maintain support for these programs.
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5. Climate Change and Resiliency	Strengthen federal partnership to support resiliency and climate change preparedness	See Issue 1 (FAST Act Reauthorization) for an update.



LEGISLATIVE HISTORY
Status of ABAG and MTC Priority Bills
10/10/2019



Bill Number	Current Text	Status	Summary	MTC Position	ABAG Position
AB 11 Chiu	Amended 4/11/2019	Assembly 2 year	Community Redevelopment Law of 2019. Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined.	Support and Seek Amendments	Support and Seek Amendments
AB 68 Ting	Chaptered 10/9/2019	Assembly Chaptered	Land use: accessory dwelling units. The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and requires such an ordinance to impose standards on accessory dwelling units, including, among others, lot coverage. Current law also requires such an ordinance to require that the accessory dwelling units to be either attached to, or located within, the living area of the proposed or existing primary dwelling, or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling. This bill would delete the provision authorizing the imposition of standards on lot coverage and would prohibit an ordinance from imposing requirements on minimum lot size.	Support	Support
AB 69 Ting	Amended 6/20/2019	Senate 2 year	Land use: accessory dwelling units. Current law requires the Department of Housing and Community Development to propose building standards to the California Building Standards Commission, and to adopt, amend, or repeal rules and regulations governing, among other things, apartment houses and dwellings, as specified. This bill would require the department to propose small home building standards governing accessory dwelling units smaller than 800 square feet, junior accessory dwelling units, and detached dwelling units smaller than 800 square feet, as specified, and to submit the small home building standards to the California Building Standards Commission for adoption on or before January 1, 2021.	Support	Support

AB 147 Burke	Chaptered 4/25/2019	Assembly Chaptered	Use taxes: collection: retailer engaged in business in this state: marketplace facilitators. Would specify that, on and after April 1, 2019, a retailer engaged in business in this state includes any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property for delivery in this state by the retailer and all persons related to the retailer that exceed \$500,000. The bill would allow the California Department of Tax and Fee Administration to grant relief to certain retailers engaged in business in this state for specified interest or penalties imposed on use tax liabilities due and payable for tax reporting periods beginning April 1, 2019 and ending December 31, 2022.	Support	Support
AB 252 Daly	Chaptered 7/31/2019	Assembly Chaptered	Department of Transportation: environmental review process: federal program. Current federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery program, under which the participating states may assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Current law, until January 1, 2020, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the program. This bill would extend the operation of these provisions indefinitely.	Support	Support
AB 393 Nazarian	Amended 5/29/2019	Senate 2 year	Building codes: earthquake safety: functional recovery standard. Would require the California Building Standards Commission, by June 30, 2020, to assemble a functional recovery working group comprised of certain state entities and members of the construction and insurance industries, as specified. The bill would require the working group, by June 30, 2021, to consider whether a "functional recovery" standard is warranted for all or some building occupancy classifications, using specified criteria, and to investigate the practical means of implementing that standard, as specified. The bill would require the working group to advise the appropriate state agencies to propose the building standards, as specified.		Support

AB 429 Nazarian	Amended 8/30/2019	Senate 2 year	Seismically vulnerable buildings: inventory. Current law establishes a program within all cities and all counties and portions thereof located within seismic zone 4, as defined, to identify all potentially hazardous buildings and to establish a mitigation program for these buildings. The mitigation program may include, among other things, the adoption by ordinance of a hazardous buildings program, measures to strengthen buildings, and the application of structural standards necessary to provide for life safety above current code requirements. Current law requires the Alfred E. Alquist Seismic Safety Commission to report annually to the Legislature on the filing of mitigation programs relating to building construction standards from local jurisdictions. This bill would require the commission, by specified deadlines, to identify funding and develop a bidding process for hiring a third-party contractor to create an inventory of potentially vulnerable buildings, as defined.		Support
AB 784 Mullin	Chaptered 10/9/2019	Assembly Chaptered	Sales and use taxes: exemption: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses. Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes. This bill would, until January 1, 2024, provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, specified zero-emission technology transit buses sold to specified public agencies. The bill would provide that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund.	Support	
AB 970 Salas	Enrollment 9/11/2019	Assembly Enrolled	California Department of Aging: grants: transportation. Current law establishes certain wellness, injury prevention, and other programs within the California Department Of Aging to serve both older individuals and persons with a disability, as defined. This bill would make grant awards available under the State Air Resources Board's Clean Mobility Options program for disadvantaged communities and low-income communities to eligible applicants, including, but not limited to, area agencies on aging and public transit operators. The grant awards would be used to fund transportation to and from nonemergency medical services for older individuals and persons with a disabilities, for the purpose of reducing greenhouse gas emissions.	Support if Amended	

<u>AB 1142</u> <u>Friedman</u>	Amended 8/12/2019	Senate 2 year	Regional transportation plans: transportation network companies. Current law requires a regional transportation plan to include a policy element, an action element, a financial element, and, if the transportation planning agency is also a metropolitan planning organization, a sustainable communities strategy. Under current law, the policy element describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, as well as pragmatic objective and policy statements. Current law authorizes the policy element of transportation planning agencies with populations that exceed 200,000 persons to quantify a set of specified indicators. This bill would authorize the inclusion of an additional indicator regarding measures of policies to increase use of existing transit.	Support	
<u>AB 1481</u> <u>Grayson</u>	Amended 5/20/2019	Assembly 2 year	Tenancy termination: just cause. Would, with certain exceptions, prohibit a lessor of residential property from terminating the lease without just cause, as defined, stated in the written notice to terminate.	Support	Support
<u>AB 1482</u> <u>Chiu</u>	Chaptered 10/8/2019	Assembly Chaptered	Tenant Protection Act of 2019: tenancy: rent caps. Would, with certain exceptions, prohibit an owner, as defined, of residential real property from terminating a tenancy without just cause, as defined, which the bill would require to be stated in the written notice to terminate tenancy when the tenant has continuously and lawfully occupied the residential real property for 12 months, except as provided. The bill would require, for certain just cause terminations that are curable, that the owner give a notice of violation and an opportunity to cure the violation prior to issuing the notice of termination. The bill, if the violation is not cured within the time period set forth in the notice, would authorize a 3-day notice to quit without an opportunity to cure to be served to terminate the tenancy. The bill would require, for no-fault just cause terminations, as specified, that the owner, at the owner's option, either assist certain tenants to relocate, regardless of the tenant's income, by providing a direct payment of one month's rent to the tenant, as specified, or waive in writing the payment of rent for the final month of the tenancy, prior to the rent becoming due.	Support	Support

<u>AB 1483</u> <u>Grayson</u>	Chaptered 10/9/2019	Assembly Chaptered	Housing data: collection and reporting. Would require a city, county, or special district to maintain on its internet website, as applicable, a current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special district, applicable to a proposed housing development project, all zoning ordinances and development standards, and annual fee reports or annual financial reports, as specified. The bill would require a city, county, or special district to provide on its internet website an archive of impact fee nexus studies, cost of service studies, or equivalent, as specified. By requiring a city or county to include this information on its internet website, the bill would impose a state-mandated local program.	Support and Seek Amendments	Support and Seek Amendments
<u>AB 1485</u> <u>Wicks</u>	Chaptered 10/9/2019	Assembly Chaptered	Housing development: streamlining. The Planning and Zoning Law requires that a development be subject to a requirement mandating a minimum percentage of below market rate housing based on one of 3 specified conditions. This bill would modify that condition to authorize a development that is located within the San Francisco Bay area, as defined, to instead dedicate 20% of the total number of units to housing affordable to households making at or below 120% of the area median income with the average income of the units at or below 100% of the area median income, except as provided.	Support	Support
<u>AB 1486</u> <u>Ting</u>	Chaptered 10/9/2019	Assembly Chaptered	Surplus land. Current law prescribes requirements for the disposal of surplus land by a local agency. Current law defines "local agency" for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land. The bill would specify that the term "district" includes all districts within the state, and that this change is declaratory of existing law.	Support	Support

<u>AB 1487</u> <u>Chiu</u>	Chaptered 10/8/2019	Assembly Chaptered	San Francisco Bay area: housing development: financing. Current law provides for the establishment of various special districts that may support and finance housing development, including affordable housing special beneficiary districts that are authorized to promote affordable housing development with certain property tax revenues that a city or county would otherwise be entitled to receive. This bill, the San Francisco Bay Area Regional Housing Finance Act, would establish the Bay Area Housing Finance Authority (hereafter the authority) and would state that the authority's purpose is to raise, administer, and allocate funding for affordable housing in the San Francisco Bay area, as defined, and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. The bill would provide that the governing board of the Metropolitan Transportation Commission serve as the governing board of the authority.	Support	Support
<u>ACA 1</u> <u>Aguiar-Curry</u>	Amended 3/18/2019	Assembly Third Reading	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.	Support	Support
<u>SB 5</u> <u>Beall</u>	Enrollment 9/18/2019	Senate Enrolled	Affordable Housing and Community Development Investment Program. Would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria. The bill would also authorize certain local agencies to establish an affordable housing and community development investment agency and authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program.	Support	Support

SB 6 Beall	Chaptered 10/9/2019	Senate Chaptered	Residential development: available land. Would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. The bill would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website.	Support	Support
SB 13 Wieckowski	Chaptered 10/9/2019	Senate Chaptered	Accessory dwelling units. Would authorize the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The bill would also revise the requirements for an accessory dwelling unit by providing that the accessory dwelling unit may be attached to, or located within, an attached garage, storage area, or other structure, and that it does not exceed a specified amount of total floor area. This bill contains other related provisions and other existing laws.	Support if Amended	Support if Amended
SB 137 Dodd	Chaptered 10/8/2019	Senate Chaptered	Federal transportation funds: state exchange programs. Current law requires that all moneys in the State Highway Account in the State Transportation Fund derived from federal sources or from appropriations to other state agencies, or deposited in the account by local agencies or by others, to be continuously appropriated to, and available for expenditure by, the Department of Transportation for the purposes for which the money was made available, including, among other purposes, transportation improvements. This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for nonfederal State Highway Account funds appropriated to the department on a dollar-for-dollar basis for federal local assistance funds received by a city, county, or city and county, as specified. The bill would require, among other things, the total amount of federal funds exchanged to not exceed \$100,000,000 during each federal fiscal year.	Support	Support

SB 152 Beall	Amended 4/25/2019	Senate 2 year	Active Transportation Program. Current law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires specified funds for the program to be appropriated to the department in the annual Budget Act and allocated to eligible projects by the California Transportation Commission. This bill would require that 60% of available funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than 200,000, with the available funds distributed to each MPO based on its relative share of the population, 15% to fund projects in small urban and rural regions, and 25% to projects competitively awarded by the commission on a statewide basis.	Support (Sponsor)	Support
SB 254 Hertzberg	Amended 4/1/2019	Senate Appropriations Suspense File	California Earthquake Authority. Current law authorizes the California Earthquake Authority, with the Treasurer as its agent, to issue and sell investment grade revenue bonds or issue or secure other debt financing, or both, in amounts up to \$1,000,000,000 plus specified costs, if claims and claim expenses paid following an earthquake event exhaust 4 specified sources of capital, including the CEA's available capital and all insurer capital contributions and assessments. This bill would, instead, limit the amount of the investment grade revenue bonds or other debt financing to an amount up to \$1,000,000,000 outstanding at any time, excluding those specified costs.		Support and Seek Amendments
SB 277 Beall	Enrollment 9/18/2019	Senate Enrolled	Road Maintenance and Rehabilitation Program: Local Partnership Program. Current law continuously appropriates \$200,000,000 annually from the Road Maintenance and Rehabilitation Account for allocation by the commission for a program commonly known as the Local Partnership Program to local or regional transportation agencies that have sought and received voter approval of taxes or that have imposed certain fees, which taxes or fees are dedicated solely for road maintenance and rehabilitation and other transportation improvement projects. Current law requires the commission, in cooperation with the Department of Transportation, transportation planning agencies, county transportation commissions, and other local agencies, to develop guidelines for the allocation of those moneys. This bill would require the commission to annually deposit 85% of these funds into the Local Partnership Formula Subaccount, which the bill would create, and 15% of these funds into the Small Counties and Uniform Developer Fees Competitive Subaccount, which the bill would create.	Support	

<p>SB 330 Skinner</p>	<p>Chaptered 10/9/2019</p>	<p>Senate Chaptered</p>	<p>Housing Crisis Act of 2019. The The Housing Accountability Act requires a local agency that proposes to disapprove a housing development project that complies with applicable, objective general plan and zoning standards and criteria that were in effect at the time the application was deemed to be complete, or to approve it on the condition that it be developed at a lower density, to base its decision upon written findings supported by substantial evidence on the record that specified conditions exist, and places the burden of proof on the local agency to that effect. The act requires a court to impose a fine on a local agency under certain circumstances and requires that the fine be at least \$10,000 per housing unit in the housing development project on the date the application was deemed complete. This bill would, until January 1, 2025, specify that an application is deemed complete for these purposes if a preliminary application was submitted, as specified.</p>	<p>Support</p>	
<p>SB 664 Allen</p>	<p>Amended 9/10/2019</p>	<p>Assembly 2 year</p>	<p>Electronic toll and transit fare collection systems. Current law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with specified objectives, including that a vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Current law authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility. This bill would expand the above-described objective so that a user of a toll facility shall also not be required to purchase or install more than one device to use on all toll facilities.</p>	<p>Support</p>	



Metropolitan Transportation Commission

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Legislation Details (With Text)

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Type: Report **Status:** Informational
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On agenda: 10/11/2019 **Final action:**
Title: Tom Bulger's Report
Report from Washington, D.C. advocate.

Sponsors:

Indexes:

Code sections:

Attachments: [3b Tom Bulger's DC Report Sept 2019.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Tom Bulger's Report

Report from Washington, D.C. advocate.

Presenter:

Georgia Gann Dohrmann

Recommended Action:

Information

Attachments:

**Metropolitan Transportation Commission
MTC Legislation Committee**

October 11, 2019

Agenda Item 3b

Tom Bulger's Report

Subject: September 2019 Report from Washington, D.C. advocate.

Recommendation: Information

Attachments: Attachment A: Tom Bulger's Report – September 2019



Therese W. McMillan

September 2019 Monthly Washington, D.C. Report



To: Therese W. McMillian, Executive Director

From: Tom Bulger, President GRI

Date: September 27, 2019

RE: Monthly Report for September 2019

- Senate Appropriations Committee Approves Fiscal Year (FY) 2020 Spending Bill
- House and Senate Pass a Continuing Resolution
- United States Environmental Protection Agency (EPA) Threatens to Withhold California's Highway Funding and Repealed the State's Stricter Vehicle Miles Per Gallon Standards
- Senator Feinstein Requests an Investigation About Political Interference by the EPA

Senate Appropriations Committee Approves Fiscal Year (FY) 2020 Spending Bill

In mid-September, the full Senate Appropriations Committee approved their FY 2020 Transportation, Housing and Urban Development and related agencies (THUD) spending bill. The measure awaits full Senate approval. The House passed their bill in June.

Total discretionary spending for housing and transportation is \$86.65 billion, an increase of only \$168 million over the FY 2019 amount and almost the same amount as the House appropriations bill.

Highlights of the Senate appropriations bill are:

- Mass Transit Capital Investment Grants receives \$1.98 billion. The House bill includes \$2.3 billion, the amount authorized in the Fixing America's Surface Transportation (FAST) Act. A bare minimum of \$1.1 billion is needed for projects that already have full funding grant agreements.
- \$46.4 billion in obligation authority for federal-aid highways and \$10.2 billion for the Mass Transit formula grants, which is the amount authorized in the FAST Act.
- \$3.7 billion in general fund supplements for highway and transit formula programs, compared with \$3 billion in the House bill and \$4 billion in FY 2019.
- Better Utilizing Investments to Leverage Development (BUILD) grants are at \$1 billion, same as the House bill.

House and Senate Pass a Continuing Resolution

Both the House and the Senate have passed a stopgap continuing resolution (CR) to keep the federal government operating until November 21, 2019. This is the new deadline by which Congress must enact the FY 2020 THUD appropriations bill reported on above.

The CR includes a short-term fix to avoid an across-the-board 12 percent cut to federal transit programs that would have otherwise been triggered because of a budgetary rule. In short, transit spending is not allowed to exceed projected revenues and, once again, we're nearing the brink of Highway Trust Fund insolvency. The measure does not repeal the \$7.6 billion rescission of the federal highway contract authority that is scheduled to take place on July 1, 2020 per the FAST Act.

United States Environmental Protection Agency (EPA) Threatens to Withhold California's Highway Funding and Repealed the State's Stricter Vehicle Miles Per Gallon Standards

This past week the EPA sent a letter to the California Air Resources Board (CARB) threatening to withhold California's federal highway funding, arguing that the state has not shown what steps it is taking to improve air quality. The EPA is giving California until October 10, 2019 to respond. If California does not, the EPA will begin disapproving air quality plans, which triggers the statutory clock for highway funding sanctions and other penalties.

This came on the heels of the EPA finalizing a rule to repeal the state's ability to impose stricter fuel efficiency standards on vehicles, a longstanding component of the state's air quality improvement efforts. That rule was published in the federal register on September 27 and will take effect on November 26, 2019 barring intervention from the courts. This is part one of the larger SAFE Vehicles Rule to rollback Obama-era fuel efficiency standards, which is still pending.

Senator Feinstein Requests an Investigation About Political Interference by the EPA

On September 27, 2019, Senator Dianne Feinstein (D-Calif.) requested that the EPA's Inspector General investigate whether the agency inappropriately attacked California by threatening to withhold federal highway funding for political reasons rather than any "good faith effort to help improve California's air quality."



Metropolitan Transportation Commission

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Legislation Details (With Text)

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Overview of staff's proposal to transition our federal representation via a competitive procurement.

Sponsors:

Indexes:

Code sections:

Attachments: [4a_Federal Advocacy Update.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

2020 Federal Advocacy Representation

Overview of staff's proposal to transition our federal representation via a competitive procurement.

Presenter:

Rebecca Long

Recommended Action:

Information

Attachments:

Metropolitan Transportation Commission

MTC Legislation Committee

October 11, 2019

Agenda Item 4a

2020 Federal Advocacy Representation

Subject: Overview of staff's proposal to transition our federal representation via a competitive procurement.

Overview: MTC depends on a strong federal partnership to support the Bay Area's transportation needs. In addition to MTC's federally-designated planning responsibilities, MTC distributes approximately \$625 million annually in flexible federal highway and transit formula funding. MTC also works with the Bay Area's transit operators to establish regional Capital Investment Grant (CIG) project priorities and advocate for grant awards. An on-the-ground advocate in Washington, D.C. is important for MTC to forge close relationships with key members of Congress and their staff, members of the Administration as well as other national partners.

MTC's longtime federal lobbyist Tom Bulger, whose current contract expires on October 31, 2019, pioneered, established and fulfilled this role for more than three decades, and was instrumental in MTC emerging as a national leader and one of the most respected metropolitan planning organizations in the nation. After his many years of excellent service in Washington, Tom has indicated that he would like to begin a new chapter in his life requiring that MTC transition to a new federal lobbyist. Staff is recommending a two-pronged approach:

- 1) Seek new federal representation via a competitive procurement, effective spring 2020 (summary and draft schedule below); and
- 2) Extend Mr. Bulger's contract for one year, through October 2020.

This approach will allow us to thoroughly research alternatives while also ensuring a seamless changeover. Importantly, this timeframe would also allow the 2020 March Washington D.C. visit and reception, which require significant lead time, to proceed while providing for new representation well in advance of the expiration of the Fixing America's Surface Transportation (FAST) Act.

A Competitive Procurement

We recommend MTC issue a request for proposals for full federal lobbying services for a three-year term with an option to extend for an additional three years. Our goal is to find a stable fit similar to the ones we have enjoyed for many years both in Washington and in Sacramento. The scope of services should include representing MTC with key Congressional offices, committee staff, Administration officials and federal agency staff; organizing MTC's annual Washington, D.C. trip; securing meetings as needed and supporting visiting MTC Staff and Commissioners; and coordinating with MTC's partners in Washington, D.C., as needed. Qualifications should include strong relationships with the Bay Area delegation and United States Department of Transportation staff and familiarity with federal transportation policy. MTC's advocate should play a *complementary and additive* role to the advocacy portfolios of the region's many transportation agencies. Importantly, MTC's advocate should seek to ensure that

federal policy and programs benefit the entire Bay Area, and the individual/firm should not hold contracts with other Bay Area transportation agencies to avoid potential conflicts of interest where multiple agencies are competing for funds.

Federal Lobbying Contract Schedule

A draft schedule for implementing this proposal follows.

Federal Lobbying Contract Schedule	
October 2019	Tom Bulger contract renewal (one year) MTC Administration Committee
December 2019	Post request for qualifications for new federal lobbyist
January-February 2020	Proposal submittal deadline; interviews held
Spring 2020	<ul style="list-style-type: none">• MTC Legislation Committee and MTC Administration Committee approval of new contract• New federal advocacy contract begins
Summer 2020	Tom Bulger's contract expires

We look forward to hearing your feedback.

Attachments: None


Therese W. McMillan