



DATE: February 28, 2019

TO: Transportation Authority of Marin Board of Commissioners

FROM: Dianne Steinhauser, Executive Director
David Chan, Programming and Legislation Manager

SUBJECT: Adopt the 2019 Legislative Platform (Action), Agenda Item No. 6e

RECOMMENDATION

Recommend the TAM Board to adopt TAM’s Draft 2019 Legislative Platform as shown in Attachment A.

On February 11, 2019, the Finance and Policy Executive Committee unanimously voted to adopt the 2019 Legislative Platform as shown in Attachment A.

BACKGROUND

At the beginning of each year, TAM adopts a Legislative Platform in guiding policy decisions and communicating TAM’s goals to the Legislature and other agencies, such as MTC and the Self-Help County Coalition, that have impacts on TAM during the year. TAM staff uses the platform to guide communications on critical legislation. TAM staff and Khouri Consulting will bring recommendations on pending legislation back to the TAM Board for review. Staff anticipates the first group of pending legislation will be presented in March for review.

TAM has historically worked in concert with other agencies and associations, and in support of its member jurisdictions, in supporting legislation. This is still likely the case for TAM in 2019. It should be noted that TAM’s past legislative advocacies and successes have usually been accomplished by working with the Bay Area CMA Association (BACTA), the Self-Help County Coalition, Regional Transportation Planning Agencies (RTPA), and MTC to further our interests.

DISCUSSION

The draft 2019 Legislation Platform (Attachment A) captures some of the ongoing policy elements that TAM has adopted from prior years’ platforms, particularly the platform from 2018. MTC’s Draft 2019 Platform was also reviewed to avoid unwarranted contradictory proposals. Attachment B is a redlined version of Attachment A that shows changes, additions, or deletions from last year’s platform.

The past 18 months have been historical for transportation funding at the state level with the passage of SB1, failed effort of Proposition 6, passage of Regional Measure 3 (RM3), and the passage Measure AA locally. With these activities just barely in our rearview mirror, it is likely that bills on new transportation funding at the state level will be pretty quiet in 2019. Nevertheless, TAM will still be vigilant and competitive for existing funds such as SB1 and ATP.

We will also be monitoring any proposed rule changes affecting existing funds that may be detrimental to agencies in Marin such as State Transportation Improvement Program (STIP), State Transit Assistance (STA), Transportation Development Act (TDA), and Cap and Trade Program. The STA and Cap and Trade Programs provide formula funds to Marin Transit and Golden Gate Transit.

Along with transportation funding, the 2019 Legislative Platform also addresses a number of other key areas that are of interest to TAM, including but not limited to the following:

- work with MTC to distribute RM3 funds as soon as possible to projects;
- maintain equitable Safe Routes to School (SRTS) projects in the Active Transportation Program (ATP);
- increase funding under the Cap and Trade program for transit, climate change strategies, and local bike/pedestrian needs;
- support legislation to improve the performance of HOV lanes by ensuring greater compliance with passenger occupancy requirements, such as securing additional state funding for dedicated HOV-lane enforcement;
- seek creative solutions to help manage the flow of transit buses by sponsoring or supporting legislation to allow for transit buses to use shoulders along routes; and
- on the federal level, support the continuation of the tax credit for the purchase of a new electric vehicle (EV).

Gus Khouri of Khouri Consulting was present at the Finance and Policy Executive Committee meeting on February 11, 2019 to provide an overview on the draft 2019 Legislative Platform as well as an overview of the proposed FY 18/19 State Budget released by the Governor on January 10, 2019.

The deadline to introduce legislative bills for 2019 is February 22, 2019. Mr. Khouri will return in March to highlight relevant bills for monitoring and taking positions.

EXECUTIVE COMMITTEE

On February 11, 2019, the Finance and Policy Executive Committee unanimously voted to adopt the 2019 Legislative Platform as shown in Attachment A.

ATTACHMENT

Attachment A – Draft 2019 Legislative Platform

Attachment B – Redlined Version of the Draft 2019 Legislative Platform



Attachment A

Adopted 2019 Legislative Platform

Issue	Goal	Impacts/Opportunities
<p>A. Transportation Funding</p>	<p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, Statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs.</p> <p>SB 1 provides several opportunities through the creation of various competitive programs. Options for TAM to secure funding include:</p> <ul style="list-style-type: none"> • Pursuing funding from the new competitive programs such as the Active Transportation Program, Local Partnership, Solutions For Congested Corridors, which can fund transit capital, bicycle and pedestrian programs, and projects to alleviate highway traffic congestion, such as the Marin-Sonoma Narrows and Bettini Transit Center. • TAM will continue to seek funding to provide multi-modal options for its residents. TAM will also seek funding from programs such as the Low Carbon Transit Operations Program (LCTOP) and Transit Capital and Intercity Rail Funding Program (TCIRP) for capital investments (maintenance facilities, rail) rolling stock purchases (buses, train cars). 	<ul style="list-style-type: none"> • State Highway Account • Public Transportation Account • Highway Users Tax Account • Transportation Development Act • Cap and Trade Program • Marin Transit • GGBHTD
	<p>2. In June of 2018, Bay Area voters approved Regional Measure 3, which raises bridge tolls state-owned bridges to fund congestion relief, rail connectivity and improved mobility in bridge corridors. TAM will work with Metropolitan Transportation Commission (MTC) to acquire funding as adopted in the expenditure plan for the following priorities:</p> <ul style="list-style-type: none"> • Richmond-San Rafael Bridge Access Improvements (580/101 connector)- \$210 million (Total for Marin and Contra Costa) 	<ul style="list-style-type: none"> • Local Sales Taxes • Regional Gas Taxes • Local Vehicle Registration Fees

	<ul style="list-style-type: none"> • Marin-Sonoma Narrows- \$120 million • State Route 37 Improvements - \$100 million • San Rafael Transit Center (Bettini Center) - \$30 million 	
	<p>3. The Safe Routes to Schools (SRTS) program has been merged into the newly created Active Transportation Program (ATP). Support efforts to acquire funding from the ATP for items such as complete streets and other bicycle and pedestrian projects. Work with the California Transportation Commission and MTC to provide equitable geographic distribution of ATP funds.</p>	<ul style="list-style-type: none"> • State-Funded ATP Projects • Regional-Funded ATP Projects
	<p>4. The Transportation Development Act, dedicates a statewide ¼-cent sales tax for local transportation purposes. That 1/4 cent sales tax, known as the Local Transportation Fund (LTF), generates over \$1.5 billion annually primarily for public transit. Some operators statewide have had difficulty in meeting the farebox recovery ratio requirements (20% for urban operators) that are necessary in order to qualify to use funding for operational purposes. The California Transit Association will host a working group to look at potential changes through 2019 with the goal of having a draft legislative solution available for 2020. TAM will closely monitor and participate in the process as appropriate.</p>	<ul style="list-style-type: none"> • Local Transportation Fund use for public transportation operations purposes • Unmet needs process and ability to use funds for local streets and roads
B. FY 2019-20 State Budget	<p>In his proposed FY 2019-20 State Budget, Governor Newsom proposes withholding transportation funding as a way of compelling local compliance with accommodating affordable housing goals.</p> <p>Work with organizations such as the California League of Cities, California State Association of Counties, Central Coast Coalition, among others, to protect transportation funding from being withheld or diverted, while working with stakeholders to find alternatives to address jobs-housing imbalance.</p>	<ul style="list-style-type: none"> • Funding for dedicated projects such as MSN, STIP transit projects, and annual allocations for streets and roads • Funding that matches Proposition 1B Programs, such as CMIA and SLPP • Funding for transit operating (PTA/STA) • Protection of SHA and STIP
C. Air Quality	<p>1. Monitor the work of the Roadway User Charge Committee on the feasibility of implementing a mileage-based user fee as a supplemental or successor fee to the gas tax. While the enactment of SB 1 has delayed the conversation, the issue is certain to rise to the forefront in the near future due to the prevalence of alternative fuel and electric vehicles, which do not pay at the pump.</p>	<ul style="list-style-type: none"> • Activities associated with SB 375 • Strategies to reduce VMT

	2. Per AB 179 of 2017, the CTC and California Air Resources Board are required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled and greenhouse gas emissions. Support funding for local and regional agency support to carry out SB 375 requirements by attempting to acquire funding from the various existing pots made available through the Cap and Trade programs or the creation of new programs to provide multi-modal options for county residents.	<ul style="list-style-type: none"> • Activities associated with SB 375
	3. Coordinate with MTC and local jurisdictions with Marin to support projects that may qualify for funding under LCTOP and TCIRP within Governor’s Cap and Trade proposal to reduce GHG.	<ul style="list-style-type: none"> • Activities associated with SB 375
	4. Support the highest possible level of sub-allocation of Cap and Trade funds to the regional and local levels to fund multimodal projects including local streets and roads, bicycle-pedestrian, transportation demand management (TDM), rail, and transit projects.	
	5. Support flexibility with the Cap and Trade funds allocated for transportation purposes for projects to meet GHG reduction targets and to implement sustainable communities strategies. This includes adjusting program guidelines to provide for flexibility to address a mutual benefit between disadvantaged communities and the region as a whole. TAM will also seek to modify the definition of disadvantaged communities so that resources can be put to use in underprivileged communities within the county.	<ul style="list-style-type: none"> • Flexibilities with the use of New Transportation Funds
D. Alternative Modes	1. Support maintaining and enhancing the current levels of state and federal funding for bicycle/pedestrian and electric vehicle/infrastructure programs. TAM will also support MTC’s effort to pursue statewide legislation to allow for transit buses to use shoulders along routes such as Highway 101.	<ul style="list-style-type: none"> • Safe Routes to School Programs • TDA Article 3 Funds • Active Transportation Program (ATP) Funds
	2. Several legislators have historically introduced legislation to relax requirements for using high-occupancy vehicle (HOV) lanes. TAM opposes additional expansion of high-occupancy vehicle (HOV) lanes to usage by other than high-occupancy vehicles and those vehicles currently allowed by law to use such lanes.	<ul style="list-style-type: none"> • Highway 101 HOV Lanes

E. Project Delivery	1. Seek opportunities to increase flexibility to deliver projects, such as supporting alternative contracting methods that include design-build and public private partnership.	<ul style="list-style-type: none"> • Future Major Capital projects
	2. Oppose efforts to require local agencies to reimburse Caltrans for its costs related to the preparation and/or review of project initiation documents (PIDs) for locally sponsored projects on state highway system.	<ul style="list-style-type: none"> • All Locally Sponsored Projects on the State Highway System
	3. Preserve the flexibility for local transportation agencies to be designated as the lead agency for CEQA actions, project development work and construction management for state highway projects. This includes supporting the streamlining of the CEQA process for projects within the existing right of way.	<ul style="list-style-type: none"> • Future Major Capital projects
	4. Support the continuation of Grant Anticipation Revenue Vehicle (GARVEE) bonds and AB 3090 arrangements by the CTC for STIP projects that are programmed in the out-years but are ready for implementation.	<ul style="list-style-type: none"> • All STIP-Funded Projects
	5. Support efforts to allow regional transportation agency to utilize procurement methods that will expedite project delivery and reduce cost.	<ul style="list-style-type: none"> • STIP Projects
F. Federal Priorities	1. Collaborate with transportation stakeholders to advocate for the reauthorization of a federal Surface Transportation Programs to replace MAP-21 (Moving Ahead for Progress in the 21 st Century). Support new revenue for the Highway Trust Fund and advocate for the highest possible level of funding at the county level.	<ul style="list-style-type: none"> • STP, CMAQ, and ATP Funds • Regional Programs such as Local Streets and Roads (LSR), Lifeline, and Freeway Performance Initiative (FPI)
	2. Support and enhance current flexibility in allowing dedication of funds locally to the most urgent needs and the meeting of statewide goals, such as those under AB32 and SB375.	<ul style="list-style-type: none"> • STP, CMAQ, and ATP Funds
	3. Support dedicated funding for bicycle/pedestrian projects at the federal level.	<ul style="list-style-type: none"> • Bicycle/Pedestrian projects • Safe Routes to School projects
	4. Support the continuation of maintaining pre-tax commuter benefits to an equivalent amount allowed for pre-tax parking with cost of living adjustments (COLA).	<ul style="list-style-type: none"> • Local and Regional Commuter Benefits Programs
	5. Support the continuation of the federal Internal Revenue Service (IRS) tax credit for the purchase of a new electric vehicle (EV).	<ul style="list-style-type: none"> • Local Vehicle Registration Fees



Attachment ~~B~~A

Adopted ~~2018-2019~~ Legislative Platform

Issue	Goal	Impacts/Opportunities
<p>A. Transportation Funding</p>	<p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, Statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs. The package included the repayment of \$706 million loan made to the General Fund and restoration of \$754 million in cuts to the State Transportation Improvement Program (STIP) through the elimination of the volatility associated with the gas tax. The STIP allows for regional transportation planning agencies to leverage federal and local dollars for the aforementioned purposes.</p> <p>TAM will continue to support the protection of existing revenues dedicated for transportation, which includes revenues made available through the enactment of SB 1. ACA 5, which proposes to prevent SB 1 funds from being diverted for other purposes, will be placed on the June 2018 statewide ballot.</p> <p>SB 1 provides several opportunities through the creation of various competitive programs. Options for TAM to secure funding include:</p> <ul style="list-style-type: none"> • Pursuing funding from the new competitive programs such as the Active Transportation Program, Local Partnership, Solutions For Congested Corridors, which can fund transit capital, bicycle and pedestrian programs, and projects to alleviate highway traffic congestion, such as the Marin-Sonoma Narrows and Bettini Transit Center. <p>• TAM will continue to seek funding to provide multi-modal options for</p>	<ul style="list-style-type: none"> • State Highway Account • Public Transportation Account • Highway Users Tax Account • Transportation Development Act • Cap and Trade Program • Marin Transit • GGBHTD

	<p>its residents. In addition to SB 1, the legislature approved the extension of the Cap and Trade Program, from 2020 to 2030, through the enactment of AB 398 (Garcia), Chapter 135, Statutes of 2017. As a result, TAM will also seek funding from <u>do the following to enhance mobility options:</u></p> <ul style="list-style-type: none"> Seek revenue from programs such as the Low Carbon Transit Operations Program (LCTOP) and Transit Capital and Intercity Rail Funding Program (TCIRP), which was augmented by \$245 million, for capital investments (maintenance facilities, rail) rolling stock purchases (buses, train cars). Support efforts to maintain the level of funding for the State Transit Assistance (STA) Program (SB 1 provides an additional \$364 million), which provides transit operators with flexible funding that can be used for operations and capital expenditures. 	
	<p>2. <u>In June of 2018, Bay Area voters approved Regional Measure 3, which raises bridge tolls state-owned bridges to fund congestion relief, rail connectivity and improved mobility in bridge corridors. TAM supports legislation that allows for the approval for regional and local funding for transportation. This includes the following:</u> <u>Support of a ballot measure sponsored by MTC seeking authority for Bay Area voters to consider on the June 2018 ballot on whether to raise tolls on state-owned bridges to fund congestion relief, rail connectivity and improved mobility in bridge corridors (Regional Measure 3). The ballot measure contains potential funding for County priorities such as the:</u> <u>will work with Metropolitan Transportation Commission (MTC) to acquire funding as adopted in the expenditure plan for the following priorities:</u></p> <ul style="list-style-type: none"> Richmond-San Rafael Bridge Access Improvements (580/101 connector)- \$210 million (Total for Marin and Contra Costa) Marin-Sonoma Narrows- \$120 million State Route 37 Improvements - \$100 million San Rafael Transit Center (Bettini Center) - \$30 million 	<ul style="list-style-type: none"> Local Sales Taxes Regional Gas Taxes Local Vehicle Registration Fees
	<p>3. The Safe Routes to Schools (SRTS) program has been merged into the newly created Active Transportation Program (ATP). Support efforts to acquire funding from the ATP for items such as complete streets and other</p>	<ul style="list-style-type: none"> State-Funded ATP Projects Regional-Funded ATP Projects

	bicycle and pedestrian projects. Work with the California Transportation Commission and MTC to provide equitable geographic distribution of ATP funds.	
	<u>4. The Transportation Development Act, dedicates a statewide ¼-cent sales tax for local transportation purposes. That 1/4 cent sales tax, known as the Local Transportation Fund (LTF), generates over \$1.5 billion annually primarily for public transit. Some operators statewide have had difficulty in meeting the farebox recovery ratio requirements (20% for urban operators) that are necessary in order to qualify to use funding for operational purposes. The California Transit Association will host a working group to look at potential changes through 2019 with the goal of having a draft legislative solution available for 2020. TAM will closely monitor and participate in the process as appropriate.</u>	<ul style="list-style-type: none"> • <u>Local Transportation Fund use for public transportation operations purposes</u> • <u>Unmet needs process and ability to use funds for local streets and roads</u>
B. FY 2018 2019-19 20 State Budget	<p><u>In his proposed FY 2019-20 State Budget, Governor Newsom proposes withholding transportation funding as a way of compelling local compliance with accommodating affordable housing goals.</u></p> <p><u>Work with organizations such as the California League of Cities, California State Association of Counties, Central Coast Coalition, among others, to protect transportation funding from being withheld or diverted, while working with stakeholders to find alternatives to address jobs-housing imbalance.</u>1. Monitor, assess, and react to impacts anticipated from the FY 2018-19 State budget and anticipate shortfalls for transportation programs.</p>	<ul style="list-style-type: none"> • Funding for dedicated projects such as MSN, STIP transit projects, and annual allocations for streets and roads • Funding that matches Proposition 1B Programs, such as CMIA and SLPP • Funding for transit operating (PTA/STA) • Protection of SHA and STIP
C. Air Quality	1. Review the results of <u>Monitor the work of the</u> Roadway User Charge Committee's Pilot Program Report and assess its findings on the feasibility of implementing a mileage-based user fee as a supplemental or successor fee to the gas tax. While the enactment of SB 1 has delayed the conversation, the issue is certain to rise to the forefront in the near future due to the prevalence of alternative fuel and electric vehicles, which do not pay at the pump.	<ul style="list-style-type: none"> • Activities associated with SB 375 • Strategies to reduce VMT
	2. <u>Per AB 179 of 2017, the CTC and California Air Resources Board are</u>	<ul style="list-style-type: none"> • Activities associated with SB 375

	<p>required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled and greenhouse gas emissions. Support funding for local and regional agency support to carry out SB 375 requirements by attempting to acquire funding from the various existing pots made available through the Cap and Trade programs or the creation of new programs to provide multi-modal options for county residents.</p>	
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	<p>5. Support flexibility with the Cap and Trade funds allocated for transportation purposes for projects to meet GHG reduction targets and to implement sustainable communities strategies. This includes adjusting program guidelines to provide for flexibility to address a mutual benefit between disadvantaged communities and the region as a whole. TAM will also seek to modify the definition of disadvantaged communities so that resources can be put to use in underprivileged communities within the county.</p>	<ul style="list-style-type: none"> • Flexibilities with the use of New Transportation Funds
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	<p>2. Several legislators have historically introduced legislation to relax requirements for using high-occupancy vehicle (HOV) lanes. TAM opposes additional expansion of high-occupancy vehicle (HOV) lanes to usage by other than high-occupancy vehicles and those vehicles currently allowed by law to use such lanes.</p>	<ul style="list-style-type: none"> • Highway 101 HOV Lanes
E. Project Delivery	<p>1. Seek opportunities to increase flexibility to deliver projects, such as supporting alternative contracting methods that include design-build and</p>	<ul style="list-style-type: none"> • Future Major Capital projects

	public private partnership.	
	2. Oppose efforts to require local agencies to reimburse Caltrans for its costs related to the preparation and/or review of project initiation documents (PIDs) for locally sponsored projects on state highway system.	<ul style="list-style-type: none"> • All Locally Sponsored Projects on the State Highway System
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	2. Support and enhance current flexibility in allowing dedication of funds locally to the most urgent needs and the meeting of statewide goals, such as those under AB32 and SB375.	<ul style="list-style-type: none"> • STP, CMAQ, and ATP Funds
	3. Support dedicated funding for bicycle/pedestrian projects at the federal level.	<ul style="list-style-type: none"> • Bicycle/Pedestrian projects • Safe Routes to School projects
	4. Support the <u>continuation of permanent increase of maintaining</u> pre-tax commuter benefits from the current amount of \$130 per month to an equivalent amount allowed for pre-tax parking (\$250) with cost of living adjustments (COLA).	<ul style="list-style-type: none"> • Local and Regional Commuter Benefits Programs
	<u>5. Support the continuation of the federal Internal Revenue Service (IRS) tax credit for the purchase of a new electric vehicle (EV).</u>	<ul style="list-style-type: none"> • <u>Local Vehicle Registration Fees</u>

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