



Alameda-Contra Costa Transit District

STAFF REPORT

TO: External Affairs Committee
AC Transit Board of Directors

FROM: David J. Armijo, General Manager

SUBJECT: Draft 2013 Federal and State Legislative Advocacy Programs

ACTION ITEM

RECOMMENDED ACTION(S):

Consider recommending approval of the District's Federal and State Legislative Advocacy Programs for 2013.

EXECUTIVE SUMMARY:

Each year the AC Transit Board of Directors adopts advocacy programs to provide guidance for the District's activities in Washington, D.C. and Sacramento to influence transit legislation, appropriations, and administrative matters at the State and Federal levels. The attached programs for 2013 address on-going efforts as well as emerging issues for the coming year.

BUDGETARY/FISCAL IMPACT:

There is no budgetary or fiscal impact associated with this report.

BACKGROUND/RATIONALE:

At the Federal level, the proposed District advocacy program focuses on providing predictable funding at levels that will maintain and enhance the District's current capability. Chief among these advocacy elements are:

- Supporting funding for the Federal Transit Administration's Moving Ahead for Progress in the 21st Century (MAP-21);
- Supporting grant opportunities for critical District systems, including the communications system, rehabilitating facilities and bus rapid transit;
- Supporting efforts to make the Highway Trust Fund/Mass Transit Account sustainable; and
- Supporting efforts to fund the Transbay Terminal.

At the State level, the proposed advocacy program maintains and increases the District's revenue and reduces the impact of State regulations. Among the more significant elements of the advocacy program are:

- Supporting the development of an expenditure plan for the State's cap and trade revenue that includes transit;
- Supporting efforts to create new sources of operating funds;
- Supporting action to enhance bus movement on freeways and bridges (contra-flow lanes, HOV lanes, use of freeway shoulders);
- Supporting action aimed at increasing the use of public transit (clean air incentives and employer support of transit).

Staff solicited input to develop the attached Federal and State advocacy programs from key staff and executives. Per the Board's direction (GM Memo 10-039a), draft programs were distributed to advocacy groups and the District's planning and funding partners to solicit feedback. Responses received were considered in developing the attached advocacy programs.

ADVANTAGES/DISADVANTAGES:

Adoption of an advocacy program will provide clear and consistent direction to the District's staff and consultant's regarding the District's positions on issues.

ALTERNATIVE ACTIONS:

Cancel the advocacy program. The Board could opt to cancel the advocacy program outright, leaving the District without a formal position regarding potential legislative activities.

Decline this proposed advocacy program. The Board could direct staff to revise and re-submit.

PRIOR RELEVANT BOARD ACTIONS/POLICIES:

GM Memo 10-039a

ATTACHMENTS:

- 1: FY 2013 State Advocacy Program
- 2: FY 2013 Federal Advocacy Program

Department Head Approval: Dennis Butler, Chief Planning & Development Officer
Prepared by: Beverly Greene, Director of Legislative Affairs & Community Relations



2013 State Advocacy Program

Funding

- Support efforts to implement the Moving Ahead for Progress in the 21st Century Act (MAP-21) that at least maintains funding levels for mass transit projects and programs for bus operators in the Bay Area.
- Support the development and implementation of an expenditure plan for AB 32 cap and trade revenue that provides an equitable investment in mass transit capital improvements, operations, and infill/transit oriented development.
- Support efforts that create new sources of operating funds with equitable distribution to reflect urban transit needs.
- Support efforts to sustain existing transit revenues.
- Support efforts that would exempt public transit providers from state sales tax.
- Support efforts to provide funding for lifeline services including, but not limited to, services for access to work, school or medical facilities.
- Support local ability to increase fees and gas taxes to be used for local mass transit purposes.
- Support legislation and programs that would provide funding for global warming initiatives, clean air and clean fuels and that support implementation of AC Transit's Climate Action Plan.
- Seek funding for East Bay Bus Rapid Transit.
- Support congestion pricing strategies and legislation that provide an equitable multi-modal distribution of generated revenues.
- Support legislative or administrative action to remove State barriers so that Medicaid transportation funds can be used for public transit services, including ADA paratransit services.
- Support funding and coordination between Health and Human Service (HHS) agencies and other transportation agencies to provide services to HHS clients.

- Support legislation and programs that would provide funding for employee benefits programs.
- Support funding initiatives that relieve the fiscal burden of mandatory regulations.

Equipment and Operations

- Support legislation or administrative action that would direct Caltrans to establish and maintain HOV lanes on state highway routes and to improve existing HOV lane management to maximize throughput.
- Support incentives to provide bus contra flow lanes on the San Francisco-Oakland Bay Bridge to/from the Transbay Terminal.
- Support legislation to exempt public transit vehicles from state and local truck route ordinances.
- Support legislation or administrative action that would direct Caltrans to permit permanent use of freeway shoulders by public transit buses.

Transit Incentives

- Support legislation to provide incentives for employees and employers to use public transportation to commute to work, including tax credits for purchasing transit passes.
- Support Clean Air Initiatives that encourage increased public transit use.
- Support incentives that would give auto insurance credits to heavy transit users.
- Support common fare programs between Bay Area systems.
- Support legislation to provide incentives for local governments and developers to incorporate transit passes into the cost of housing.

Environment and Transit Supportive Land Use

- Support efforts that provide a new form of tax increment financing that promotes economic investment through transit oriented development, and requires the approval of all affected taxing entities.

- Advocate for transit-supportive legislation that addresses climate change, healthy communities and environments.
- Foster transit supportive land use initiatives that require coordination with transit providers in the initial stages of local planning or project development that impacts transit, including density level decisions or transit oriented developments (TODs); and advocate for the required use of:
 - Transit streets agreements, and
 - Complete streets plans in which local transportation plans anticipate use of all modes.
- Support legislation that requires reporting of Vehicle Miles Traveled (VMT) annually through DMV renewal.

Policy Interests

- Support simple majority vote for local transportation ballot tax initiatives.
- Support legislation to allow District to ban persons for specified offenses from entering district property.
- Seek revisions to the Metropolitan Planning Organization (MPO) grandfather clause that supports direct representation of transit properties on local transportation policy boards.
- Redefine agency as Rapid Transit District.
- Support legislation for STA formula reform that includes federal operating funding as eligible revenue.
- Support efforts that maintain existing Workers' Compensation regulation.

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2013 Federal Advocacy Program

Funding

- Support efforts to implement the Moving Ahead for Progress in the 21st Century Act (MAP-21) that at least maintains funding levels for mass transit projects and programs for bus operators in the Bay Area.
- FY 2012 Grant Opportunities- Secure federal funds for key capital projects and support funding for 2013 Project Priorities for:
 - East Bay BRT Improvements within the Small Starts Program and other programs
 - AC Transit's Intelligent Transportation and Communication System upgrades
 - Bus lifting equipment program
 - Rehabilitation of aging facilities
- Advocate for supplemental funding through the Federal Transit Administration to offset rising operating costs without jeopardizing total funding available for capital projects.
- Support funding for the Transbay Terminal.
- Support/seek additional funding for lifeline services including, but not limited to services for access to work, school or medical facilities.
- Support efforts to rescind the planned across-the-board cuts to all federal programs, called "Sequestration," as enacted under the Budget Control Act of 2011. Such cuts would reduce funding for the Small Starts Program, which could impact the East Bay BRT project schedule.

Transportation Authorization Principles

- Support efforts to increase the gas tax or to increase other revenues to replenish and sustain long-term growth of the Highway Trust Fund/Mass Transit Account.
- Support transportation authorization reform that emphasizes greater funding levels to urban mass transit systems, and oppose efforts to reduce spending on transit formula programs.

- Support FTA and Congressional efforts to make State of Good Repair for transit bus systems a strategic priority.
- Support broad funding eligibility for BRT projects in federal transit programs, including New Starts and Small Starts programs,
- Seek revisions to the Metropolitan Planning Organization (MPO) grandfather clause that supports the direct representation of transit properties on local transportation policy boards.

Other Advocacy

- Advocate for transit-supportive legislation that mitigates global warming and/or calls for environmental stewardship and related funding.
- Support funding and coordination between Health and Human Service (HHS) agencies and other transportation agencies to provide services to HHS clients.
- Support modal parity in the commute tax benefits.
- Support legislation that relieves the fiscal burden of mandatory regulations.