

C/CAG

City/County Association of Governments of San Mateo County

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

MEETING AGENDA

C/CAG Legislative Committee

*****HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE*****

Date: Thursday, April 11, 2024	Join by Webinar: https://us02web.zoom.us/j/87017594302?pwd=ZWw3M3cwRWRDVkRETmxZRjNFliUT09
Time: 5:30 p.m.	Webinar ID: 870 1759 4302
Primary Location: San Mateo County Transit District Office 1250 San Carlos Ave, 2 nd Fl. Auditorium, San Carlos, CA	Password: 041124
	Join by Phone: (669) 900-6833

Chair: Adam Rak (C/CAG Chair) **Vice Chair:** Gina Papan

Members: Michael Salazar (C/CAG Vice-Chair)
Elizabeth Lewis, Karen Cunningham, Lisa Gauthier,
Anders Fung, Sue Vaterlaus

This meeting of the Legislative Committee will be held in person and by teleconference pursuant to Government Code Section 54953(e). Members of the public will be able to participate in the meeting remotely via the Zoom platform or in person at the location above. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the agency, or of the acts or omissions of the Board and committees. Speakers shall not disrupt, disturb, or otherwise impede the orderly conduct of a Board meeting. For information regarding how to participate in the meeting, either in person or remotely, please refer to the instructions at the end of the agenda.

Meeting Agenda

1.	Call to Order	Rak	
2.	Roll call	Springer	
3.	Public comment on related items not on the agenda.	Rak	
4.	Review and approve the Legislative Committee meeting minutes from the meeting held on March 14, 2024.	Action Springer	Pages 4-6
5.	Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)	Possible Action Robinson/Antwih/Shaw Rak	Pages 7-16
6.	Adjournment	Rak	

Next Meeting: May 9, 2024

PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Courtyard, 555 County Center, Redwood City, CA, and on C/CAG’s website at: <http://www.ccag.ca.gov>.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Such public records are also available on C/CAG’s website at: <http://www.ccag.ca.gov>. Please note that C/CAG’s office is temporarily closed to the public; please contact Mima Crume at (650) 599-1406 to arrange for inspection of public records. **ADA REQUESTS:** Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Crume at (650) 599-1406 or mcrume@smcgov.org by 10:00 a.m. prior to the meeting date.

PUBLIC PARTICIPATION DURING HYBRID MEETINGS: During hybrid meetings of the C/CAG Board, members of the public may address the Board as follows:

WRITTEN COMMENTS: Written comments should be emailed in advance of the meeting. Please

read the following instructions carefully:

1. Your written comment should be emailed to kspringer@smcgov.org.
2. Your email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda.
3. Members of the public are limited to one comment per agenda item.
4. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the RMCP Committee members, made publicly available on the C/CAG website along with the agenda. Emails received less than 2 hours before the meeting will be provided to the RMCP Committee members and included in the administrative record of the meeting as soon as practicable.

SPOKEN COMMENTS: Members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Committee during the agenda item titled “Public Comment on Items Not on the Agenda.” Members of the public who wish to speak on a matter on the agenda will have two minutes each to address the Committee on that agenda item unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again. At the call of the Chair, public comments will be taken in-person and remote. Public comments will be taken first by speakers in person followed by via Zoom. If you have documents you wish to distribute to the Committee and include in the official record, please hand it to the C/CAG Staff who will distribute the information to the Committee members and staff. *Those participating remotely will:

1. Access the meeting through Zoom at the online location or via phone as indicated at the top of this agenda.
2. Download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. Enter an email address and name. We request that you identify yourself by your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. Click on “raise hand” when the C/CAG Clerk or Chair calls for the item on which you wish to speak. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak. If calling in via phone, press *9 to raise your hand and when called upon press *6 to unmute.
5. When called, please limit your remarks to the time allotted. If you have any questions about this agenda, please contact C/CAG staff:

If you have any questions about this agenda, please contact C/CAG staff:

Executive Director: Sean Charpentier: scharpentier@smcgov.org

Transportation Systems Coordinator: Kim Springer at kspringer@smcgov.org

Administrative Assistant: Mima Guilles (650) 599-1406

C/CAG AGENDA REPORT

Date: April 11, 2024

To: City/County Association of Governments of San Mateo County Legislative Committee

From: Sean Charpentier, Executive Director

Subject: Review and approve the Legislative Committee meeting minutes from the meeting held on March 14, 2024.

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the Legislative Committee review and approve the Legislative Committee meeting minutes from the meeting held on March 14, 2024.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Minutes, March 14, 2024

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE**

**Draft Meeting Minutes
March 14, 2024 Meeting**

Staff and Guests Attending:

C/CAG Staff:

Kim Springer, Sean Charpentier, Reid Bogert, Kaki Cheung, Mima Crume, Susy Kalkin, Kim Wever, Audrey Shiramizu, Van O Campo

Legislative Consultant:

Andrew Antwih

Others Attending:

None

1. Call to Order.

Chair Rak called the meeting to order at approximately 5:39 p.m.

2. Roll call.

C/CAG staff conducted roll call, and a quorum of ten was eventually present. Members Rak and Salazar participated remotely from the legislative visit to Washington, DC on behalf of C/CAG.

Agency	Name	In Person	Remote AB 2449
Atherton	Elizabeth Lewis	X	
Belmont	Davina Hurt	X	
Brisbane	Karen Cunningham	X	
Burlingame	Ricardo Ortiz	X	
East Palo Alto	Lisa Gauthier	X	
Millbrae	Gina Papan (Vice Chair)	X	
Millbrae	Anders Fung	X	
Pacifica	Sue Vaterlaus	X	
San Bruno	Michael Salazar		X
San Carlos	Adam Rak (Chair)		X

3. Public comment on related items not on the agenda.

There were no written or public comments.

4. Review and approve the Legislative Committee meeting minutes from the meeting held on February 8, 2024.

The Committee approved the meeting minutes from the February 8, 2024 C/CAG Legislative Committee Meeting. Member Papan motioned approval, seconded by Member Hurt. A vote was taken. Motion passed (8,0,0).

5. Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

Executive Director, Sean Charpentier provided an update on actions taken since last Committee meeting. A letter opposing SB 532 (Wiener) was approved by the Committee and the Board. However, C/CAG and SYASL staff chose not to send the letter because the bill is, at this time, not active.

The Committee recommended making a motion to table the previous action. Member Hurt moved to table the action taken to oppose SB 532, seconded by Gauthier. A roll call vote was taken, and the motion was approved (8,0,0).

C/CAG Legislative Consultant, Andrew Antwih from Shaw Yoder Schmeltzer & Lange (SYASL) provided an update to the Committee, based on their monthly report provided in the agenda packet. Antwih provided an overview of the monthly report, that the legislature is busy before the recess coming up in late March. Legislators are moving to address budget shortfalls, through a “Shrink the Shortfall” effort.

The Committee heard of discussed the following bills: SB 903 (Skinner) – PFAS Ban, SB 925 (Wiener) Bay Area Measure and SB 926 (Wahab) – Bay Area Transit Consolidation, which will become a new bill SB 1031, SB 960 (Wiener) Complete Street Projects on the State Highway System, AB 1999, which the Committee discussed but did not act, and SB 915 (Cortese) – Autonomous Vehicles.

The Committee also discussed its position on ATP and REAP funding, proposed by the Governor to reversed from the budget and voted to send a letter support return of those funds. A motion was made by Member Papan and seconded by Member Vaterlaus. A role call vote was taken and passed (10,0,0).

Additional discussion was initiated by Member Papan on affordable housing, transportation, and grade separation funding efforts.

6. Adjournment.

The meeting adjourned at approximately 6:28 P.M.

Next meeting is scheduled for April 11, 2024.

C/CAG AGENDA REPORT

Date: April 11, 2024

To: City/County Association of Governments of San Mateo County Legislative Committee

From: Sean Charpentier, Executive Director

Subject: Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

C/CAG staff recommend that the C/CAG Legislative Committee review the legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

FISCAL IMPACT

N/A

SOURCE OF FUNDS

N/A

BACKGROUND

The C/CAG Legislative Committee receives monthly written reports and oral briefings from C/CAG's State legislative advocate, Shaw Yoder Antwih Schmelzer & Lange (Consultant). Important or interesting issues, and votes on positions taken by the Committee, or that arise out of the Committee meetings, are reported to the full C/CAG Board through this item.

At Legislative Committee meetings, held prior to the Board meetings, the Committee will mainly receive updates from the Consultant on State budget updates, and any additional information from Sacramento on bills discussed in the attached C/CAG Legislative Update. In addition, the consultant may discuss transportation funding and potential efforts to consolidate transportation agencies, or changes in legislative leadership and committee assignments.

The 2024 Legislative Session began when the legislature reconvened on January 3, 2024. Remaining two-year bills needed to pass to the opposite house by the end of January to move forward. The deadline for new bills was February 16, 2024. There were 1,505 bills introduced in the Assembly and 619 bills

introduced in the Senate, many of them “spot” bills. The Legislature returned from its spring recess on April 1 and has until April 26 to move budgeted legislation to fiscal review. The 2024 Legislative Calendar can be found here: [2024 Legislative Calendar](#).

The attached report (Attachment 1) from the Consultant may include various updates from Sacramento with respect to the legislative timelines, State Budget, changes in leadership, State grant programs, recent committee hearings, and bill progress of interest to C/CAG since the Committee and Board last met.

At the February 8, 2024 C/CAG Legislative Committee meeting, C/CAG’s legislative consultant provided information on the State budget, including concerns for reductions in REAP and ATP funds.

In addition, at the February 8, 2024 meeting, the Legislative Committee and Board voted on two bills: AB 1798 (Papan) Support – Stormwater contamination pilot, and SB 532 (Weiner) Oppose – Tolls increases to support transit. The letter for AB 1798 has been composed, signed, and sent. However, staff and the consultant recommend C/CAG not send the letter of opposition for SB 532 at this time.

After an update on SB 532 at the March 14, 2024 meeting, the C/CAG Legislative Committee and C/CAG Board voted to Table the SB 532 letter, a decision by the Committee and Board at the February meeting, and to send a letter opposing the reversion of fund previously allocated in the State budget from ATP and REAP.

During discussions about AB 1999 (Irwin) – Progressive Fixed Rates at the March 14, 2024 Legislative Committee meeting, Committee Members requested more information before taking a position. Since the meeting, the CPUC has proposed a three-income-tier response to AB 205, which we understand to be \$24.15 for most people, \$12 for those who earn up to 250 percent of the federal poverty level and \$6 for those who make less than the federal poverty level. If correct and approved, these rates would be higher than those currently included in AB 1999. However, these fixed costs are considerably lower than those proposed by the IOUs. Staff does not recommend a position on AB 1999 at this time and is coordinating with PCE on this legislation per the Committee’s request.

At this meeting, the Legislative Committee will discuss the amended Regional Measure language, now SB 1031 (Wiener), and review other bills included in the attached legislative update. An overview of the concerns related to SB 1031 and a recommended position of “Oppose unless amended” are provided in a report included as Attachment 2 to this staff report.

EQUITY IMPACTS AND CONSIDERATIONS

The C/CAG Legislative Committee considers equity in its positions on legislation and has included equity language in the annual Legislative Priorities document for C/CAG Board review and approval. Decisions made in relation to transportation, housing, stormwater, and climate resilience have the potential to impact our most vulnerable communities in San Mateo County.

Additional Information

For additional information with respect to what the Metropolitan Transportation Commission/Association of Bay Area Governments Joint Legislative Committee, California League of Cities, California State Association of Counties (CSAC), and California Association of Councils of Government (CALCOG) are tracking, staff has included informational links to the relevant bill tracking websites, as well as the full legislative information for the State Legislature and the 2024

calendar of legislative deadlines. Lastly, staff have also included links to the 2024 legislation websites for the San Mateo County delegates for information only.

Committee members may view the bills being tracked at the following link provided by SYASL:
[C/CAG Bill Tracking](#)

ATTACHMENTS

1. C/CAG Legislative Update, April 1, 2024 from Shaw Yoder Antwih Schmelzer & Lange
2. Report on SB 1031 (Weiner) – Regional Measure

Below are informational links:

3. [Recent Joint ABAG MTC Legislation Committee Agendas](#)
4. [California State Association of Counties \(CSAC\) bill positions and tracking](#)
5. [California Associations of Councils of Government \(CALCOG\) bill tracking](#)
6. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>
7. [2024 California State Calendar of Legislative Deadlines](#)
8. San Mateo County Delegation
 - [Legislation from Assemblymember Marc Berman](#)
 - [Assemblymember Diane Papan](#)
 - [Legislation from Assemblymember Phil Ting](#)
 - [Legislation from Senator Josh Becker](#)
 - [Legislation Senator Scott Wiener](#)
9. Bill Tracker for C/CAG by SYASL: [C/CAG Bill Tracking](#)
10. Current client roster for Shaw Yoder Antwih Schmelzer & Lange - <https://syaslparters.com/clients/>



April 1, 2024

To: Board of Directors
City/County Association of Governments of San Mateo County

From: Matt Robinson, Andrew Antwih and Silvia Solis Shaw
Shaw Yoder Antwih Schmelzer & Lange

Re: **STATE LEGISLATIVE UPDATE – April 2024**

Legislative Update

The Legislature returned from its Spring Recess on April 1 and will continue hearing bills in policy committees. As we reported last month, hundreds of bills were introduced as “spot bills,” but have since been amended to include substantive proposals. April will be a busy month because policy committees only have until April 26 to hear bills with fiscal impacts. Bills must also move out of the first house by May 24. For more information about key legislative and budget deadlines, see the adopted 2024 Legislative Calendar available [here](#).

Regional Measure Legislation Amended

The effort to authorize the San Francisco Bay Area to propose a regional measure to fund transportation, dubbed Connect Bay Area, will now be ensconced in SB 1031 (Wiener and Wahab). The bill was amended on March 18 to include substantive language authorizing the regional measure, amongst numerous other policy proposals. Related to the funding measure, SB 1031 includes various revenue mechanisms (sales tax, employer tax, vehicle fees, property related fees) and identifies the funding priorities for the revenue generated from the measure, focusing on transit operations and transformation, safe streets and pothole repair, connectivity/mobility improvements, and climate resilience. The bill does not yet include provisions for highway expansion projects. Additionally, the bill requires a minimum investment of \$750 million annually for transit operations and transformation.

In addition to the funding measure, SB 1031 includes provisions for transit governance and targets for transit operations (common fare payments/structures, acceptance of a regional transit pass, a common fare transfer policy, etc.), many of which stem from recent Seamless Bay Area efforts. The bill would establish clear control for MTC over both historical transit formula funding (STA and LTF), as well new measure money, and condition access to those funds on adherence to the abovementioned governance structure and operational targets. The bill also includes a maintenance of effort provision to access regional measure funds.

Finally, SB 1031 includes a detailed consolidation study and implementation plan, requiring CalSTA to enlist a transportation institute to conduct a study of transit in the Bay Area and then, based on the study, recommend a comprehensive plan to consolidate all of the transit agencies that are located in the San Francisco Bay area. The Transportation Agency shall complete the plan on or before January 1, 2027.

Governor Newsom and Legislative Leaders Announce Agreement to Take Early Action on State Budget

On March 20, Governor Gavin Newsom, Senate President pro Tempore Mike McGuire (D-North Coast), and Assembly Speaker Robert Rivas (D-Salinas) announced that they reached agreement to take early action to address the budget deficit. At this stage, the only information available about the agreement is that it represents "budgets solutions" worth \$12 billion to \$18 billion. The announcement follows the release of the Senate Early Action Budget on March 14. Dubbed "Shrink the Shortfall," the Senate's Early Action Budget would reduce the budget deficit by \$17 billion. Notably, the Governor's proposed Fiscal Year 2024-25 budget and the Senate's Early Action Budget preserve the state's \$5.1 billion commitment to public transit agencies but extend the appropriation timeline for the \$2 billion the state committed to appropriate to the population-based TIRCP in FY 2024-25. The Assembly has not yet released a proposed Early Action Budget.

Bills of Interest

SB 450 (Atkins) Updates to Ministerial Approvals for Parcel Subdivisions (SB 9) – C/CAG OPPOSE

This bill would make several changes to the ministerial approval process created by SB 9 for a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two parcels (lot split), or both by requiring that that an application for a duplex or a lot split shall be considered and approved or denied within 60 days from the date the local agency receives a completed application. If the local agency has not approved or denied the application in that timeframe, it shall be approved. This bill also states that if a local agency denies an application for a duplex or lot split, the permitting agency shall return in writing a full set of comments to the application with a list of deficient items and a description of how the application can be remedied by the applicant. This bill would also prohibit a local agency from imposing objective zoning standards, objective subdivision standards, and objective design standards that do not apply uniformly to developments within the underlying zone.

SB 532 (Wiener) Bridge Toll Increase – C/CAG OPPOSE

This bill would increase the toll for vehicles for crossing toll bridges in the San Francisco Bay area by \$1.50 until December 31, 2028, and require the revenues collected from this toll to be used by MTC for allocation to transit operators that provide service within the San Francisco Bay area and experiencing an operations funding challenge. Any transit operator seeking an allocation would be required to submit a 5-year projection of its operating need.

SB 903 (Skinner) – PFAS Ban

This bill would state the intent of the Legislature to enact subsequent legislation to phase out the sale of products with avoidable perfluoroalkyl and polyfluoroalkyl substances.

SB 926 (Wahab) Bay Area Transit Consolidation

This bill would require the California State Transportation Agency to develop a plan to consolidate all transit agencies that are located within the geographic jurisdiction of the Metropolitan Transportation Commission. *This bill will not move forward due to the inclusion in SB 1031.*

SB 960 (Wiener) Complete Streets Projects on the State Highway System

This bill would require all transportation projects funded or overseen by Caltrans to provide “comfortable, convenient, and connected complete streets facilities” unless exempt pursuant to the bill and would require the SHOPP asset management plan to prioritize the implementation of “comfortable, convenient, and connected facilities” for pedestrians, bicyclists, and transit users on all projects in the program. The bill would require the CTC to adopt 4-year and 10-year objective targets and performance measures reflecting state transportation goals and objectives, including for complete streets assets that reflect the existence and conditions of bicycle, pedestrian, and transit facilities on the state highway system. The bill would require Caltrans and CTC to use the updated asset management plan and to guide the selection of transit priority projects for the SHOPP.

This bill would define “transit priority project” as a roadway design, operations, and enforcement action, treatment, or project that helps transit buses and other transit vehicles avoid traffic congestion, reduce signal delays, and move more predictably and reliably. The bill would require Caltrans to adopt a policy on transit priority projects for state and local highways and require Caltrans to take certain actions to streamline the approval of transit priority projects. The bill would require Caltrans to establish 4-year and 10-year targets for the fast and reliable movement of transit vehicles on state highways. Finally, this bill would require the Caltrans to establish a process to streamline the approval of pedestrian facilities, traffic calming improvements, bicycle facilities, and transit priority projects at locations where a local highway is above, below, or otherwise intersects with, a conventional state highway.

AB 817 (Pacheco) Brown Act – Advisory Bodies – C/CAG SUPPORT

This bill provides a narrow exemption under the Brown Act for non-decision-making legislative bodies to participate in meetings via teleconferencing outside of a declared state of emergency without posting the physical location of members or requiring a quorum to be present at a meeting location. *This bill passed the Assembly and is in the Senate.*

AB 1798 (Papan) Stormwater Runoff – C/CAG SUPPORT

This bill would require Caltrans and the State Water Resources Control Board, the Department of Toxic Substances Control, and the Department of Fish and Wildlife, to develop a programmatic environmental review process to prevent toxic compounds generated from vehicle tires from entering salmon and steelhead trout bearing waters. The bill would require Caltrans’ process to include a pilot project at an unspecified location to study the effectiveness and cost effectiveness of installing and maintaining bioretention and biofiltration systems.

AB 1837 (Papan) Bay Area Transit Coordination

Modeled after the work underway at MTC, this bill would create the Regional Network Management Council as an 11-member council to provide leadership and critical input on regional transit policies, and to provide executive guidance on regional transit policies and actionable implementation plans in pursuit of transformative improvements in the customer experience San Francisco Bay area transit.

AB 1999 (Irwin) Electricity Rates

Under existing law, the Public Utilities Commission is required to authorize a fixed charge for default residential rates established on an income basis so that low-income ratepayers in each baseline territory would realize a lower average monthly bill without making any changes in usage by July 1, 2024. This bill would repeal these provisions and instead permit the PUC to authorize specific fixed charges for low-income customers enrolled in the California Alternate Rates for Energy (CARE) program and for customers account not enrolled in the CARE program, adjusted for CPI. The bill essentially allows usage-based rates to continue, but limits additional fixed charges for certain customers.

For a full list of the bills we are tracking for C/CAG, please click [here](#).

C/CAG AGENDA REPORT

Date: April 11, 2024

To: City/County Association of Governments of San Mateo County Legislative Committee

From: Sean Charpentier, Executive Director

Subject: Recommend that the Legislative Committee recommend that an Oppose Unless Amended position for SB 1031 (San Francisco Bay Area: local revenue measure: transportation improvements) be submitted to the legislative authors, committee leadership, and San Mateo County delegation; and that the C/CAG Chair, C/CAG Vice Chair, and the Legislative Committee Chair work with staff in the preparation of the letter.

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

C/CAG staff recommend that the Legislative Committee recommend an Oppose Unless Amended position for SB 1031 (San Francisco Bay Area: local revenue measure: transportation improvements) be submitted to the legislative authors, committee leadership, and San Mateo County delegation; and that the C/CAG Chair, C/CAG Vice Chair, and the Legislative Committee Chair work with staff in the preparation of the letter.

FISCAL IMPACT

N/A

SOURCE OF FUNDS

N/A

BACKGROUND

SB 1031 (Wiener) replaces SB 925 (Wiener) as the new regional transportation measure enabling legislation. The new bill was also consolidated with SB 926 (Wahab) – Bay Area Transit Consolidation, by actions of the State senate. The bill is sponsored by MTC.

There are four major components to SB 1031.

First, it would require the State to “recommend a comprehensive plan to consolidate all of the transit agencies located in the San Francisco Bay Area.”

Second, it would authorize the MTC and the Bay Area Air Quality Management District (BAAQMD) to jointly adopt a commute benefit ordinance for employers with 50+ employees that would require

commute benefits that could include a pretax option, an employer paid benefit, employer provided transit, or an employer provided regional transit pass.

Third, it would codify and expand the authority of the MTC to require integration or coordination of transit fares, schedules, and mapping and wayfinding as a condition of receiving existing and future transit funding mechanisms.

Fourth, it authorizes the MTC to place a regional transportation funding ballot measure on the ballot. The statute includes a range of potential revenue sources, including a sales tax, employer tax, parcel tax, and a vehicle registration fee. The statute identifies investment categories including transit transformation and transit operations (identified as receiving a minimum of \$750 million), zero emission transit vehicles and infrastructure, a Safe Streets Category (potholes, bicycle and pedestrian projects), a Connectivity (mobility improvements that close gaps and relieve bottle necks in the transportation network), and climate resilience. The legislation references future guidelines for roadway projects that involve an expansion and for the consideration of “geographic balance.”

Attachment 1 has a link to the legislation.

On April 3, 2024, the SamTrans Board of Directors adopted an “Oppose Unless Amended” position. On April 4, 2024, the Caltrain Board of Directors and the Santa Clara Valley Transportation Authority (VTA) separately adopted “Oppose Unless Amended” positions.

ANALYSIS

C/CAG staff have the following concerns and comments.

1. Change the language from transit “consolidation” to “coordination.” The emphasis on consolidation is exceedingly divisive and counterproductive. On December 14, 2023, the C/CAG Board of Directors approved a letter opposing any proposal to consolidate Caltrain and BART. At the MTC Commission meeting on December 20, 2023, the Commissioners also communicated a preference for “coordination” rather than consolidation.
2. Add significant and material direct return to source provisions for the funding categories. This would guarantee that a significant percentage of the revenue generated by each county’s taxpayers is directly reinvested in that county.
3. Add “opt out” language so that individual counties can choose to opt out based on the potential conflicts with future countywide ballot measures, or if it is determined that pursuing a local measure would yield greater benefits and fewer restrictions than participating in the regional measure.
4. Ensure a more balanced measure so as to investment across various modes to address the variety of mobility needs and garner widespread support. If it is a \$1 billion regional measure, the requirement of a minimum of \$750 million for transit does not leave sufficient revenue to address the multitude of other mobility needs. As an example, over the next 10 years, San Mateo County jurisdictions need at least \$870 million for pavement management maintenance alone. The return to source provisions should include direct allocations to jurisdictions for pavement management purposes.

5. Allow the possibility for funding strategic roadway expansions for managed lanes (priced or HOV or transit only) that close gaps in the network, support expanded transit use, and include an equity program.
6. Ensure that MTC has the flexibility to adjust the flexible funding sources that are not included in the return to source provisions to respond to changing future flexibility will be vital to adapt to changing ridership trends and transportation patterns.

Staff recommend that the Legislative Committee recommend that an Oppose Unless Amended position be submitted to the legislative authors, committee leadership, and San Mateo County Delegation. And that the C/CAG Chair, C/CAG Vice Chair, and the Legislative Committee Chair work with staff in the preparation of the letter.

EQUITY IMPACTS AND CONSIDERATIONS

Not applicable at this stage of the legislation.

ATTACHMENTS

1. The SB 1031 full bill language is available at: <https://legiscan.com/CA/text/SB1031/id/2962662>