



Memorandum

TO: Joint MTC Legislation Committee and
ABAG Legislation Committee

DATE: October 27, 2017

FR: Deputy Executive Director, Policy

W.I. 1131


RE: 2018 Draft MTC/ABAG Joint Advocacy Program

At the direction of the MTC and ABAG Legislation Committees' leadership, staff has developed the region's first joint advocacy program for the two agencies. Given that 2017 was such a banner year for transportation funding and affordable housing legislation, there's a good chance the Legislature and Administration may turn their attention to other matters in 2018. Nonetheless, with respect to housing, many of the legislators who authored bills that were enacted as part of the housing package indicated their intent to carry further legislation next year. In preparation for this, the draft program includes a number of housing policy items relevant to the addressing the region's housing shortage.

In addition to carrying forward longstanding goals from prior advocacy programs of the respective agencies, this draft seeks to help advance the underlying goals and action plan of *Plan Bay Area 2040*. The advocacy program serves as a public statement of the agencies' core legislative goals for the upcoming year, as well as a work plan to guide advocacy efforts in Sacramento and Washington, D.C. As bills are introduced, staff will return to the respective agencies' legislation committees to seek approval on specific bill positions that will subsequently be presented for approval to the Commission and Executive Board.

As part of our consultation and advisory process, staff will consult with various stakeholders over the next month. To date, staff has informally sought input for the 2018 Advocacy Program from the Housing Subcommittee of the ABAG Regional Planning Committee (RPC) and the MTC Policy Advisory Council. We also hosted a meeting of MTC's Partnership Legislative Committee to discuss MTC's ideas and hear about what staff from other transportation agencies, local jurisdictions and advocacy organizations are planning for next year. Staff also plans to formally present this document to the RPC and Policy Advisory Council over the next month. Based on discussion at your meeting and additional feedback received, staff will prepare a final 2018 Advocacy Program for your consideration at another joint meeting in December or January, depending on schedule availability, prior to final approval by the Commission and Executive Board.

We look forward to hearing your feedback and developing a more comprehensive Bay Area regional advocacy agenda for 2018.


Alix A. Bockelman

Attachment:

- Attachment A: 2018 Draft Advocacy Program



METROPOLITAN
TRANSPORTATION
COMMISSION

MTC/ABAG Draft 2018 Joint Advocacy Program

Attachment A



Association of
Bay Area Governments

STATE		
Issue	Goal	Strategy
1. Transportation Funding	A. Defend Senate Bill 1 (Beall)	Oppose any statewide ballot measure that proposes to repeal the new fuel taxes and registration fees enacted by Senate Bill 1 (Beall, 2017). Collaborate with local, regional, and statewide organizations to highlight the benefits SB 1 is providing to improve the condition of local streets and roads and the state highway system, support public transit systems and implement bicycle and pedestrian improvement projects across the region.
	B. Secure passage of Regional Measure 3	Assuming placement of Regional Measure 3 on the ballot in 2018, staff will develop public information materials to help inform the public about the benefits of the proposed toll increase and how the expenditure plan will improve mobility within the Bay Area's seven state-owned bridge corridors.
	C. Cap and Trade Funding	In collaboration with other statewide organizations, defend the existing transportation and housing programs funded by cap and trade and seek opportunities to direct additional cap and trade funds towards these purposes. Support administrative and/or legislative efforts to streamline funding applications and simplify program administration.
	D. Definition of Disadvantaged Communities	Monitor legislation related to the definition of disadvantaged communities (DACs) as it relates to a local jurisdiction being able to qualify for certain cap and trade funding and other relevant funding programs. Seek opportunities to broaden the definition so that it includes all socio-economically disadvantaged communities. Monitor and engage in any administrative efforts related to updating the CalEnviroScreen, the state's current DAC screening tool developed by the Office of Environmental Health Hazard Assessment (OEHHA).

Issue	Goal	Strategy
2. Housing Supply/ Affordability	A. CASA implementation	Consistent with <i>Plan Bay Area 2040's (Plan)</i> Action Plan, work with Bay Area regional partners to evaluate, and where appropriate, help implement CASA's state legislative recommendations to advance the <i>Plan's</i> housing performance targets. CASA recommendations are expected to address increasing housing supply, improving housing affordability, and strengthening preservation and anti-displacement measures.
	B. Housing funding	Support and pursue efforts to augment state funding for housing and related infrastructure, including resources to help local jurisdictions plan for new housing. Collaborate with local, regional and state partners to highlight the potential benefits of the \$4 billion housing bond authorized by SB 3 (Beall, 2017). Monitor and engage in legislative or administrative efforts related to allocating state housing resources to maximize funding to Bay Area communities.
	C. Incentivize production	Pursue opportunities to reward local jurisdictions that produce new housing and preserve the existing affordable housing stock with additional state funds. Incentives could include augmented resources for parks, infrastructure, schools or other investments that support complete, sustainable communities in growing jurisdictions.
	D. Reform state housing law	Engage in efforts anticipated to be led by Senator Wiener regarding ways to update the Regional Housing Needs Allocation (RHNA) process. Potential areas for legislative action include changing the types of units that the State Housing & Community Development Department deems eligible to be counted as part of its RHNA review and modifying the methodology by which the state develops its overall estimate of total housing units for each region so that it incorporates economic factors that fuel demand for housing, as well as demographic data.
	E. Lower housing construction costs and facilitate greater housing production	Partner with Bay Area and statewide affordable housing organizations, the Bay Area Council, Silicon Valley Leadership Group, and other interested parties to pursue opportunities to lower the cost of housing construction and facilitate increased production of market-rate and affordable housing units.

Issue	Goal	Strategy
	F. North Bay Wildfires	Work with local partners to advocate for state funding, resources, and other emergency relief measures to aid and support rebuilding and recovery efforts following the devastating 2017 North Bay wildfires.
3. Climate Change & Energy	A. Accelerate the transition to a low carbon future	Support legislation to accelerate the transition to a low carbon future through changes to the vehicle fleet as well as incentives for low carbon buildings.
	B. Improve energy and water efficiency	Support legislation designed to enhance the energy and water efficiency of buildings, including commercial, multifamily and single-family homes. Also support proposals to boost the use of renewable energy and electrification of energy.
4. Resilience	A. Protect existing and future housing stock from natural hazards, such as earthquake and fire	Support efforts to expand the retrofit of existing residential housing, with a focus on multifamily developments, while also strengthening standards for new construction beyond “life safety” to “shelter in place” so that new housing can better withstand a major earthquake. Focus on opportunities to retrofit affordable housing through preservation projects funded from newly-augmented state housing revenues. Engage in efforts at a state and regional/local level to pursue additional funding to support the retrofit of existing properties.
	B. Relieve congestion and mitigate the effects of sea level rise on S.R. 37	In partnership with the State Route 37 Policy Committee and its representative agencies, support legislation and other efforts to address sea level rise, reduce congestion and improve safety on State Route 37.
5. HOV Lanes	Improve HOV lane performance	Pursue legislation to improve the performance of high-occupancy vehicle (HOV) lanes by ensuring greater compliance with passenger occupancy requirements. Explore various options, including but not limited to securing additional state funding for dedicated HOV-lane enforcement units, whether staffed by California Highway Patrol or local law enforcement; a citizen reporting line, similar to the HERO program established over 30 years ago in the State of Washington; and pilot programs to test the benefits of technology-based enforcement. Ensure MTC

		and other regional transportation agencies have a decision-making role in the selection of HOV segments to prioritize for additional enforcement efforts to ensure cost-effectiveness. Explore and pursue other creative options to improve compliance and performance of the lanes.
6. Bus Service	Authorize “bus-on-shoulder”	Support efforts to authorize buses to use the highway shoulder, known as “bus-on-shoulder” during periods of heavy traffic. This is currently allowed in 13 metropolitan areas in the U.S. (including Seattle, San Diego, Miami, Minneapolis/St. Paul, Atlanta, and the Washington, D.C. area) to help speed up bus service in highly-congested corridors. Require collaboration with the California Highway Patrol in the development of guidelines to determine which roadways qualify for the access to ensure public safety.
7. Active Transportation	Improve roadway safety for all users	In partnership with the City and County of San Francisco, San Francisco Municipal Transportation Agency, the City of San Jose and others, continue to support legislation to help achieve Vision Zero — aimed at eliminating all traffic-related serious injuries and fatalities. Support proposals to increase enforcement of traffic laws protecting pedestrians and bicyclists, including proposals to authorize automated speed enforcement on a pilot program basis, such as provided for in AB 342 (Chiu, 2017).
8. Shared Mobility	Support policies that enable technological innovations to improve mobility, while protecting the public’s interest	Monitor legislation and regulations related to shared mobility, such as transportation network companies and real-time carpooling, to ensure that mobility benefits are maximized, and access to critical data for transportation and land-use planning and operational purposes is assured.
9. Connected and Autonomous Vehicles	Monitor and engage in legislation and regulations to facilitate deployment of connected vehicles and autonomous vehicles	In partnership with Bay Area cities and counties, transit agencies, the business community, and other transportation organizations, engage in regulatory and legislative efforts related to connected and autonomous vehicles with the goal of accelerating their safety, mobility, environmental, equity and economic benefits. Similar to the “shared mobility” strategy, support access to critical data for transportation and land use planning and operational purposes.

10 Project Delivery	A. Speed up the design and construction of transportation projects	Support legislation to expedite transportation project delivery by increasing contracting and financing options, including increased flexibility in the Caltrans design review process and broad authority for the use of design-build and public-private partnerships by Caltrans and regional transportation agencies. Support opportunities to establish requirements that would provide greater certainty and oversight of Caltrans reimbursement expenses for locally-sponsored projects on the state highway system.
	B. Update CEQA to curb its abuse by project opponents and speed up the environmental review process	Monitor legislation related to the California Environmental Quality Act (CEQA) to seek opportunities to expedite transportation and multifamily housing projects and avoid litigation and delay for key regional priorities, such as projects to expand public transit and build affordable housing.

FEDERAL		
Issue	Goal	Strategy
1. Transportation and Housing Funding	A. Defend fiscal year 2018 and 2019 appropriations	Partner with local, regional and statewide transportation agencies as well as national stakeholders to ensure that Congress appropriates funding in fiscal year 2018 and fiscal year 2019 consistent with amounts authorized in the Fixing America's Surface Transportation (FAST) Act. Likewise, work to defend federal affordable housing funds and programs, such as Section 8 housing vouchers, the HOME Investment Partnership Program and the Community Development Block Grant Program.
	B. Advocate for Capital Investment Grant funding for Resolution 3434/ <i>Plan Bay Area 2040</i> Projects	Work with regional, state and national partners to advocate for both funding and implementation of the Capital Investment Grant (CIG) Program as authorized by the FAST Act. Support federal appropriations consistent with the full funding grant agreements approved for the San Francisco Third Street Light Rail/Central Subway project, BART to Berryessa extension and Caltrain Peninsula Corridor Electrification project. Seek to advance through the CIG process the Bay Area's next generation of transit expansion projects, namely: San Francisco Transbay Transit Center (Phase 2)/Downtown Extension (DTX), BART to Silicon Valley: Phase 2, and the Transbay Corridor Core Capacity project. Support transit operator requests for Small Starts funding for projects consistent with <i>Plan Bay Area 2040</i> .
	C. Protect federal transportation and housing investments in the Bay Area	Oppose efforts to withhold federal transportation or housing funds from jurisdictions not in compliance with federal Immigration and Customs Enforcement law, or from "sanctuary" jurisdictions. Withholding these funds would be extremely harmful to Bay Area residents and businesses, as well as the state's ability to achieve its air quality and climate change goals.
	D. Disaster recovery	With local and state partners to advocate for emergency relief appropriations and federal agency resources to support rebuilding and recovery efforts following the devastating 2017 North Bay wildfires.

Issue	Goal	Strategy
2. Infrastructure Initiative	Increase federal transportation and housing investment in metropolitan regions under any new infrastructure funding initiative	Urge Congress and the Administration to make transportation and housing infrastructure in the nation's metropolitan regions a national funding priority. Work with partners across the country to support an investment package with funding and financing tools that work for metropolitan regions, including Build America Bonds. Support new revenues for major transit, congestion relief and goods movement projects, a new metro-mobility formula program and increased funding for existing authorized programs, including the Surface Transportation Block Grant and Congestion Mitigation and Air Quality Improvement programs. In conjunction, support growing federal resources for affordable housing, including the Low Income Housing Tax Credit program.
3. Tax Reform	Support housing affordability	Support state and national partners' efforts to protect and strengthen federal tax tools that help make housing affordable for households across the income spectrum, including the Low Income Housing Tax Credit program.
	Protect and expand transportation fringe benefits	Work with regional and national partners to defend the commuter benefit under any tax reform proposal. In addition, advocate for expanding pre-tax transportation fringe benefit eligibility to include shared mobility options, such as bike-share and shared ride carpool services. This change would support the now-permanent Bay Area Commuter Benefits program by expanding federal tax incentives to carpool and bike to work, in addition to taking transit and vanpooling.
	Marketplace Fairness Act	Support any renewed efforts to advance in tax reform the Marketplace Fairness Act (MFA), which seeks to apply state and local sales tax rates to e-commerce transactions. The MFA has the prospect of increasing infrastructure funding in the Bay Area as a result of increased revenue from local sales taxes that fund transportation and housing, the Transportation Development Act (TDA) funds — a key source of transit operating funding — and AB 1107, the permanent ½ cent sales tax for BART (applicable in Alameda, San Francisco and Contra Costa counties).

Issue	Goal	Strategy
4. Climate Change and Resiliency	Strengthen federal partnership to support resiliency and climate change preparedness	Support regional agency partners in efforts to protect existing federal resources that support the Bay Area's efforts to plan for and combat climate change. Monitor legislative proposals related to climate change adaptation and mitigation. Engage on efforts that could support the region in improving resiliency, responding to new or worsening environmental hazards and meeting the <i>Plan Bay Area 2040</i> climate goal.
5. Connected Vehicles and Autonomous Vehicles	Monitor and engage in legislation and regulations to facilitate deployment of connected vehicles and autonomous vehicles	In partnership with Bay Area cities and counties, the business community, state and national transportation organizations, engage in regulatory and legislative efforts with the goal of accelerating safety, mobility, environmental, equity and economic benefits. Support strong federal vehicle safety standards while also preserving the ability of state and local agencies to continue to set policies governing the operation of vehicles on highways and local roads, regardless of whether they are driven autonomously or manually.