

**LEGAL SERVICES**  
of  
NORTHERN CALIFORNIA

May 9, 2017

James P. Spering  
Supervisor, District 3  
MTC Commissioner

Dear Mr. Spering,

Legal Services of Northern California (LSNC) applauds the work performed by Plan Bay Area 2040. ABAG and MTC have accurately described an accelerating housing and transportation crisis that affects LSNC's low-income, disabled and senior clients of Solano County. Without swift, decisive, and aggressive action, the transportation and housing goals identified by Plan Bay Area 2040 will not be met.

LSNC provides a variety of legal services and representation for low-income, disabled, and elderly residents of Solano County. Our office represents individuals in cases related to housing, public benefits, health, civil rights, consumer rights, education, and criminal reentry.

Our office submits the following brief comments in response to your request for input on the transportation and housing needs of the Bay Area. Our comments will focus on the plan as it affects Solano County's most vulnerable residents.

Solano County receives relatively few of the benefits enjoyed by its neighboring Bay Area counties – while also housing an increasing number of individuals who can no longer afford to live in those counties. For example, Solano County residents receive, per capita, the least amount of foundation investment in the Bay Area.<sup>1</sup> In 2012, San Francisco residents received \$1,199 per capita in foundation grants; \$320 per capita went to agencies in Alameda county; \$233 per capita to Marin; \$162 to Santa Clara; \$87 to San Mateo; \$55 to Sonoma; \$27 to Contra Costa; \$22 to Napa; and \$3 to Solano.<sup>2</sup> Meanwhile, Solano County is projected by ABAG and MTC's occupied housing forecasts to experience population growth at a faster rate than any other Bay Area County between present and 2060.<sup>3</sup>

Given these gaps in resources and investment, Solano residents request that MTC and ABAG devote resources and advocacy with both local and state leaders for policies to accomplish the goals of Plan Bay Area 2040 in Solano County.

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<sup>1</sup> Applied Survey Research, *Foundation Giving in the Bay Area: Who Wins, and Who's Left Behind?*, 1 (March 2016).

<sup>2</sup> *Id.*

<sup>3</sup> County of Solano and Solano Economic Development Corporation, *Solano County 2016: Index of Economic and Community Progress*, 47 (April 2017).

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A Legal Services Corporation Program



## Housing

Plan Bay Area 2040 identifies provision of adequate housing for the Bay Area's expected population growth as one of two legally mandated accomplishments. The Plan states that it successfully achieves this target.<sup>4</sup> However, at the same time, the Plan recognizes that, without significant new funding sources, the plan will only slightly grow the current stock of affordable housing, while "regional affordability and equity challenges, including displacement risks, are expected to worsen by 2040."<sup>5</sup> Given this reality, Plan Bay Area 2040, while certainly superior to alternate "No Project" conditions, will not truly meet its legal mandate of providing adequate housing for all populations.

To that end, Plan Bay Area 2040 has identified potential areas for action to more aggressively produce affordable housing. Included in these Housing Actions are recommendations to advance funding and legislative solutions for housing, to strengthen policy leadership on housing, to spur housing production at all levels, and to invest directly in affordable housing.

LSNC applauds these housing actions. Specifically, LSNC suggests the following as legislative actions that could not only significantly help Plan Bay Area 2040 meet its goals, but also be passed by local measures in Solano municipalities:

- Inclusionary zoning ordinances
- Rent control
- Non-discrimination ordinances protecting Housing Choice Voucher (Section 8) holders from being denied housing solely due to their use of a voucher to pay for private-market housing
- Non-discrimination ordinances protecting individuals with criminal records from being denied housing solely due to the existence of a criminal record
- Implementation of Density Bonus Laws which incentivize developers to reserve units for low-income residents at rates beyond the requirements of GC § 65915
- Implementation of mobile home protections, such as rent control and added protections for mobile home park conversions

Our office understands that the above policy measures cannot be mandated by ABAG/MTC. However, incentives, encouragement and leadership through Plan Bay Area 2040 could help spur needed municipal change that would allow Plan Bay Area 2040 to meet its goals.

## Transportation

Plan Bay Area 2040 includes welcome system improvements in Solano County, including a commuter rail station in Vacaville/Fairfield and highway/arterial improvements along the I-80 Corridor.<sup>6</sup> It also includes a "Transportation Equity Roadmap" in which nearly \$70 billion are reserved for investments towards services targeting low-income residents throughout the Bay

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<sup>4</sup> See, e.g., Plan Bay Area 2040 at 64.

<sup>5</sup> *Id.* at 64.

<sup>6</sup> *Id.* at 50, 54.

Area.<sup>7</sup> Included in these \$70 billion are funds for bus operations, increases in bus services, funding for county access initiatives, funds for means-based fare programs, funds for priority projects identified by residents in communities of concern, and expansion of paratransit services.<sup>8</sup>

Our office receives consistent complaints regarding insufficient transportation services in Solano County. Principal among these complaints is an inadequate bus network, which both does not reach enough areas of the county and does not run with needed frequency. Prioritization of funds to expand these services throughout the County would have a significant impact on the economic development of the area, as inadequate transportation is an oft-cited barrier to quality employment. In addition, expanding BART or other rail services to Solano County would accommodate its many residents who work south of the Bay Area while lowering their carbon footprint.

LSNC would like to thank your office for your work on Plan Bay Area 2040 and your invitation to comment on its 2017 Draft Plan. Please do not hesitate to contact our office should you have any questions or desire further explanation regarding these comments.

Our office may be contacted at:

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Sincerely,



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<sup>7</sup> *Id.* at 61.

<sup>8</sup> *Id.* at 61.