



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Theresa M. Parnell</i> 28 Nov 2018		GENERAL MANAGER ACTION REQ'D:		
DATE: 11/19/2018		BOARD INITIATED ITEM: No		
Originator/Prepared by: Amanda Cruz Dept: Gov't & Community Relations Signature/Date: <i>Amanda Cruz</i> 11/26/18	General Counsel <i>[Signature]</i> 11/27/18 [ ]	Controller/Treasurer <i>[Signature]</i> 11/27/18 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> [ ]
Status: Routed		Date Created: 11/19/2018		

### 2019 Federal and State Legislative Advocacy Program

#### PURPOSE:

To review, discuss, and seek approval of the District's 2019 Federal and State Legislative Advocacy Program.

#### DISCUSSION:

BART's federal and state advocacy efforts are guided by annual goals adopted by the Board of Directors. The goals reflect BART's legislative priorities and provide guidance for the District's activities in Washington, D.C. and Sacramento. The program is intended to be broad to give BART the flexibility to pursue legislative and administrative opportunities that may present themselves during the year, and to respond in an expeditious manner to the dynamic political and policy environments at the federal and state level. The following summarizes proposed federal and state goals BART plans to actively pursue in 2019.

#### PROPOSED FEDERAL ADVOCACY PROGRAM:

**Secure an appropriation and Full Funding Grant Agreement (FFGA) for BART's Transbay Corridor Core Capacity Project (Core Capacity Project) within the Federal Transit Administration's (FTA) Capital Investment Grant (CIG) Program**  
BART's Core Capacity Project is applying for a total of \$1.25 billion in CIG funding and has requested \$50 million in FY19 and \$100 million in FY20 budget appropriations. FY19 appropriations for Transportation, Housing and Urban Development are currently being negotiated and CIG funding is anticipated to be at or above levels authorized in the Fixing American's Surface Transportation (FAST) Act.

BART has been seeking FTA approval for entry into Engineering since late 2017 and advocacy efforts will continue towards securing a FFGA by the end of 2019. BART will leverage support from its Congressional delegation, transit, business, labor, and other Bay Area stakeholders to ensure the Core Capacity Project does not experience further delays and is given full and fair consideration by the FTA and Administration.

**Advocate for maintaining or increasing funding to support public transit security and safety programs; pursue grants that allow BART to enhance its safety and security initiatives**

For FY19, the BART Board approved the advancement of a Safety and Security Action Plan. The Action Plan includes a series of proposals that will boost the visible presence of police and employees in the system, enhance BART's already robust network of surveillance cameras, increase public safety outreach, and more.

To support initiatives within the Action Plan, BART will continue advocacy efforts focused on maintaining and increasing funding for all transit security programs within the Department of Homeland Security and pursue grant funding for priority projects. BART will also actively explore grant opportunities through the Department of Transportation, Department of Justice, and other federal agencies.

**Educate Congressional delegation regarding ongoing efforts to address quality of life on BART; seek support for programs or policies to assist transit agencies in responding to quality of life issues**

Quality of life on BART is a strategic focus in FY19 with substantial resources committed to addressing the interrelated issues of fare evasion, homelessness, cleanliness, and safety. BART will work to educate members and their staff on efforts to improve the rider experience, employee work environment, and local partnerships. BART will also work with the American Public Transportation Association (APTA) as they take a leadership role in helping transit agencies address issues such as homelessness and mental health. BART may wish to engage in innovative programs that include transit agencies and learn from best practices utilized by other public agencies nationally.

**Engage in advocacy efforts to advance a federal infrastructure initiative with a specific focus on new funding mechanisms for transit and investment in workforce development**

President's Trump's "Rebuilding Infrastructure in America" proposal seeks to utilize \$200 billion in federal funds to leverage \$1.5 trillion in new investment over the next ten years for highways, public transit, airports, goods movement, and telecommunications. Members of Congress have also discussed variations on this proposal, seeking to provide immediate funding for infrastructure investment while exploring potential long-term, sustainable funding streams for transportation. President Trump has stated infrastructure is an area where he could work with the incoming Democratic majority.

BART will continue to advocate to the Administration, Congress, and key policy and fiscal committees for an infrastructure proposal that includes new federal funding for public transit. BART will work with APTA, the Metropolitan Rail Discussion Group, California Transit Association, and other advocacy groups to support a package that prioritizes the replacement of aging infrastructure, addresses growing demand for new or expanded service, and includes funds for innovative mobility and workforce development.

**Advocate for robust transit funding in a federal surface transportation reauthorization bill**

The FAST Act is set to expire at the end of FY 2020. To ensure that the next federal surface transportation reauthorization benefits public transit, BART will work with national and statewide organizations to advocate for a long-term authorization at funding levels no less than what is included in year five of the FAST Act. BART will support restoring Highway Trust Fund solvency and raising new revenues to support transit programs long-term.

**PROPOSED STATE ADVOCACY PROGRAM:**

**Pursue state transit funding through formulaic and competitive grant programs; monitor state budget and identify new funding opportunities that may support BART's operations or capital investment needs**

In November, California voters rejected Proposition 6, which sought to repeal Senate Bill 1 (SB 1) and impede future efforts to generate vital transportation funding. BART opposed Proposition 6 and will continue efforts to protect state transportation funding from being eliminated, repealed, or diverted within the state budget.

With SB 1 dollars continuing to flow in accordance with the FY19 State Budget, BART will educate and engage the new Administration, agency executives, state commissioners, members of the Legislature, and key committees to gain support for critical infrastructure projects such as the Core Capacity Project and other District initiatives with identified funding needs. BART will continue to pursue SB 1-related grants and other possible funding administered by the Department of Transportation, Energy Commission, Air Resources Board, Department of Housing and Community Development, Workforce Development Board, and Office of Emergency Services.

**Advocate for additional, more flexible funding for public transit through the Cap and Trade Program**

BART will support efforts to strengthen the Cap and Trade program as a source of transportation funding and monitor the state budget process closely for opportunities to increase the amount of annual auction proceeds directed to transit investments. BART will also support efforts to restructure the Affordable Housing and Sustainable Communities Program in a way that would enable more direct investment in transportation improvements such as transit-oriented development to further the state's climate change goals.

**Educate the new Administration, state departments, and members of the Legislature on new and ongoing efforts to bolster transit security, and improve rider safety**

Within the past year, violent crimes committed on BART have necessitated additional measures to further enhance safety and security. The Legislature has been supportive of previous efforts at BART to address violent crimes and promote safety through granting BART the authority to create a prohibition order program. As BART continues its implementation of the Safety and Security Action Plan, staff will update members of the Legislature on any progress, seek input, and discuss potential areas in which the state may support various initiatives.

**Monitor implementation of new housing legislation and seek out funding opportunities for affordable housing and transit-oriented development (TOD)**

With the passage of Proposition 1 in November, \$4 billion in state general obligation bonds was approved for affordable housing and veterans housing programs. This includes \$150 million for TOD, specifically loans and grants to local governments and developers for housing projects near transit stations; and \$300 million in grants for infill infrastructure that supports high-density affordable and mixed-income housing. BART will monitor first-year program implementation and seek to identify ways in which funding can be used to support BART's goals within existing TOD and Affordable Housing Policies. BART may also wish to support legislation that seeks to address the housing crisis within the region and specifically look at efforts lead by the Committee to House the Bay Area, or CASA, as convened by the Metropolitan Transportation Commission.

**Continue to engage in statewide efforts to address homelessness and mental health needs**

Last session, BART supported several bills that sought to address the state's homelessness crisis through planning, prevention and emergency aid. BART may wish to continue supporting legislation and budget appropriations that bolster locally administered programs for specific homeless or at-risk populations, especially those funded through the Homeless Emergency Aid Program. With the passage of Proposition 2, the No Place Like Home Program, in November, BART may also wish to monitor how the state plans to accelerate the issuance of \$2 billion in bond funds to help provide housing for individuals experiencing mental illness who are homeless or at risk of homelessness.

**Pursue and pass necessary BART-sponsored legislation**

As necessary, BART will seek to introduce and pass sponsored legislation that addresses a specific problem or goal as identified by the Board and/or staff.

**Monitor and respond to legislation that directly impacts BART**

BART will ensure that the District's interests are represented in any legislative effort that could directly impact the District. This may include bills introduced in the current session as

well as bills that were recently enacted.

**FISCAL IMPACT:**

N/A

**ALTERNATIVES:**

The Board could decline to support the 2019 Federal and State Legislative Advocacy Program.

**RECOMMENDATION:**

For the Board to approve the following motion.

**MOTION:**

The Board approves the 2019 Federal and State Legislative Advocacy Program, as presented by staff.