

As the Legislature prepares to reconvene for the second year of the 2019-20 Legislative Session on January 6, it is useful to review what issues may have been left over or developed during the Interim Recess period for introduction in 2010. This overview highlights some recent high-profile transportation-related appointments and announcements by Governor Newsom and then proceeds to identify issues of a high likelihood of becoming central in the new year.

### **Administration Appointments in Transportation**

#### *Transportation Secretary*

The California State Senate recently took unanimous action on September 10th to confirm Governor Gavin Newsom's appointment of David S. Kim as Secretary of the California State Transportation Agency (CalSTA). CalSTA oversees all transportation departments in the state, including Caltrans, the California Transportation Commission, the DMV, and the CHP.

Secretary Kim was first appointed the CalSTA in April. This action to formally confirm his appointment in September is noteworthy given how little time passed between the initial appointment and the formal confirmation. It is not unusual for a Governor's appointee to serve up to 365 days before formally being confirmed.

Previously, David Kim worked as vice president of governmental affairs for the Hyundai Motor Company. His experience includes work at the Federal Highway Administration as well as on federal advocacy for LA Metro.

#### *Caltrans Director*

On September 3, 2019, Governor Newsom announced the appointment of Adetokunbo "Toks" Omishakin to serve as the new director of the California Department of Transportation (Caltrans).

Director Omishakin will replace Acting Director Bob Franzoia, who served as Director after former director Laurie Berman on June 29 after 36 years of service at Caltrans. Prior to his appointment to Caltrans, Director Omishakin worked as a deputy commissioner for environment and planning at the Tennessee Department of Transportation since 2011. He was director of Healthy Living Initiatives in the Nashville Mayor's Office from 2008 to 2011. We expect him to start at Caltrans later this month.

#### *California Transportation Commission*

On September 20, 2019, Governor Gavin Newsom announced the appointment of two new members of the California Transportation Commission (CTC). Hillary Norton of Fixing Angelenos Stuck in Traffic (FAST) and Tamika Butler, California Planning Director for Toole Design have both

been appointed by the Governor. Both have already been sworn-in and are expected to attend the October 9th meeting as CTC Commissioner on October 9th in Modesto.

Commissioner Butler has been California director of planning, equity and inclusion at Toole Design Group since 2017. She has been principal and owner of Tamika L. Butler Consulting since 2017.

She was executive director of the Los Angeles Neighborhood Land Trust and also served as executive director of the Los Angeles County Bicycle Coalition.

Commissioner Norton has served as executive director of Fixing Angelenos Stuck in Traffic (FAST) since 2008 and operates the FASTLinkDTLA Transportation Management Organization. She was vice president of legislative affairs at the Central City Association of Los Angeles and has significant experience as staff to several LA Area state and local elected officials.

### **Policy or Programs of continuing High Interest in 2020**

#### *Active Transportation*

SB127(Wiener) sought changes to state policies for the management of the state highway system, including requiring the California Department of Transportation (Caltrans) to incorporate new pedestrian and bicycle facilities into projects on non-freeway state highways (conventional).

The bill provided that commencing with the 2022 SHOPP, new pedestrian and bicycle facilities, or improved existing facilities would be required to incorporate complete streets” components. Priority was to be provided to low income communities, communities with a low percentage of private vehicle access, and communities with a high percentage of persons who are disabled.

Inasmuch as the major state highway capital program, the SHOPP, was injected with significant new funding from SB 1, backers of SB1 were deeply concerned with the addition of the new “complete street: obligation layered onto the state program. Concern was that such an aggressive and assertive new mandate represented by SB 127 would diminish the funding dedicated to state highways rehabilitation.

The governor did ultimately veto the bill based on similar concerns, for which actual program impacts and costs were “priced” by the Department of Finance (DOF) based on Caltrans estimates the bill will increase SHOPP project costs by \$1.1B annually in order to incorporate the complete streets elements required by the bill.

In his veto message the Governor cited his executive order on public agency climate sustainability requirements, EO N-19-19. Moreover, he did direct the Department to deliver more alternatives to driving while retaining an emphasis on maintaining the state’s highway system. He also directly cited the new leadership he built at the Secretary’s staff and at Caltrans as key to implementing the EO vision.

### *FASTER Bay Area campaign*

"Faster Bay Area" is an effort to place a ballot measure intended consideration in the Bay Region in 2020. It was developed by a coalition of regional business lobbying groups to raise up to \$100 billion over 40 years for transportation projects in the San Francisco Bay Area.

The proponents of Faster Bay Area includes the Silicon Valley Leadership Group, Bay Area Council, and the San Francisco Bay Area Planning and Urban Research Association (SPUR) who admit that they were inspired by the passage of similar very large transportation taxes in Los Angeles (Measure M) and Seattle (ST3) in November 2016, and began meeting in January 2017 to formulate such a tax for the Bay Area.

Polls conducted in February 2019 and commissioned by SVLG clearly demonstrated a strong general support for the tax measure, with 71 percent of respondents indicating support for a one-percent sales tax to generate the \$100 billion envisioned, and 64 percent of respondents supporting a \$50 billion bond plus a 0.4 percent gross receipts tax on businesses. To gain the necessary to seek regional voter approval, the FASTER plan must secure legislative approval of a statute. At present, SB 287 (Beall) is the likely legislative vehicle and must pass both houses by summer to ensure the FASTER Bay Area plan is posed for voter consideration.

### *SAFER Vehicle Rule*

The proposed Safer Affordable Fuel Efficient (SAFE) Vehicles Rule being pursued by the Trump Administration would weaken national fuel-efficiency standards and result in a wide variety of negative impacts in California and across the nation. The proposed rule would also eliminate the federal statutory waiver that allows California to set its own stricter emissions standards, which gets special treatment under the Clean Air Act due to our historic smog problems.

The new regulatory scheme would have significant impacts on transportation plans and projects throughout California. At present the CARB has the lead on analyzing and strategy development to oppose the imposition of the new regulation. They intend to conduct ongoing sessions with impacted MPOs to develop more formal regional impact data. Additionally, the transportation industry has been active in its own right working with counterparts in the nation's Capital to seek a grace period to hold off project impacts here in California. Period. we continue to seek a federal grace period.

### *TDA Process Review*

Legislation updating Transportation Development Act (TDA) performance measures is expected to be introduce in 2020. Early in 2019, the two Transportation Committee chairs expressed concern over the convoluted state of the TDA program regulations and related statutes and reached out to ask the California Transit Association(CTA) to convene a working group of stakeholders to review the state of TDA and to make recommendations for possible legislative updating and process streamlining.