



# URGENT ITEM AGENDA MATERIAL

Government Code Section 54954.2(b)  
Rules of Procedure Chapter III.C.5

**THIS ITEM IS NOT YET AGENDIZED AND MAY OR MAY NOT BE ACCEPTED FOR THE AGENDA AS A LATE ITEM, SUBJECT TO THE CITY COUNCIL'S DISCRETION ACCORDING TO BROWN ACT RULES**

**Meeting Date: February 14, 2023**

**Item Description: Letter to Senator Nancy Skinner and Assemblymember Phil Ting in Support of Public Transit Funding in FY 2023-24 State Budget**

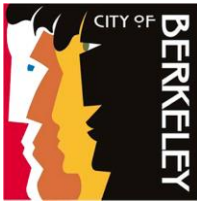
This item is submitted pursuant to the provision checked below:

- Emergency Situation (54954.2(b)(1) - majority vote required)  
*Determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.*
- Immediate Action Required (54954.2(b)(2) - two-thirds vote required)  
*There is a need to take immediate action and the need for action came to the attention of the local agency subsequent to the agenda for this meeting being posted.*

Once the item is added to the agenda (Consent or Action) it must be passed by the standard required vote threshold (majority, two-thirds, or 7/9).

## **Facts supporting the addition of the item to the agenda under Section 54954.2(b) and Chapter III.C.5 of the Rules of Procedure:**

The need for action came to the attention of the Council subsequent to the agenda for this meeting being posted. There is a need to take immediate action, as budget negotiations for the FY 2023-24 California state budget process are ongoing, and as transit agencies across California will need to implement extreme and catastrophic service cuts if they do not receive extended COVID-19 recovery funding.



CITY COUNCILMEMBER  
**RIGEL ROBINSON**  
DISTRICT 7

CONSENT CALENDAR

February 14, 2023

To: Members of the City Council

From: Councilmember Rigel Robinson (Author), Mayor Jesse Arreguin (Co-Sponsor)

Subject: Letter to Senator Nancy Skinner and Assemblymember Phil Ting in Support of Public Transit Funding in FY 2023-24 State Budget

RECOMMENDATION

Send a letter to Senate Budget and Fiscal Review Committee Chair Nancy Skinner and Assembly Committee on Budget Chair Phil Ting to urge them to prioritize funding in the FY 2023-24 budget to avoid the impending fiscal cliff faced by transit agencies in the wake of COVID-19.

BACKGROUND

Transit agencies across the Bay Area and across California are facing a dire fiscal crisis and urgently need subsidies by the State. Subsidies are necessary to avoid drastic service cuts and fare increases disproportionately impacting low-income people that would decrease service quality and cause ridership to decrease, sending agencies into a negative feedback loop; without increased funding, cuts to service will lead to decreased ridership, which will lead to decreased farebox revenue, which will require further cuts to service — and the feedback loop repeats. Without aid, BART would need to cut service by a disastrous 65-85 percent.<sup>1</sup> Drastic transit cuts are a threat to countless policy goals including the regional Plan Bay Area 2050, which envisions “a next-generation network of frequent-service transit lines.”<sup>2</sup> Materially, extreme cutbacks to one of our most basic and essential government utilities would be disastrous, especially for low-income community members, seniors, and people living with disabilities who rely on public transportation to access basic destinations. Cutbacks would also threaten local, regional, and state climate goals by reducing public transit mode share substantially and requiring increased reliance on automobiles.

During COVID-19, the federal government provided relief funding to transit agencies across the country to cover shortfalls from decreased farebox revenue. This money is set to run out. The timeline for when federal relief money will run out differs from agency to agency. Transit authorities and advocates across the Bay Area have submitted an extensive joint letter urging state leaders to recognize the urgency of this crisis and provide extended recovery funding for transit agencies across the state in the FY 2023-24 budget.<sup>3</sup>

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<sup>1</sup> Attachment 2, Page 2

<sup>2</sup> [Plan Bay Area 2050 | Metropolitan Transportation Commission \(ca.gov\)](https://www.mta.com/plan-bay-area-2050)

<sup>3</sup> Attachment 2; [Transit Operating Coalition Letter](#)

Berkeley residents and those who do not own a car — especially students, those living with disabilities, and lower-income residents — rely on public transit to access work, school, and other essential destinations. Pre-pandemic in 2018, Berkeley ranked #5 out of all Bay Area cities for its public transit mode share; 23.6 percent of residents commuted to work or school on transit.<sup>4</sup> Almost a quarter of Berkeley residents rely on transit to get to work, and cuts to BART and AC Transit service on the magnitude being forecasted would be catastrophic for the economic, social, and academic wellbeing of some of Berkeley’s most vulnerable residents. Drastic cuts to public transportation service would also threaten the ambitious carbon reduction goals Berkeley committed to in its 2009 Berkeley Climate Action Plan.<sup>5</sup>

#### FINANCIAL IMPLICATIONS

None.

#### ENVIRONMENTAL SUSTAINABILITY

No impact.

#### CONTACT PERSON

Councilmember Rigel Robinson, (510) 981-7170

Sam Greenberg, Legislative Assistant, [samgreenberg@cityofberkeley.info](mailto:samgreenberg@cityofberkeley.info)

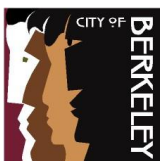
Attachments:

- 1: Letter
- 2: Transit Operating Coalition Letter

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<sup>4</sup> [Commuter Mode Choice | Vital Signs \(mtc.ca.gov\)](https://www.mtc.ca.gov/commute-mode-choice/vital-signs)

<sup>5</sup> [Berkeley Climate Action Plan, 2009 \(berkeleyca.gov\)](https://www.berkeleyca.gov/berkeley-climate-action-plan)



February 14, 2023

The Honorable Nancy Skinner  
Chair, Senate Budget and Fiscal Review Committee  
California State Senate

The Honorable Phil Ting  
Chair, Assembly Committee on Budget  
California State Assembly

Dear Chair Skinner and Chair Ting,

As FY 2023-24 budget negotiations continue, the City of Berkeley strongly urges you to prioritize a comprehensive funding package for transit agencies recovering from the COVID-19 pandemic and facing a dire fiscal crisis. Across California, transit agencies have seen drastic reductions in ridership due to the COVID-19 emergency — especially agencies like Caltrain and BART whose ridership is especially tied to traditional peak commute patterns. While ridership continues to climb across the State, it may be years before many agencies are financially stable again. It is imperative that state lawmakers allocate the requisite funding to save California's transit agencies from the impending fiscal cliff they will face if the State fails to take action.

Without state funding to address their budget shortfalls, transit operators across California will be forced to implement drastic service cuts and fare increases that will send public transit into a death spiral and lead to irreversible disinvestment in an essential public utility. Rising fares and significantly degraded service will cause transit ridership to fall dramatically across the State, which will further impede transit agencies' ability to fund operations and maintenance through fares, forming a disastrous negative feedback loop. If the State takes no action, declining public transit ridership will reverse the State's investments in an integrated, multi-modal transportation network that builds off of our existing infrastructure.

California has taken many steps in recent years to invest in public transit to decarbonize transportation, make our cities more sustainable and resilient, and prioritize social equity. It is essential that we continue to fund transit and avoid contributing to catastrophic and continued service cuts and fare increases that will render our transit agencies unusable and disproportionately harm low-income Californians. Public transportation is a basic government service that millions of Californians rely on for mobility, and our State must be committed not only to preventing extreme disinvestment in transit, but to providing high-quality service.

As California continues to subsidize electric vehicle purchases and infrastructure, it is imperative that we do not disregard our commitment to public transportation and to the dozens of agencies that serve disproportionately low-income riders across the State. Saving public transportation in California is not optional — it is imperative. We are confident that you share our urgency and look forward to working with you to ensure transit agencies receive the emergency funding and ongoing investment they need.

Sincerely,  
The Berkeley City Council



January 18, 2023

The Honorable Nancy Skinner  
 Chair, Senate Budget and Fiscal Review Committee  
 California State Senate

The Honorable Phil Ting  
 Chair, Assembly Committee on Budget  
 California State Assembly

Dear Chair Skinner & Chair Ting,

As you begin budget negotiations this year, the undersigned organizations request your support to help the state’s public transit systems avoid looming cuts to critical transit service that millions of Californians rely upon and that is foundational to our state’s climate strategy. These potential cuts reflect the lingering impact of the COVID-19 pandemic, which has devastated transit operating budgets as a result of diminished ridership as well as higher costs arising from inflation. While the Governor’s proposed budget for FY 2023-24 does not specifically address this need and in fact proposes \$2 billion in reductions to public transit capital that the Legislature approved last year, we look forward to engaging with your budget subcommittees to ensure that this year’s final budget bill provides additional transit operating assistance to sustain critical transit service riders depend upon and fund proven strategies to attract new riders and help lessen financial challenges in the future.

**A Strong Public Transit System is Vital to Creating an Equitable, Economically Vibrant and Climate Friendly Future**

Based on 2021 U.S. Census data, almost 60 percent of California residents who commute via public transit have a household income below \$35,000. Over half a million California households own no vehicle and count on public transit for their daily needs, including access to K-12 education and college. Public transit is an economic lifeline for these residents, especially seniors and persons with disabilities. Yet residents of all income levels also depend on transit to access their jobs and maintaining the viability of the transit systems is essential for the future of the state’s economy and quality of life. Public transit also supports good-paying jobs, employing over 31,000 California workers statewide in FY 2021.

When it comes to climate change, California prides itself on being a global leader. The state has taken a two-pronged strategy to reduce transportation-related emissions – the largest of any

sector – by decarbonizing the vehicle fleet, while also encouraging less driving through a combination of investments in transit and other modes plus a suite of policies to encourage more infill, transit-oriented development. Policies aimed at reducing vehicle miles traveled (VMT) depend on a reliable and convenient public transit system; they have little chance of success if transit agencies across the state have to make severe cuts to service.

Today, about 65 million trips/month are taken on transit in California, reducing VMT by hundreds of millions each year. To meet the state's carbon neutrality goals by 2045, however, significantly more people will need to choose transit instead of driving. To encourage this shift, California Air Resources Board has urged the state to support efforts to *double local transit coverage and service frequencies* by 2030, recognizing that both vehicle decarbonization *and* less driving are needed to achieve our state's bold greenhouse reduction targets. However, without a multi-year commitment of state funds to help sustain transit and put it on a path to attracting millions of new riders, the state's climate strategy is in serious jeopardy.

### **Bay Area Operators Face Significant Looming Budget Shortfalls**

We are at an unprecedented moment, with the survival of transit as we know it at risk. The rise of remote work, growing costs due to inflation, and apprehension to ride transit due to health concerns has led to a growing fiscal cliff on the horizon. Additionally, the transit sector is severely understaffed (with some agencies reporting as high as 30 percent of jobs unfilled for some positions), limiting service agencies can put on the street and placing upward pressure on salaries and benefits as agencies work to retain and attract workers.

Based on current ridership, service levels, and cost trends, Bay Area operators forecast annual budget shortfalls in the tens of millions of dollars in FY 2023-24, growing to hundreds of millions of dollars beginning in FY 2024-25 and thereafter. Funding gaps of this magnitude cannot be addressed through fare increases or service cuts; doing so would lead to service of such poor quality that it would erode transit's climate benefits and cut off even basic access to critical destinations for those who rely on it most. For instance, to achieve budgetary savings in the range of 20-40 percent, the Bay Area Rapid Transit District (BART) would need to cut service by 65-85 percent, eliminating access to jobs, schools, grocery stores, and other essential services for many current riders. This, in turn, would further reduce passengers, leading to further cuts. We cannot let this doomsday scenario happen.

Fortunately, in the medium and long term, there is reason for optimism. While statewide ridership is around 60 percent of its 2019 levels and Bay Area ridership around 53 percent, ridership is steadily growing. In October 2022, statewide ridership was up 14 percent compared to a year before and in the Bay Area up by 34 percent. Bay Area transit operators are working more closely than ever, together with the Metropolitan Transportation Commission (MTC), to create a better, more seamless transit experience across the region. Plans are beginning for a future regional transportation measure to follow the regional housing measure planned for 2024. A unified mapping and wayfinding system is being designed to make transit easier to navigate. The first all-agency transit pass using the Clipper<sup>®</sup> card is being piloted at key colleges and affordable housing sites. Operators across the state are likewise deploying technology to shift to mobile fare payment and updating their routes and frequencies to better serve existing riders while also attracting more of them.

## Honor Transit Commitments from FY 2022-23 Budget

Under your leadership, California has made historic investments in our transit capital infrastructure, supporting critical rail and bus expansion and the zero-emission transit transition. The historic transit investment made in last year's Transportation Package includes \$4 billion over the next two years for further transit and intercity rail capital investments, yet Governor Newsom proposes to cut this in half, reducing the amount to \$1 billion next year and \$500 million for the following two years. Doing so would put at risk the funding plans for high priority projects in the Bay Area, several of which are already under construction or poised to receive billions of dollars in highly competitive federal funds.

### Request: Provide New Multi-Year Funding for Transit Operating Assistance

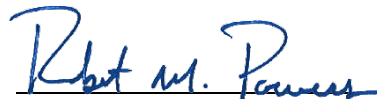
To address the operating challenges, we are seeking a new multi-year operations funding commitment on a limited term basis to assist California's transit systems as they recover from the pandemic and develop long-term funding plans, as necessary. The funding picture for each transit system is unique and there is no one-size-fits-all path to financial sustainability. While some agencies need assistance to stave off service cuts next year, other agencies face deficits in the hundreds of millions of dollars starting in FY 2024-25 or FY 2025-26. Others may not face near-term service cuts but have priorities that, *if funded*, could attract significantly more riders (advancing the state's climate goals) and help avoid budgetary challenges down the road. This month, we are working in coordination with partners statewide, including the California Transit Association, to refine our assessment of the funding need and aim to follow up with a more detailed proposal in February. In addition, we are seeking an extension of the statutory relief previously provided to transit agencies through FY 2024-25.

Californians demand meaningful action on climate change and want their state representatives to ensure transit is not just a viable option, but an attractive one to get to work, school, health care, shopping, dining, entertainment and more. We know that you share these goals and look forward to working with you to ensure that public transit both survives and thrives in California. Please contact Rebecca Long, MTC Director of Legislation and Public Affairs, at [rlong@bayareametro.gov](mailto:rlong@bayareametro.gov) or 510-504-7914 with any questions.

Sincerely,



Therese W. McMillan  
Executive Director, MTC



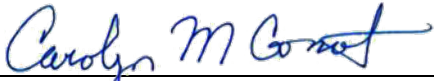
Robert Powers  
General Manager, BART



Jeff Tumlin  
Director of Transportation, San Francisco  
Municipal Transportation Agency



Mike Hursh  
General Manager, AC Transit



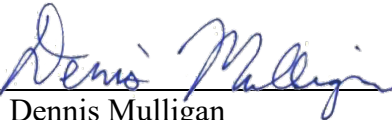
Carolyn Gonot  
General Manager, Santa Clara VTA



April Chan  
General Manager/CEO/Executive Director,  
SamTrans/San Mateo County Transportation  
Authority



Michelle Bouchard  
Acting Executive Director, Caltrain



Dennis Mulligan  
General Manager, Golden Gate Bridge,  
Highway and Transportation District



Steve Adams  
Transit Manager, Union City Transit



Jason Baker  
Senior Vice President,  
Silicon Valley Leadership Group



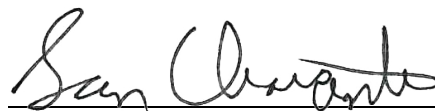
Daniel Barad  
Associate Director, Sierra Club




Rashidi Barnes  
Chief Executive Officer, Tri Delta Transit




Tilly Chang  
Executive Director, San Francisco County  
Transportation Authority



Sean Charpentier  
Executive Director, San Mateo County  
C/CAG



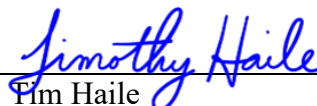
Bill Churchill  
General Manager, County Connection



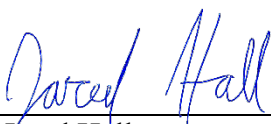
Eddy Cumins  
General Manager, SMART



Zack Deutsch-Gross  
Policy Director, Transform



Tim Haile  
Executive Director, CCTA



Jared Hall  
Transit Manager, Petaluma Transit



Daryl Halls  
Executive Director, Solano Transportation  
Authority (Solano Express)





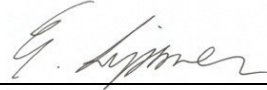
Caro Jauregui  
Co-Executive Director, Cal Walks



Beth Kranda  
Executive Director, Solano County Transit



Tess Lengyel  
Executive Director, Alameda County  
Transportation Commission



Eli Lipman  
Executive Director, Move LA



Carolina Martinez  
Climate Justice Director,  
Environmental Health Coalition



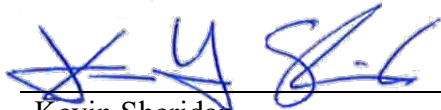
Kate Miller  
Executive Director,  
Napa Valley Transportation Authority



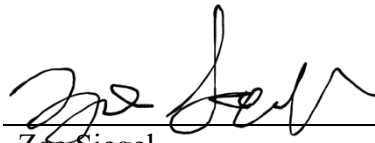
Sofia Rafikova  
Policy Advocate,  
California Coalition for Clean Air



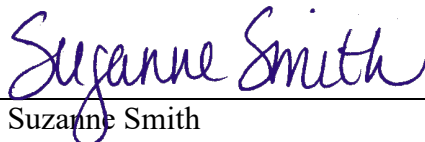
Anne Richman  
Executive Director,  
Transportation Authority of Marin



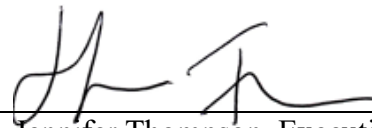
Kevin Sheridan  
Executive Director, Tri-Valley – San  
Joaquin Valley Regional Rail Authority



Zoe Siegel  
Director of Climate Resilience,  
Greenbelt Alliance



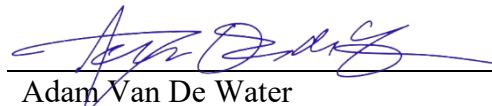
Suzanne Smith  
Executive Director, Sonoma County  
Transportation Authority



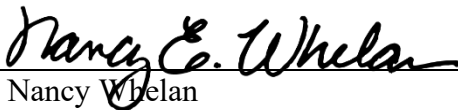
Jennifer Thompson, Executive Director  
Sustainable Silicon Valley



Rob Thompson  
General Manager,  
Western Contra Costa Transit Authority



Adam Van De Water  
Executive Director,  
Transbay Joint Powers Authority



Nancy Whelan  
General Manager, Marin Transit



Jim Wunderman  
President & CEO, Bay Area Council

Zak Accuardi  
Transportation Advocate, NRDC

Arturo E. Aguilar  
Chairman, California Conference Board  
Amalgamated Transit Union

Shiloh Ballard  
Executive Director,  
Silicon Valley Bike Coalition

Eugene Bradley  
Founder, Silicon Valley Transit Users

Rita Clement  
Transportation Co-Leader,  
San Diego 350

David Diaz  
Executive Director,  
Active San Gabriel Valley

Christine Fitzgerald  
Community Advocate, Silicon Valley  
Independent Living Center

Sara Greenwald  
Transportation Committee Member,  
350 Bay Area Transportation Committee

Ian Griffiths  
Co-director, Seamless Bay Area

Josh Hawn  
President, Common Ground California

Lavie Kakol  
Democratic Socialists of America,  
San Francisco

Adina Levin  
Executive Director, Friends of Caltrain

Bryn Lindblad  
Deputy Director, Climate Resolve

Jerry Maldonado  
Vice President of Programs, PolicyLink

Richard Marcantonio  
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Emma Martin  
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Center for Independent Living

Kristina Pappas  
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Voters

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Jared Sanchez  
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Arnold Sowell, Jr.  
Executive Director, NextGen California

Laura Tolkoff  
Transportation Policy Director, SPUR

Cheryl Weiden  
Steering Committee Member  
350 Silicon Valley

Sam Wilkins  
California State Conference Chairperson  
Transport Workers Union of America,  
AFL-CIO

Ellen Wu  
Executive Director, Urban Habitat

Chair Skinner and Chair Ting

1/18/2023

Page 7 of 7

cc: Bay Area Legislative Delegation  
The Honorable Toni Atkins, Senate President Pro Tempore  
The Honorable Anthony Rendon, Assembly Speaker  
The Honorable Lena Gonzalez, Senate Transportation Committee Chair  
The Honorable Laura Friedman, Assembly Transportation Committee Chair  
The Honorable Toks Omishakin, Secretary, California State Transportation Agency