

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 11/12/2020

Staff Report No. 20-436

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager
SUBJECT: MTC Plan Bay Area 2050 Telecommuting Mandate

ACTION ITEM

RECOMMENDED ACTION(S):

Consider the adoption of Resolution No. 20-057 opposing Plan Bay Area (PBA) 2050 Strategy EN7: "Institute Telecommuting Mandates for Major Office-Based Employers."

STRATEGIC IMPORTANCE:

Goal - Financial Stability and Resiliency

Initiative - Financial Efficiency and Revenue Maximization

The resolution indicates AC Transit's concern about policies which are likely to reduce the District's ridership and fare revenues and impede transit-oriented development and associated revenues.

BUDGETARY/FISCAL IMPACT:

The Metropolitan Transportation Commission (MTC) policy and this subsequent resolution will have no immediate fiscal impact. In the long term, implementation of the policy could result in lost ridership and fare revenue. People who would otherwise have taken the bus to their workplace may stay home. If business and employment districts have fewer employees, this could, in turn, reduce ridership further.

BACKGROUND/RATIONALE:

MTC, in conjunction with the Association of Bay Area Governments (ABAG), prepares a regional plan every four years. This plan includes policies, projects and strategies to improve the economy, the environment, housing, and transportation for the nine-county Bay Area region. MTC and ABAG are currently preparing a new plan, known as Plan Bay Area 2050.

The Plan is under a mandate from the California Air Resources Board (CARB) to reduce per capita greenhouse gas emissions. CARB seeks a 19% reduction in per capita greenhouse gas emissions. In an effort to meet this goal, MTC set forth a number of strategies, including expanded use of electric vehicles, expanded transit service, and increased transit-oriented development. However, their modeling results indicate that these would still not meet the target. Because of this, MTC moved from proposing telecommuting incentives to a proposed telecommuting mandate.

MTC proposes that 60% of eligible Bay Area workers be required to work from home, over the long term. They exclude businesses with less than 25 workers and essential workers who must report to a workplace. This is expected to leave roughly 50% of workers regionwide eligible to work from home. MTC stresses that the telecommuting strategy is subject to further study and refinement, as are all strategies in PBA 2050. MTC also stresses that it has currently no authority to implement a telecommuting mandate. As with many proposals in the plan, MTC would have to work with other agencies and/or obtain new authority from the California legislature. MTC also notes that telecommuting was a very popular greenhouse gas reduction strategy in the regional poll it conducted, though the poll did not express it as a mandate.

As far as staff can determine thus far, no American regional plan has included such detailed, mandatory work from home requirements. The regional plans for Los Angeles (Southern California), Sacramento, and San Diego -California's other three large metropolitan areas-refer more generally to telecommuting and transportation demand management.

The telecommuting strategy proposal has created an unusual amount of opposition for a regional plan item. San Francisco Mayor London Breed and San Jose Mayor Sam Liccardo issued a joint statement of opposition. Mayors Liccardo and Breed have highlighted the negative effect of the policy on their respective city's downtown area. However, Oakland Mayor Libby Schaaf voted for the strategy in her role as an MTC Commissioner. A number of East Bay and Bay Area state legislators have expressed opposition. BART approved a resolution of opposition on October 22nd, and Samtrans and Muni are expected to take up the item in November. Transit and TOD-supporting groups, especially along the Caltrain corridor on the Peninsula, have also expressed concern.

ADVANTAGES/DISADVANTAGES:

The advantage of passing the resolution is that it will clarify AC Transit's concerns, and provide support to transit agency and legislative partners. A potential disadvantage is that the District would take a position in conflict with some MTC Commissioners, organizations and policy makers.

ALTERNATIVES ANALYSIS:

Passing this resolution would be a voluntary policy action by AC Transit. Therefore, the alternatives would be not passing it, or passing it with amendments. The District could also indicate its concern about the proposal but defer action until MTC develops the final form of the telecommuting strategy. Waiting to take action would differ from other Bay Area transit agencies, which have or are expected to oppose the strategy, on an issue that agencies have been working together on. AC Transit could develop an alternate strategy for MTC concerning telecommuting, although it is unclear how much impact this would have. There is no requirement for AC Transit to take a position on this matter.

PRIOR RELEVANT BOARD ACTION/POLICIES:

None.

ATTACHMENTS:

1. Resolution 20-057
2. Letter from Bay Area Legislative Delegation

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