

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

December 9, 2022

Agenda Item 3a

November 2022 Election Update

Subject:

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

Overview:

The November 2022 election delivered some significant wins for MTC/ABAG priorities, including several measures at the local level to sustain and increase resources available for transportation improvements and affordable housing. With respect to outcomes at the state and national level, this election is the first since California completed its redistricting process following the 2020 Census and includes new district boundaries for Congressional districts as well as the Assembly and Senate. The Bay Area has six new members of our congressional and state legislative delegation, as follows:

- Congressional District 15: Kevin Mullin, Assemblymember (currently held by Jackie Speier)
- Senate District 10: Aisha Wahab, Hayward City Council
- Assembly District 12: Damon Connolly, Marin County Board of Supervisors
- Assembly District 20: Liz Ortega, Statewide Political Director for AFSCME Local 3299
- Assembly District 21: Diana Papan, San Mateo City Council
- Assembly District 28: Gail Pellerin, former Santa Cruz County Clerk & legislative staffer

At the national level, Democrats defied expectations for a so-called “red wave,” managing to retain control of the Senate while losing control of the U.S. House of Representatives by a smaller margin than predicted by many pundits. A split Congress will make annual appropriations less favorable to Democratic priorities, including infrastructure and housing, but fortunately, much of the discretionary funding within the 2021 Bipartisan Infrastructure Law was front-loaded, so there is less opportunity to scale back on funding levels approved in the bill.

Recommendation:

Information

Bay Area Local Measure Highlights

Oakland Housing & Transportation Bond Approved, City of Berkeley Measure Falls Short

City of Oakland voters approved Measure U, a general obligation bond for affordable housing preservation (\$350 million), transportation projects (\$290 million), and other facility upgrades (\$210 million). As of November 28, county election results show 75 percent of Oakland voters voted “yes” on the measure. Despite 59 percent of City of Berkeley reported voters supporting its ambitious \$650 million affordable housing and infrastructure bond (Measure L), the measure fell short of the challenging 2/3 vote threshold required.

San Francisco Transportation Tax Renewal

San Francisco voters approved Proposition L, with 72 percent in support as of November 28, renewing for another 30 years an existing half-cent sales tax dedicated to transportation. The measure funds a host of projects from local road repairs to paratransit to transit maintenance and electrification, as well as providing funding for major regional priorities like the Caltrain Downtown Extension, or DTX, and BART Core Capacity.

San Francisco Voters Affirm Keeping Golden Gate Park Roadway Car Free

Voters supported Proposition J, affirming the Board of Supervisors’ vote earlier this year to keep a 1.5-mile stretch of the John F. Kennedy Drive in Golden Gate Park car-free and rejected the competing measure placed on the ballot via signature, Proposition I.

Affordable Housing Authorizations Approved

Three “Article 34” affordable housing authorization measures were on the ballot across the Bay Area this election. All three passed in Berkeley, Oakland, and South San Francisco (Measures N, Q, and A.A., respectively). Article 34 of the California Constitution requires that local governments secure majority voter approval for the development of affordable housing projects for which over 49 percent of the units are restricted to affordable housing. Voters statewide will have an opportunity to repeal this outdated 70-year-old requirement in the November 2024 statewide election.

Tenant Protection Measures and Vacancy Taxes Passed

Several local measures aimed at reducing evictions were approved, including Measure P in the City of Richmond, which caps annual rent increases at 3 percent or 60 percent of the inflation rate, whichever is lower. In the City of Oakland, voters approved Measure V to prohibit no-fault evictions of children and educators during the school year and extend eviction protection to tenants in RVs and tiny homes on wheels on private property. In Berkeley and San Francisco, voters approved vacancy taxes aimed at getting more existing units on the market.

General Local Tax Measures Approved

About a dozen Bay Area cities successfully pursued general taxes subject to a simple majority vote across a range of sources (sales tax, transit occupancy tax, business license tax) with advisory language referencing infrastructure, such as street repairs and affordable housing. Many of these measures are reporting “yes” votes in the 70 percent or above ranges. Notably, Vallejo voters approved a general 0.875 percent sales tax that will generate approximately \$18 million per year titled the “Safe Streets and Essential Services Measure” and which highlights other purposes including keeping public spaces healthy, maintaining fire protection/emergency medical response and more.

Voters Reject Proposition 30 – Zero Emission Vehicle/Fire Prevention Measure

Proposition 30 – endorsed by ABAG and MTC – went down to a defeat, with 58 percent of voters rejecting it. The measure was supported in Alameda County, the City and County of San Francisco, and neighboring Santa Cruz and Monterey counties along with Alpine, Humboldt, Mendocino and Yolo counties. The measure would have provided approximately \$3.5 billion to \$5 billion annually for 20 years to assist with the transition to zero-emission vehicles (passenger and medium-heavy duty) and wildfire prevention and response. Governor Newsom’s opposition to the measure was a fatal blow. His opposition was based on the grounds that it was primarily a “special interest” measure to benefit the ridesharing company Lyft.

Menlo Park Voters Reject Measure Aimed at Limiting Rezoning

As of November 28, about 62 percent of Menlo Park voters had rejected Measure V, which would have prohibited the city council from rezoning or redesignating properties that were zoned

and designated for single-family detached homes and instead reserved any such changes to be made by the voters.

Competing San Francisco Housing Streamlining Measures Rejected

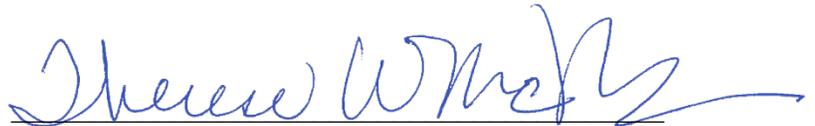
In San Francisco, votes on competing measures (Proposition D sponsored by Mayor Breed and Proposition E backed by the Board of Supervisors) aimed at expediting affordable housing production both fell short of a majority.

Marin Voters Tax Themselves to Preserve Scenic Vista for Public Open Space

In Tiburon and Belvedere, voters approved Measure M, instituting a \$335 annual parcel tax to enable Marin County to purchase a 110-acre property known as the Martha Property on Tiburon Ridge and preserve it for open space/recreation. Located on the Tiburon Peninsula with coveted views of San Francisco Bay, the property was entitled for the development of 43 houses but has been held up in multiple lawsuits. The owners agree to sell the land to the nonprofit Trust of Public Land, which would then sell it to the County.

Attachments:

- Attachment A: Summary of Bay Area Local Ballot Measure Results in November 2022 Election



Therese W. McMillan