

STAFF REPORT

SUBJECT: 2020 Legislative Program

FROM: Jennifer Yeamans, Senior Grants & Management Specialist

DATE: January 28, 2020

Action Requested

Staff requests the Finance & Administration Committee recommend the Board of Directors approve Resolution 06-2020 affirming LAVTA's 2020 Legislative Program.

Background

Each year the LAVTA Board of Directors approves a Legislative Program to guide staff and the Board for legislative issues to support, watch and monitor, stay neutral, or oppose. The proposed 2020 program continues several priorities identified in the 2019 program while highlighting several potential legislative initiatives ahead, with an emphasis on collaboration with state and regional advocacy partners to address them.

Last year was a relatively quiet year in terms of advocacy efforts related to public transportation compared to years prior, with much legislative effort expended in Sacramento on trying to alleviate the state's housing and homelessness crises.

Discussion

Looking ahead to 2020, the proposed Legislative Program in Attachment 2 continues last year's federal, state, and regional/local advocacy efforts centered around the following four principles in support of LAVTA's mission:

1. Protect existing and enhance future transportation funding sources.
2. Enhance operating conditions to support safety and performance goals.
3. Enhance public transit's role in addressing climate change and air quality issues.
4. Leverage support from and with partners to promote mobility, improve service productivity, and enhance regional leadership.

Federal Update

The 116th Congress reconvened earlier this month in the midst of ongoing impeachment proceedings dominating the work of both chambers. Nevertheless prior to the end of 2019, Congress did enact an omnibus spending bill to fund full appropriations for surface transportation, including public transit formula funds, for the remainder of federal FY 2020. For the third year in a row, transit formula programs received increases above levels authorized by the Fixing America's Surface Transportation (FAST) Act of 2015.

The five-year FAST Act authorization expires September 30, 2020. LAVTA should continue to advocate for a dedicated, stable revenue source as part of a successor surface transportation authorization bill.

Finally, the 2020 Census is getting under way. LAVTA should work to help ensure that population counts for the state, region, and our member localities are complete and accurate counts that appropriately represent the public transit needs of our service area in order to maximize federal formula apportionments that draw upon Census data.

State Update

Following winter recess, the State Legislature reconvened earlier this month and began taking up some two-year bills held over from last year's session. A draft of the state legislative calendar for 2020 is included as Attachment 3. Early legislative deadlines for 2020 include:

- February 21: Last day for bills to be introduced
- April 24: Last day for policy committees to report fiscal bills introduced in their house to fiscal committees
- May 15: Last day for fiscal committees to report to the floor bills introduced in their house
- May 29: Last day for each house to pass bills introduced in that house

The coming year is expected to see results from the work of the California Transit Association's Task Force formed in early 2019 at the Legislature's request to review performance standards in the Transportation Development Act (TDA), which provides about half of LAVTA's operating revenue from a statewide quarter-cent sales tax (Local Transportation Fund) and sales tax on diesel fuel (State Transit Assistance). In particular the Task Force sought to examine longstanding farebox recovery requirements in an era of declining transit ridership, and to consider alternative measures that could incentivize transit agency actions to increase ridership that could potentially be enacted in 2020. Due to the significance of this revenue source to the agency's annual operating budget, LAVTA staff will continue to monitor these activities closely as the Task Force wraps up its final recommendations.

Finally, on January 10, Governor Gavin Newsom introduced his FY20-21 state budget, totaling \$153 billion in proposed spending. Relief for the state's housing crisis was a major focus of the budget, in addition to climate and disaster response, education, and maintaining and growing robust reserves for the next economic downturn. The proposal also included a nearly 5% increase in State Transit Assistance funding over FY19-20, which LAVTA uses primarily to support fixed-route operations and state-of-good-repair maintenance expenditures. The Legislature has until June 15 to enact a budget for next fiscal year.

Regional/Local Update

Following Bay Area voters' approval of Regional Measure 3 in June 2018, MTC has begun developing the Regional Measure 3 Expenditure Plan, although two lawsuits challenging the toll increase are pending in the Superior Court of San Francisco, keeping new revenues in

escrow until the lawsuits are resolved. LAVTA will continue to track development of RM 3 policies and procedures, including those for new sources of operating revenues.

Another potential regional transportation ballot measure (sometimes known as FASTER Bay Area) may also continue to be refined in 2020, and LAVTA should continue to engage and coordinate with the measure's advocates and other stakeholders should a measure be identified for 2020 or beyond.

Next Steps

If the Board of Directors approves the 2020 Legislative Program, staff will bring updates on new and continuing bills to future Finance & Administration Committee meetings for information and/or potential action as may be appropriate.

Fiscal Impact

None

Recommendation

Staff recommends the Finance & Administration Committee refer Resolution 06-2020 affirming LAVTA's 2020 Legislative Program to the Board of Directors for approval.

Attachments:

1. Resolution 06-2020
2. 2020 Legislative Program
3. Draft 2020 California State Legislative Calendar

RESOLUTION NO. 06-2020

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE
AMADOR VALLEY TRANSIT AUTHORITY
2020 LEGISLATIVE PROGRAM**

WHEREAS, the California Legislature and the U.S. Congress have convened their current legislative sessions in late 2018 and early 2019, respectively; and

WHEREAS, to promote the interests of the Livermore Amador Valley Transit Authority, the Board of Directors finds it desirable to adopt a Legislative Program; and

WHEREAS, the purpose of the Legislative Program is to guide the Board and staff's strategy and actions as it relates to various levels of government whose actions affect LAVTA; now, therefore, be it

RESOLVED that the 2020 Legislative Program of the Livermore Amador Valley Transit Authority, included as Attachment 2, is hereby adopted and shall guide the Board and staff's actions; and be it further

RESOLVED that the Executive Director shall operate within these guidelines in interactions with other levels of government in order to promote LAVTA's interests, employing strategies including participation in advocacy activities and taking positions on state and federal legislation; and be it further

RESOLVED that should issues arise that are not covered by this 2020 Legislative Program, that the Executive Director shall confer with the Chair of the Board to seek direction on a course of action.

PASSED AND ADOPTED by the governing body of the Livermore Amador Valley Transit Authority (LAVTA) this 3rd day of February 2020.

BY _____
David Haubert, Chair

ATTEST _____
Michael Tree, Executive Director

FEDERAL	
Goal or Principle	Strategy
1) Protect Existing and Enhance Future Transportation Funding Sources	Work with state, regional, and local transportation agencies, and other state and national advocacy partners, to develop a FAST Act reauthorization agenda and support coalitions that support local, regional, and statewide priorities as well as those of public transit in general. Support new, stable federal funding to ensure the solvency of the Highway Trust Fund as part of the reauthorization agenda.
	Advocate that Congress appropriate the full amounts authorized by law for FY 2021, and that these vital federal funds are provided expeditiously to transit agencies for use on transit capital projects and operations. Support increased funding levels for discretionary programs such as the Bus and Bus Facilities and Low or No Emission grant programs, and ensure that appropriations are allocated according to the program structure authorized by law and to the benefit of public transit.
	Seek funding for public transit from any future federal infrastructure initiative and support legislation that would provide local transportation entities with the ability to enhance revenues for public transit improvements and to provide jobs for local workers.
4) Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	Expand legislative and policy partnerships in Washington, D.C., in particular coordinating in advocacy activities involving planning and/or implementation of ValleyLink.
	Engage with partners to ensure public transit and local interests are reflected in the development and implementation of activities related to the 2020 U.S. Census.

STATE	
Goal or Principle	Strategy
1) Protect Current and Enhance Future Transportation Funding Sources	Advocate for a FY 2020-21 state budget that enhances the State's investment in public transportation, active transportation, and highway operations/system management.
	Partner with the California Transit Association in its efforts to update California's current TDA (Transportation Development Act) eligibility requirements, consistent with state and regional climate goals.

	<p>Support expanding and/or broadening eligibility of existing state funds to help transit operators convert their bus fleets to zero-emission in order to meet the state’s Innovative Clean Transit rule.</p>
	<p>Advocate that legislation aimed at benefiting disadvantaged communities (DACs) use a definition that includes low-income communities and does not rely exclusively on communities defined by the state’s CalEnviroScreen method which disproportionately excludes the Bay Area low-income communities relative to other parts of the state, and LAVTA’s service area with respect to other service areas.</p>
<p>2) Enhance Operating Conditions to Support Safety and Performance Goals</p>	<p>Work with interested transit and regional agencies and advocacy partners to support efforts to authorize buses to use the highway shoulder, known as “bus-on-shoulder” (BOS) 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.</p>
	<p>Support regional efforts to improve the performance of high-occupancy vehicle (HOV) and express lanes through enhanced enforcement of vehicle passenger occupancy requirements.</p>
<p>3) Enhance Public Transit’s Role in Addressing Climate Change and Air Quality Issues</p>	<p>Monitor implementation activities and new legislation related to the California Air Resources Board’s (ARB) Innovative Clean Transit regulation related to Zero Emission Bus (ZEB) purchase requirements, and advocate for programs and incentives to minimize undue burdens on transit agencies transitioning to ZEB technology.</p>
<p>4) Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership</p>	<p>In partnership with local cities and counties, transit agencies, the business community, and other transportation organizations, engage in regulatory and legislative efforts related to connected and autonomous vehicles (including SAVs) with the goal of accelerating their mobility, safety, and economic benefits.</p>

REGIONAL/LOCAL	
Goal or Principle	Strategy
1) Protect Existing and Enhance Future Transportation Funding Sources	Support efforts of MTC to maximize the proportion of federal and statewide funding sources allocated to the Bay Area and to small operators.
	Engage, coordinate with, and support as appropriate efforts to develop a potential regional transportation ballot measure for 2020 to enhance public transit infrastructure in the nine-county Bay Area.
3) Enhance Operating Conditions to Support Safety and Performance Goals	Advocate for improvements to the local and regional street networks that enhance transit operating speed and reliability
	Improve roadway safety for all users and support proposals to increase enforcement of traffic laws protecting pedestrians and bicyclists.
4) Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	Support efforts of the Tri-Valley–San Joaquin Valley Regional Rail Authority and its member agencies and stakeholders to connect the BART and ACE rail systems in the Tri-Valley.
	Continue to support efforts in conjunction with project partners to advance LAVTA’s ability to conduct shared autonomous vehicle (SAV) testing at a specific site or sites within its service area.
	Support the concept of coordinated fares and Clipper integration to serve as an incentive to ride public transit, particularly among transit agencies providing service within and adjacent to LAVTA’s service area.
	Continue to develop innovative partnerships with private transportation providers including taxi and transportation network companies to connect more people in the Tri-Valley to public transit.
	Support other members of the Cooperating Area Transit Systems group (suburban transit operators in Eastern Alameda County and Contra Costa County), if appropriate, and work together on regional programs of mutual interest.
	Work with local businesses to support efforts to encourage transit use among their employees.

2020 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICES OF THE SECRETARY OF THE SENATE AND THE OFFICE OF THE CHIEF CLERK
October 18, 2019 (Final)

DEADLINES

JANUARY						
S	M	T	W	TH	F	S
			<u>1</u>	2	3	4
5	<u>6</u>	7	8	9	<u>10</u>	11
12	13	14	15	16	<u>17</u>	18
19	<u>20</u>	21	22	23	<u>24</u>	25
26	27	28	29	30	<u>31</u>	

FEBRUARY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	<u>17</u>	18	19	20	<u>21</u>	22
23	24	25	26	27	28	29

MARCH						
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15	16	17	18	19	20	21
22	23	24	25	26	<u>27</u>	28
29	30	31				

APRIL						
S	M	T	W	TH	F	S
			1	<u>2</u>	3	4
5	6	7	8	9	10	11
12	<u>13</u>	14	15	16	17	18
19	20	21	22	23	<u>24</u>	25
26	27	28	29	30		

MAY						
S	M	T	W	TH	F	S
					<u>1</u>	2
3	4	5	6	7	<u>8</u>	9
10	11	12	13	14	<u>15</u>	16
17	18	19	20	21	22	23
24	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	30
31						

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 6** Legislature Reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 17** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the **odd-numbered year** (J.R. 61(b)(1)).
- Jan. 20** Martin Luther King, Jr. Day.
- Jan. 24** Last day for any committee to hear and report to the **floor** bills introduced in that house in the odd-numbered year (J.R. 61(b)(2)). Last day to **submit bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to **pass bills introduced** in that house in the odd-numbered year (Art. IV, Sec. 10(c)), (J.R. 61(b)(3)).
- Feb. 17** Presidents' Day.
- Feb. 21** Last day for bills to be **introduced** (J.R. 61(b)(4)), (J.R. 54(a)).
- Mar. 27** Cesar Chavez Day observed
- Apr. 2** **Spring Recess** begins upon adjournment of this day's session (J.R. 51(b)(1)).
- Apr. 13** Legislature reconvenes from **Spring Recess** (J.R. 51(b)(1)).
- Apr. 24** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house (J.R. 61(b)(5)).
- May 1** Last day for **policy committees** to hear and report to the floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 8** Last day for **policy committees** to meet prior to June 1 (J.R. 61(b)(7)).
- May 15** Last day for **fiscal committees** to hear and report to the floor bills introduced in their house (J.R. 61(b)(8)). Last day for **fiscal committees** to meet prior to June 1 (J.R. 61(b)(9)).
- May 25** Memorial Day
- May 26 - 29** **Floor Session Only.** No committees, other than conference or Rules Committees, may meet for any purpose (J.R. 61(b)(10)).
- May 29** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

*Holiday schedule subject to Senate Rules committee approval.

2020 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICES OF THE SECRETARY OF THE SENATE AND THE OFFICE OF THE CHIEF CLERK
October 18, 2019 (Final)

JUNE						
S	M	T	W	TH	F	S
	<u>1</u>	2	3	4	5	6
7	8	9	10	11	12	13
14	<u>15</u>	16	17	18	19	20
21	22	23	24	<u>25</u>	<u>26</u>	27
28	29	30				

June 1 Committee meetings may resume (J.R. 61(b)(12)).

June 15 **Budget Bill** must be **passed** by **midnight** (Art. IV, Sec. 12(c)(3)).

June 25 Last day for a legislative measure to qualify for the November 3 General Election ballot (Election code Sec. 9040).

June 26 Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13)).

JULY						
S	M	T	W	TH	F	S
			1	<u>2</u>	<u>3</u>	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

July 2 Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)). **Summer Recess** begins upon adjournment provided Budget Bill has been passed (J.R. 51(b)(2)).

July 3 Independence Day observed.

AUGUST						
S	M	T	W	TH	F	S
						1
2	<u>3</u>	4	5	6	7	8
9	10	11	12	13	<u>14</u>	15
16	<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>	<u>21</u>	22
23	<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	29
30	<u>31</u>					

Aug. 3 Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).

Aug. 14 Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).

Aug. 17 – 31 **Floor Session only**. No committees, other than conference and Rules committees, may meet for any purpose (J.R. 61(b)(16)).

Aug. 21 Last day to **amend bills** on the Floor (J.R. 61(b)(17)).

Aug. 31 Last day for **each house to pass bills** (Art. IV, Sec. 10(c), (J.R. 61(b)(18)). **Final recess** begins upon adjournment (J.R. 51(b)(3)).

*Holiday schedule subject to Senate Rules committee approval.

IMPORTANT DATES OCCURRING DURING FINAL RECESS

2020

Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec. 10(b)(2)).

Nov. 3 General Election

Nov. 30 Adjournment *Sine Die* at midnight (Art. IV, Sec. 3(a)).

Dec. 7 12 m. convening of 2021-22 Regular Session (Art. IV, Sec. 3(a)).

2021

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).