

## AGENDA

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY  
SERVICE AUTHORITY FOR FREEWAYS EMERGENCIES  
AND  
MONTEREY COUNTY REGIONAL DEVELOPMENT IMPACT FEE  
JOINT POWERS AGENCY**

### EXECUTIVE COMMITTEE

*Members are: Maria Orozco (Chair),  
Simon Salinas (1<sup>st</sup> Vice Chair), Jerry Edelen (2<sup>nd</sup> Vice Chair),  
Lou Calcagno (Past Chair),  
Jane Parker (County representative), Kimbley Craig (City representative)*

**Wednesday, November 2, 2011**

**TAMC Conference Room**

55-B Plaza Circle, Salinas

**\*\*\*9:00 a.m.\*\*\***

Complete agenda packets are on display at the Transportation Agency for Monterey County office and at these public libraries: Carmel, Monterey, Salinas Steinbeck Branch, Seaside, Prunedale, and King City. Any person who has a question concerning an item on this agenda may call the Agency Secretary to make inquiry concerning the nature of the item described on the agenda. Please recycle this agenda.

- 1. ROLL CALL:** *Call to order and self-introductions. If you are unable to attend, please contact Elouise Rodriguez, Senior Administrative Assistant. Your courtesy to the other members to assure a quorum is appreciated.*
  - 2. PUBLIC COMMENTS:** Any member of the public may address the Committee on any item not on the agenda but within the jurisdiction of Transportation Agency and Executive Committee. Comments on items on today's agenda may be given when that agenda item is discussed.
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**BEGINNING OF CONSENT AGENDA:** Approve the staff recommendations for items **3.1 - 3.3** below by majority vote with one motion. Any member may pull an item off the Consent Agenda to be moved to the end of the **CONSENT AGENDA** for discussion and action.

- 3.1 APPROVE** enclosed minutes from the Executive Committee meeting of October 5, 2011. – Rodriguez  
**Pages 5 - 8**
- 3.2 RECOMMEND** that the Transportation Agency for Monterey County Board **APPROVE** calendar year 2012 schedule of meetings for Agency Board of Directors and Executive Committee. – Goel  
**Pages 9 - 12**
- 3.3 RECEIVE** draft 2012 Legislative program. – Watson  
**Pages 13 - 15**
- 3.4 APPROVE** “sustained superior performance” step increase from Step 6 to Step 7 for Hank Myers, effective January 1, 2012. – Bachman  
**Pages 16 - 18**

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**END OF CONSENT AGENDA**

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- 4. RECIEVE** draft memorandum analyzing the potential for implementing tolling on SR 156; and **PROVIDE** direction on programming strategies for the 2012 State Transportation Improvement Program.– Muck  
**Pages 19 - 21**
- 5. RECEIVE** an update on state legislative activities. – Watson  
**Pages 22 - 31**
- 6. PROVIDE** direction and guidance to staff on the assumptions for the three-year operating budget for fiscal years 12/13, 13/14, and 14/15. – Goel  
**No Enclosures**

7. **APPOINT** a Nominating Committee to meet and return to Board of Directors on January 25, 2012 with recommendations for Board Chair, 1<sup>st</sup> Vice Chair, 2<sup>nd</sup> Vice Chair, and Executive Committee to serve one-year terms beginning upon their election through the next election of officers at the January 23, 2013 Board meeting. – Goel **Page 32**

8. **CLOSED SESSION**

Public Employee Performance Evaluation pursuant to Government Code Section §54957 – Position: Executive Director and Legal Counsel.  
*Enclosure sent separately*

**RECONVENE** in open session and report any actions taken.

9. **RECEIVE** report on draft agenda for TAMC Board meeting of December 7, 2011. – Hale *(Handout)*

10. **ADJOURNMENT**

**Next Executive Committee meeting is:  
Wednesday, January 11, 2012  
Please mark your calendars.**

Documents relating to an item on the open session that are distributed to the Committee less than 72 hours prior to the meeting shall be available for public inspection at the office of the Transportation Agency for Monterey County, 55-B Plaza Circle, Salinas, CA. Documents distributed to the Committee at the meeting by staff will be available at the meeting; documents distributed to the Committee by members of the public shall be made available after the meeting.

Transportation Agency for Monterey County  
55-B Plaza Circle, Salinas, CA 93901-2902  
Monday thru Friday  
8:00 a.m. – 5:00 p.m.  
TEL: 831-775-0903  
FAX: 831-775-0897

Executive Committee Agenda of Wednesday, November 2, 2011

***If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals requesting a disability-related modification or accommodation, including auxiliary aids or services, may contact Transportation Agency at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish Language interpreters and printed materials, and printed materials in large print, Braille or on disk. These requests may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, and should be made at least 72 hours before the meeting. All reasonable efforts will be made to accommodate the request.***

**DRAFT MINUTES**

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY  
SERVICE AUTHORITY FOR FREEWAYS EMERGENCIES AND MONTEREY  
COUNTY REGIONAL DEVELOPMENT IMPACT FEE  
JOINT POWERS AGENCY**

**EXECUTIVE COMMITTEE MEETING**

*Members are: Maria Orozco (Chair),  
Simón Salinas (1<sup>st</sup> Vice Chair), Jerry Edelen (2<sup>nd</sup> Vice Chair),  
Lou Calcagno (Past Chair), Jane Parker (County representative),  
Kimbley Craig (City representative)*

**Wednesday, October 5, 2011**

**\*\*\* 9:00 a.m. \*\*\***

Transportation Agency Conference Room  
55-B Plaza Circle, Salinas

1. **CALL TO ORDER:** Chair Orozco called the meeting to order at 9:00 a.m. Board members present: Edelen, Orozco, Salinas and alternates Gowin for Calcagno, Markey for Parker and Russell for Craig. Staff present: Bachman, Goel, Hale, Rodriguez and Watson. Others present: Agency Counsel Blankenship and Ruth Bernstein, EMC Research.

2. **PUBLIC COMMENTS:**

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3. **CONSENT AGENDA**

On a motion by Board member Salinas and second by Board member Edelen the committee voted 6 – 0 to approve consent item 3.1 – 3.2 as follows:

3.1 **APPROVED** enclosed minutes from the Executive Committee meeting of September 7, 2011. With correction noted; to remove the word “alternate” before “Boardmember Salinas” on the action item for approval of the minutes.

3.2 **RECEIVED** the call for nominations for the tenth annual Transportation Agency Excellence awards to honor individuals, businesses, groups or projects for their efforts to improve the transportation system in Monterey County.

**END OF CONSENT**

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- 4.1 **CLOSED SESSION:** Pursuant to Government Code section §54957, performance evaluation for the Executive Director.

**RECONVENE:** Agency Counsel Blankenship reported that the Committee met in closed session pursuant to Government Code section §54957 and received information from counsel.

- 4.2 **PROVIDED** direction on programming strategies for the 2012 State Transportation Improvement Program.

Debbie Hale, Executive Director, reported this is an exciting time for the State program, noting we are very well poised to go after it. The Transportation Agency's target for 2012 State Transportation Improvement Program (STIP) funding is \$46.86 million. The Agency will need to request more than our target amount to fully fund all of the Agency's priority projects. She noted the proposed project list could be programmed if the California Transportation Commission agrees to advance \$4.77 million to Monterey County.

Director Hale asked the Committee for input on tolling. The Committee agreed to use up to \$10,000 to prepare a study report on tolls. She noted that she will be meeting with Tony Harris, Planning Company Associates, and Caltrans to discuss the toll implementation and study report. Committee alternate Markey expressed concern that collecting payments from drivers may cause a stall in traffic. Deputy Director Bachman noted that there is technology so that toll booths aren't needed. Committee member Edelen commented that it is nice that nonresidents would be paying tolls. Ms. Hale said she will provide an update as soon as information becomes available.

Director Hale highlighted the proposed projects for the 2012 STIP cycle. She reported the amount of Trade Corridor Improvement Funds available for the US 101/San Juan Road Interchange Project has decreased from \$28 million to around \$16 million. This \$12 million shortfall needs to be made up to keep the project fully funded. The California Transportation Commission will have to give the project special consideration to allow \$12 million RIP funds to be programmed in the 2012/13 year of the 2012 STIP in order to meet TCIF bond program deadlines. Overall state-wide the CTC will need to move out \$100 million worth of projects currently programmed in FY 2012/13 to meet the declining revenue estimated in the 2012 STIP Fund Estimate. The State Route 156 Widening project is ready to proceed into the Right-of-Way and Plans, Specifications & Engineering phases of the project. Caltrans estimates these phases will cost \$26.5 million and \$6 million, respectively. Five million dollars is included on the spreadsheet to conduct environmental and preliminary engineering work for the US 101 South County Frontage Road project. The project's Project Study Report estimates the total cost of this phase will be \$8.6 million dollars. Local funding will have to be contributed to this project to fully fund this phase in order to meet STIP programming guidelines.

The Monterey Branch Line Rail project has \$10.256 million programmed for Plans, Specifications & Engineering in this current fiscal year. This project is not ready to request a funding allocation for this phase. Staff is recommending these funds be shifted to the construction phase of the Commuter Rail project.

Committee member Salinas expressed concerns regarding the Davis Road bike lanes: He noted that the farmers are concerned with the large equipment. Director Hale noted that before this goes to the Board, staff will meet with County staff, Supervisor Calcagno's office and agricultural representatives to reach agreement on this project (whether and how to proceed).

In conclusion, Director Hale noted the Transportation Agency staff will draft the 2012 Regional Transportation Improvement Program for Board adoption at its December 7, 2012 meeting. The California Transportation Commission is scheduled to adopt the 2012 State Transportation Improvement Program on March 28, 2012.

5. **RECEIVED** information about vehicle registration fees and **PROVIDED** direction to staff on a possible Monterey County measure.

Ruth Bernstein of EMC Research presented on a state law that allows countywide transportation planning agencies to levy a \$10 per registered vehicle fee for transportation related programs and projects that have a relationship or benefit to the persons who pay the fee, subject to approval of two-thirds of the voters. Ms. Bernstein noted that Senate Bill 83 (Hancock), signed into law in 2009, authorizes a countywide transportation agency to implement a vehicle registration fee (VRF) of up to \$10 on motor vehicles registered within the county for transportation programs and projects. She gave an overview of 2010 San Francisco Bay Area VRF measures. Measures in 2010 required a majority vote. Due to Proposition 26 the assumption is that a VRF must now be approved by two thirds of voters in the county. She noted that the governing board of the agency must adopt an expenditure plan that details the programs and projects that would result from the VRF. She advised that if the Board decides to move forward with a VRF measure in 2012, that staff identify the key projects and develop an expenditure plan, work to build consensus around possible expenditure plan, possibly use successes in other counties as examples. In conclusion, Ms. Bernstein advised we wait to see if Santa Cruz moves forward on this measure, and wait for their poll results.

Committee member Edelen stated that he doesn't think we can reach the two-thirds vote necessary to pass the measure. Alternate Gowin noted that the public wants to know where their money is being spent. Alternate Markey concurred with both Boardmember Edelen and alternate Gowin, noting she thinks we should wait until spring to move forward, maybe there will be a shift in mood.

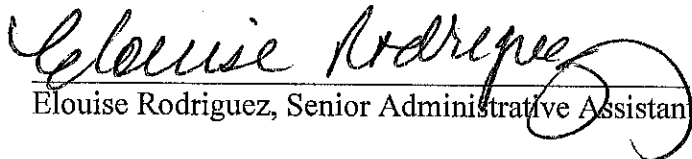
6. **RECEIVED** report on draft agenda for TAMC Board meeting of October 26, 2011.

Executive Director Hale reviewed the October 26, 2011 draft agenda. She noted that staff will present Assembly member Luis Alejo a certificate of appreciation for his great job working on SB436. She noted that Todd Muck would be giving an update on the State Transportation Improvement Program funding allocations and Andy Cook would be giving an update on the Taxi Authority. The Board will receive a report on the Joint Executive Committee meeting from Chair Orozco and herself. She highlighted the consent agenda, noting that the Board would be asked to approve the final 2011 Transportation Agency Bicycle and Pedestrian Master Plan. In conclusion, Director Hale noted that the Board would receive information on the TIGER III grant application for the US 101 San Juan Road project and to approve support letters for TIGER III grant applications from the City of Salinas for the US 101 widening project and from the City of Marina for the Marina-Salinas Multimodal Corridor project.

7. **ADJOURNMENT**

Chair Orozco adjourned the meeting at 10:20 a.m.

Respectfully Submitted,

  
Elouise Rodriguez, Senior Administrative Assistant



## Memorandum

**To:** Executive Committee

**From:** Rita Goel, Director of Finance & Administration

**Meeting Date:** November 2, 2011

**Subject:** 2012 SCHEDULE OF MEETINGS

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### **RECOMMENDED ACTION:**

**RECOMMEND** that the Transportation Agency for Monterey County Board **APPROVE** calendar year 2012 schedule of meetings for Agency Board of Directors and Executive Committee.

### **SUMMARY:**

In December of every year, the Agency Board approves a schedule of meetings for the following year.

### **FINANCIAL IMPACT:**

None.

### **DISCUSSION:**

Transportation Agency for Monterey County bylaws require that the Board meeting be held on the 4<sup>th</sup> Wednesday of the month. The July meeting is cancelled due to summer vacation conflicts. The November meeting is generally cancelled due to conflict with the Thanksgiving Holiday. The December meeting is held on the 1<sup>st</sup> instead of the 4<sup>th</sup> Wednesday of the month to avoid conflict with the December holidays. Normally, the Board meets at the Agricultural Center Conference Room, 1428 Abbott Street, Salinas, at 9:00 a.m. Staff is reserving the room for 2012.

During 2011, the Executive Committee meetings convened on the first Wednesday of the month, from 9:00 a.m. to 10:30 a.m. at the Transportation Agency for Monterey County Conference Room, 55-B Plaza Circle, Salinas. The 2012 schedule of meetings for the Executive Committee proposes to continue this schedule except for January. Due to the holiday schedule, it is proposed to be moved to the second Wednesday.

Please see attached schedules for specific dates for the Board of Directors and for the Executive Committee throughout the 2012 calendar year.

As always, please contact Agency's Senior Administrative Assistant Elouise Rodriguez at (831) 775-0903, if you cannot attend the Board of Directors meeting or the Executive Committee to make sure there is a quorum for the meetings.

Approved by: \_\_\_\_\_ Date \_\_\_\_\_  
Debra L. Hale, Executive Director

Consent Agenda Counsel Review \_\_\_N/A\_\_\_

Attachment: 2012 Calendar of Meetings for the Board of Directors and for the Executive Committee

**2012 CALENDAR OF MEETINGS**

**Board of Directors**

Unless otherwise noticed, all meetings held at the  
Agricultural Center Conference Room  
1428 Abbott Street, Salinas  
9:00 a.m.

(The exact location of the meeting will be noted on each agenda)

Month	Date	Day
January	25	Wednesday
February	22	Wednesday
March	28	Wednesday
April	25	Wednesday
May	23	Wednesday
June	27	Wednesday
<i>No July TAMC Board meeting</i>		
August	22	Wednesday
September	26	Wednesday
October	24	Wednesday
<i>No November TAMC Board meeting due to Thanksgiving Holiday</i>		
December	5	Wednesday

**2012 CALENDAR OF MEETINGS  
EXECUTIVE COMMITTEE**

All meetings held at the TAMC Conference Room,  
55-B Plaza Circle, Salinas  
9:00 a.m.

Month	Date	Day
January	11	Wednesday
February	1	Wednesday
March	7	Wednesday
April	4	Wednesday
May	2	Wednesday
June	6	Wednesday
<i>No July Executive Committee meeting</i>		
August	1	Wednesday
September	5	Wednesday
October	3	Wednesday
November	7	Wednesday
<i>No December Executive Committee meeting</i>		



## **Memorandum**

**To:** Executive Committee  
**From:** Christina Watson, Senior Transportation Planner  
**Meeting Date:** November 2, 2011  
**Subject:** **Legislative Program**

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### **RECOMMENDED ACTION**

**REVIEW** the draft 2012 Legislative Program.

### **SUMMARY**

The purpose of the legislative program is to set general principles to guide staff and Board responses to proposed legislative or budgetary issues. The program also notifies state representatives of the Transportation Agency's position on issues of key importance to the agency.

### **FINANCIAL IMPACT**

The 2011 TAMC Legislative Program focused on maintaining and augmenting transportation funding. The federal program included requests for federal funding for high priority projects. The draft 2012 legislative program continues this focus on transportation funding.

### **DISCUSSION**

**Attached** is the draft 2012 legislative program. The draft program will go to the Board of Directors in December for review, to all committees in January for comment, and the final program will go to the Board in January for adoption.

Approved by: \_\_\_\_\_  
Debra L. Hale, Executive Director

Date signed: \_\_\_\_\_  
Consent Agenda  
Agency Counsel Review: N/A

Attachment: Draft 2011 Legislative Program



## **DRAFT 2012 Legislative Program: State Issues**

- 1S. **Preserve funding and delivery schedule of priority transportation projects.**
- 2S. **Seek state intercity rail funding for operations and vehicle acquisition for eligible passenger rail services:**
  1. Rail Extension to Monterey County
  2. New Coast Daylight train
- 3S. **Encourage the state to stabilize and increase transportation and transit funding.**
- 4S. **Support proposals to lower the voter threshold for local transportation sales tax ballot measures from the 2/3 supermajority to a simple majority or 55% majority vote.**
- 5S. **Monitor climate change legislation** to ensure that proposals support local economies and do not adversely affect transportation projects.
- 6S. **Support legislation that reduces the cost of litter removal** from transportation facilities, including the plastic bag ban, and seek funding for litter removal efforts.
- 7S. **Support the California High-Speed Rail project** and seek funding for connections with Monterey County rail projects.
- 8S. **Support legislation that promotes transit-oriented development**, transit villages and smart growth, and support eligibility for housing bond funds.
- 9S. **Support “complete streets” and development guidelines that integrate alternative forms of transportation**, such as transit, bicycle and pedestrian commuting.
- 10S. **Support member agencies’ requests** for state funding of regionally significant transportation projects and **support partner agency legislative efforts** as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.



## **DRAFT 2012 Legislative Program: Federal Issues**

- 1F. Seek federal authorization, appropriations, stimulus or other funding** for the Agency's high priority projects, in priority order:
1. US 101 - San Juan Road interchange (Red Barn)
  2. Reauthorization of passenger rail and bus transit facilities and service:  
Commuter Rail Extension to Monterey County and Monterey Peninsula light rail transit
  3. State Route 156 improvements
  4. South County Frontage Roads
  5. Route 68 Holman Highway (Access to Community Hospital), Phase II, construction
  6. Monterey Bay Sanctuary Scenic Trail
- 2F. Support the following priorities for federal authorization legislation:**
1. **Stabilize and increase transportation funding sources** in order to avoid the bankruptcy of the federal highway and transit trust funds:
    - i. Index the gas tax to keep up with inflation to maintain current Highway Trust Fund levels or increase the gas tax to sufficiently meet the nation's transportation needs.
    - ii. Identify appropriate additional funding sources above and beyond the gas tax for maintenance and operations on the existing transportation network.
    - iii. Support maximum federal transportation spending and removal of any procedural obstacles that would impede expenditure of all authorized funding.
    - iv. Focus funding on projects that support safety, economic development and job creation.
  2. Streamline project delivery
  3. Allocate funding to support goods movement programs, especially for highway and rail projects that transport agricultural goods to market
  4. Support "complete streets" programs
  5. Support infrastructure bank programs
- 3F. Support federal jobs stimulus bills that invest in infrastructure and:**
- a. Relieve local agencies from funding match requirements; and
  - b. Prioritize shelf-ready local streets and roads maintenance projects and transit operations.
- 4F. Seek federal funding for Monterey County rail and busway projects** through the Federal Transit Administration New Starts/ Small Starts program, the railroad safety grant program, the high-speed rail program, or other sources.
- 5F. Ensure that climate change legislation proposals are coordinated with California's state requirements,** support local economies, and do not adversely affect transportation projects.
- 6F. Support an adequate level of funding for Amtrak** in the annual appropriations bill and the Amtrak reauthorization legislation, support a fair share allocation to California for capital improvements and vehicle acquisition, and support the appointment of a California representative to the Amtrak Board of Directors.
- 7F. Support member agencies' requests** for federal funding of regionally significant transportation projects and **support partner agency legislative efforts** as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Executive Committee

**From:** Don Bachman, Deputy Executive Director

**Meeting Date:** November 2, 2011

**Subject:** **Employee Incentive Award**

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### **RECOMMENDED ACTION:**

**APPROVE** “sustained superior performance” step increase from Step 6 to Step 7 for Hank Myers, effective January 1, 2012.

### **SUMMARY:**

On April 23, 2003, the TAMC Board approved an employee incentive program to encourage excellence in employee performance and promote retention of superior employees. This employee incentive program includes a step increase for sustained superior performance, which requires prior approval by the Executive Committee.

### **FINANCIAL IMPACT:**

The cost of this step increase to the salaries and benefits budget for the current fiscal year will be an additional \$2,673. The increase between steps is 5%. There are sufficient funds in the adopted budget for fiscal year 11/12.

### **DISCUSSION:**

Transportation Agency human resources policies state that an employee at Steps 1 through 4 is eligible for a performance-based 5% merit increase each year. After that, employees are eligible for the 6<sup>th</sup> step after an additional 3 years and eligible for the 7<sup>th</sup> step after an additional 4 years. The employee incentive program provides for an early step increase based on performance and approval by the Executive Committee (see attachment).

On July 21, 2008, the Transportation Agency for Monterey County hired Hank Myers as Associate Transportation Planning Engineer at Step 6 due to his extensive and relevant experience. During his nearly 3 ½ years with the Agency, he has gained a clear

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understanding of agency projects and priorities. He functions as staff engineer and has taken the lead role in the highway program. Hank has developed liaisons with the staff of our member agencies, Caltrans, and consultants. Agency management is very pleased with his performance. Under Agency policy he will be eligible for advancement to the 7<sup>th</sup> and final step in July 2012. This proposal amounts to a six month advancement of that date.

Last year, in adopting for the FY 2011-12 budget, the Board of directors approved a shift in the employee compensation policy. As a long term measure to reduce exposure to increasing health benefits, the decision was made to no longer pay the premiums for employee dependents. For all but Mr. Myers, this was a minor change for those with dependents due to access to alternative health coverage, such as through spouses' employers. In Hank's case, the full burden fell on him, an effective reduction of about \$6,500 annually. Advancing the eligible step increase by six months will help to smooth the transition. The long term effect of the policy would remain unchanged.

Agency Management therefore recommends granting Mr. Myers a 5% step increase as of his January 1, 2012.

Approved by: \_\_\_\_\_  
Debra L. Hale, Executive Director

Consent Agenda

Attachment: Employee Incentive Program (excerpt)

**Agenda item: 3.4 Attachment 1**

**4.4 Employee Incentive Program (excerpt)**

- 4.1.1 Total cost of this program not to exceed \$7,500 in a fiscal year. All employees that are subject to step increases are eligible for this program. The purpose of this incentive program is not to increase employee compensation, but rather to realize a public benefit through the promotion of efficiency, initiative and morale in TAMC service. This incentive program serves the substantial public purpose of ensuring continued recruitment and retention of qualified and competent employees. From a legal perspective, TAMC Counsel approves this program, provided it is not granting benefits to employees for past services, which could be construed as making a gift of public money. With this incentive program, TAMC is taking self-serving steps to further the agency's self-interest in recruiting and retaining the most competent employees.
  
- 4.1.2 If an employee demonstrates sustained superior performance over a significant period of time, the Executive Director may at his/her discretion approve a step increase for this employee. The definition of sustained superior performance includes consistent, day-to-day, unfailingly exceptional work output that is both quantitatively and qualitatively superior. Superior quality means written reports that are well thought out, timely, accurate, and written correctly for the intended audience. Superior quantity means volume of work above what would normally be expected of an average performer. This award must have prior approval by the TAMC Executive Committee.



## Memorandum

**To:** Executive Committee  
**From:** Todd Muck, AICP, Principal Transportation Planner  
**Meeting Date:** November 2, 2011  
**Subject:** 2012 State Transportation Improvement Program Strategies

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### **RECOMMENDED ACTION:**

**RECIEVE** draft memorandum analyzing the potential for implementing tolling on SR 156; and **PROVIDE** direction on programming strategies for the 2012 State Transportation Improvement Program.

### **SUMMARY:**

A memorandum analyzing the potential to use tolling as mechanism to fund the proposed SR 156 Widening project will be available for review at the Executive Committee meeting. The feasibility of using tolling to fund construction of the SR 156 widening project could change the list of recommended projects to be funded with the Transportation Agency's \$46.86 million target for 2012 State Transportation Improvement Program (STIP) funding.

### **FINANCIAL IMPACT:**

Tolling has been proposed as a potential option to expedite constructing the SR 156 Widening project. The Draft 2012 Regional Transportation Improvement Program project list reviewed at the Executive Committee's October meeting included \$32.5 million for the Plans, Specifications and Engineering; and Right-of-Way phases of the SR 156 Widening project to support the tolling concept.

Monterey County's State Transportation Improvement Program Fund Estimate target for the 2012/13 to 2016/17 period is \$46.86 million. The current list of proposed projects could be programmed if the California Transportation Commission agrees to advance \$4.77 million to Monterey County.

If tolling is determined to be unfeasible, or not desirable, the Board could decide to proceed with the SR 156 Widening project at a slower pace and consider programming some or all of the \$32.5 million to other projects.

**DISCUSSION:**

The Transportation Agency has contracted with Samer Madanat, a professor of engineering and Director of the Institute of Transportation Studies at University of California, Berkeley to prepare a memorandum regarding the potential for using tolling as a mechanism to fund the SR 156 Widening project. A draft of the memorandum will be available for review and comment at the Executive Committee meeting. The final version of the memorandum will be completed for inclusion in the December Transportation Agency agenda packet.

If tolling is determined to be feasible the Transportation Agency could support the concept by continuing with the Draft 2012 Regional Transportation Improvement Program project list reviewed at the Executive Committee's October meeting. If tolling is determined to be unfeasible, or not desirable, the Board could decide to proceed with the SR 156 Widening project at a slower pace and consider programming some or all of the \$32.5 million to other projects.

Transportation Agency staff will draft the 2012 Regional Transportation Improvement Program for Board adoption at its December 7, 2012 meeting. The California Transportation Commission is scheduled to adopt the 2012 State Transportation Improvement Program on March 28, 2012.

Approved by: \_\_\_\_\_ Date Signed: \_\_\_\_\_  
Debra L. Hale, Executive Director

Regular Agenda

Reviewed by Counsel: N/A

Attachment: DRAFT – TAMC 2012 RTIP Project List





## Memorandum

**To:** Executive Committee  
**From:** Christina Watson, Senior Transportation Planner  
**Meeting Date:** November 2, 2011  
**Subject:** State Legislative Update

### RECOMMENDED ACTION

**RECEIVE** an update on state legislative activities.

### SUMMARY

The Governor signed the Transportation Agency-sponsored measure enabling non-profits to receive the state funding set aside to perform habitat mitigation for transportation projects. He also signed or vetoed other bills of interest to the agency.

### FINANCIAL IMPACT

The passage of the Transportation Agency-sponsored measure is good news for transportation planning, because Caltrans can now allocate state funding to non-profits to perform habitat mitigation for projects such as the US 101 Prunedale Improvement Program and the State Route 1 Salinas Road Interchange project.

### DISCUSSION

**Attachment 1** is the final bill track of legislation relevant to the Agency's priorities, showing status and changes to the bills since the report to the Agency Board on September 28, 2011. Many of the bills are either dead or 2-year bills. If they continue to relate to transportation, we will include them in the bill list next year.

Of the bills the Agency supported, no bills were vetoed, and the following bills were chaptered into law:

- **Assembly Bill (AB) 892 (Carter): Department of Transportation: environmental review process: federal pilot program.** This bill extends to January 2017 the pilot program through which Caltrans assumes the responsibility for the federal environmental review of highway projects. This pilot program has streamlined the environmental review of federal-funded highway projects.
- **Senate Bill (SB) 436 (Kehoe): Land use: mitigation lands: nonprofit organizations.** This measure enables non-profits to receive the state funding set aside to perform habitat mitigation for transportation projects. Caltrans can now allocate state funding to non-profits, such as the Elkhorn Slough Foundation, to perform habitat mitigation for highway projects, such as the US 101 Prunedale Improvement Program and the Highway 1 Salinas Road interchange project.

Of the bills the Agency opposed, no bills were vetoed, and the following bills were chaptered into law:

- **SB 293 (Padilla): Payment bonds: laborers.** This bill will prohibit public works contract retentions from exceeding 5% of the contract payment. For major public works projects, TAMC has previously

used 10% retention to ensure timely completion of the project, and will now have to reduce such retentions in future contracts.

- **SB 468 (Kehoe): Department of Transportation: north coast corridor project: high-occupancy toll lanes.** This bill requires that multimodal transportation options are considered in the plan and design for projects on Highway 5 in southern California. TAMC originally opposed this bill in a previous form that more broadly applied to any highway project in the coastal zone.

Of the bills the Agency was watching, the following bills were chaptered into law:

- **AB 427 (John A. Pérez): Transportation bond funds: transit system safety.** Prop 1B (2006) included \$1 billion for the Transit System Safety, Security, and Disaster Response Account. This bill provides that commuter rail operators eligible for State Transit Assistance funds are also eligible for Transit System Safety, Security, and Disaster Response Account funds.
- **AB 1097 (Skinner): Transit projects: domestic content.** This bill authorizes the state or a local agency to provide a bidding preference to a bidder if the bidder exceeds Buy America requirements applicable to federally funded transit projects.
- **Assembly Joint Resolution (AJR) 5 (Lowenthal, Bonnie): Transportation revenues.** This resolution requests the President and Congress to enact legislation to study the feasibility of the collection process for a transportation revenue source based on vehicle miles traveled.

Of the bills the Agency was watching, the following bills were vetoed:

- **AB 650 (Blumenfield): Blue Ribbon Task Force on Public Transportation for the 21st Century.** This bill would have used \$750,000 from the Public Transportation Account to establish the Blue Ribbon Task Force to study California's transit system, the estimated cost of creating the needed system, and potential sources of funding to sustain the transit system's needs. In his veto message, Governor Brown said this study should be the responsibility of the existing Assembly and Senate transportation committees, Caltrans and the California Transportation Commission.
- **SB 28 (Simitian): Vehicles: electronic wireless communications devices: prohibitions.** Among other things, this bill would have required the DMV to test the driver's license applicant's understanding of the distractions and dangers of handheld cell phone use and text messaging while operating a motor vehicle. Governor Brown said that current fines are a sufficient deterrent.
- **SB 223 (Leno): Voter-approved local assessment: vehicles.** Would authorize the City and County of San Francisco to impose a voter-approved local assessment on vehicles. Governor Brown said, "Before we embark on a piecemeal approach for one city, we should try to fashion a broader revenue solution to our state's fiscal crisis."
- **SB 910 (Lowenthal, Alan): Vehicles: bicycles: passing.** Governor Brown's veto message reads, in part, "This bill changes the longstanding law for how motor vehicles should pass a bicycle traveling in the same direction. Current law requires drivers to pass at a safe distance; this bill would specify that the distance must be at least 3 feet or at a speed not exceeding 15 mph. ... Caltrans and the California Highway Patrol have raised legitimate concerns ... I encourage the author, proponents, and opponents to send me a bill next year that solves these problems."

Approved by: \_\_\_\_\_  
Debra L. Hale, Executive Director

Date signed: \_\_\_\_\_  
Regular Agenda  
Reviewed by Counsel: N/A

Attachment:

1. Transportation Agency for Monterey County State Legislative Bill List as of October 10, 2011



**AB 286 (Berryhill, Bill R) State highways: Routes 108 and 120**

**Introduced:** 2/8/2011

**Last Amended:** 8/30/11

**Status:** 09/06/2011 - Ordered to inactive file at the request of Senator Wyland

**Location:** 9/6/2011-S. INACTIVE FILE

**Summary:** Would require proceeds from the sale of excess properties acquired by the department for improvements to State Highway Route 120, less any reimbursements due to the federal government and all costs incurred in the sale of those excess properties, to be used for improvements to State Highway Route 108 in Stanislaus County, the North County Corridor.

**Position:** Watch

**Priority:** Unknown

**Action Taken:** None

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**AB 381 (Alejo D) Department of Transportation.**

**Introduced:** 2/14/2011

**Status:** 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/14/2011)

**Location:** 5/13/2011-A. 2 YEAR

**Summary:** Spot bill related to Caltrans.

**Position:** Watch

**Priority:** Unknown

**Action Taken:** None

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**AB 427 (John A. Pérez D) Transportation bond funds: transit system safety.**

**Introduced:** 2/14/2011

**Last Amended:** 8/15/11

**Status:** 10/7/2011-Chaptered by the Secretary of State, Chapter Number 527, Statutes of 2011

**Location:** 10/7/2011-A. CHAPTERED

**Summary:** Prop 1B (2006) included \$1 billion for the Transit System Safety, Security, and Disaster Response Account. In 2007, SB 88 created a formula by which the bond proceeds would be distributed. SB 88 specified that 60% of the bond funds would be allocated according to the existing statutory formula for State Transit Assistance, 25% would be allocated for capital expenditures to regional public waterborne transit agencies, and 15% would be allocated to intercity passenger rail systems. Provides that commuter rail operators eligible to receive State Transit Assistance funds are also eligible to receive funds from the 60% share of Transit System Safety, Security, and Disaster Response Account funds. Contains provisions related to the Southern California Regional Rail Authority. Would delete the provision making intercity and commuter rail entities receiving bond funds from the 15% share of funds ineligible for the 60% share of funds

**Position:** Watch

**Priority:** Unknown

**Action Taken:** None

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**AB 484 (Alejo D) Land use: natural resources: transfer of long-term management funds.**

**Introduced:** 2/15/2011

**Last Amended:** 5/27/11

**Status:** 7/8/2011-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/8/2011)

**Location:** 7/8/2011-S. 2 YEAR – bill merged with SB 436 (Kehoe)

**Summary:** Would authorize funds set aside for the long-term management of any lands or easements conveyed to a nonprofit organization pursuant to the above provisions to also be conveyed to the nonprofit organization. Would also require the nonprofit organization to hold, manage, invest, and disburse the funds in furtherance of managing and stewarding the land or easement for which the funds were set aside.

**Position:** SUPPORT

**Priority:** 8 (Habitat Mitigation Land Management)

**Action Taken:** TAMC Sponsor Measure – Attended hearings to speak in support of measure and wrote letters

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**AB 485 (Ma D) Infrastructure financing.**

**Introduced:** 2/15/2011

**Last Amended:** 6/29/2011

**Status:** 09/07/2011 - Ordered to inactive file at the request of Senator Wolk

**Location:** 9/7/2011-S. INACTIVE FILE

**Summary:** Would eliminate the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit village development district.

**Position:** Watch

**Priority:** 9 (TOD)

**Action Taken:** None

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**AB 567 (Valadao R) Transportation funds: capital improvement projects.**

**Introduced:** 2/16/2011

**Status:** 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2011)

**Location:** 5/13/2011-A. 2 YEAR

**Summary:** Existing law requires specified funds made available for transportation capital improvement projects to be programmed and expended for interregional and regional improvements. Spot bill.

**Position:** Watch

**Priority:** 3 (Funding)

**Action Taken:** None

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**AB 605 (Dickinson D) Environmental quality: California Environmental Quality Act: transportation impacts.**

**Introduced:** 2/16/2011

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/3/2011)

**Location:** 5/10/2011-A. 2 YEAR

**Summary:** Would require the Office of Planning and Research to prepare and adopt guidelines that would establish the percentage reduction in the projected trip generation and vehicle miles traveled for a project as compared to the average for trip generation and vehicle miles traveled for that project type that would assist a region in meeting the greenhouse gas emission reduction targets established by the State Air Resources Board.

**Position:** Watch

**Priority:** 5 (Climate Change)

**Action Taken:** None

**AB 650 (Blumenfield D) Blue Ribbon Task Force on Public Transportation for the 21st Century.**

**Introduced:** 2/16/2011

**Last Amended:** 8/15/11

**Status:** 9/26/2011-Vetoed by the Governor

**Location:** 9/26/2011-A. VETOED

**Summary:** Would establish, until March 30, 2013, the Blue Ribbon Task Force on Public Transportation for the 21st Century. Would require the task force to be comprised of 12 members and would require the Senate Committee on Rules and the Speaker of the Assembly to each appoint 6 specified members, by January 31, 2012. Would require the task force to elect one of its nonlegislative members as chair. Would require the task force to issue a written report that contains specified findings and recommendations relating to, among other things, the current state of California's transit system, the estimated cost of creating the needed system over various terms, and potential sources of funding to sustain the transit system's needs, and to submit the report by September 30, 2012, to the Governor, the Legislature, the Joint Legislative Budget Committee, the Senate Committee on Rules, the Speaker of the Assembly, and the transportation committees of the Legislature. Would require the task force, for purposes of collecting information for the written report, to consult with appropriate state agencies and departments and would require the task force to contract with consultants for preparation of the report. Would require Caltrans to provide administrative staffing to the task force. Would appropriate \$750,000 from the Public Transportation Account to the department to accomplish the purposes of these provisions.

**Position:** Watch

**Priority:** 3 (Funding)

**Action Taken:** None

**AB 710 (Skinner D) Local planning: infill and transit-oriented development.**

**Introduced:** 2/17/2011

**Last Amended:** 8/18/2011

**Status:** 9/9/11: From inactive file, Senate Rule 29 suspended (Ayes 24, Noes 12) Read third time, refused passage (Ayes 18, Noes 19).

**Location:** 9/9/2011-S. THIRD READING

**Summary:** Would state the intent of the Legislature to reduce unnecessary government regulation and to reduce the cost of development by eliminating excessive minimum parking requirements for infill and transit-oriented development.

**Position:** Watch

**Priority:** 9 (TOD)

**Action Taken:** None

**AB 845 (Ma D) Transportation: bond funds.**

**Introduced:** 2/17/2011

**Last Amended:** 5/10/2011

**Status:** 8/22/2011: Ordered to inactive file at the request of Senator Liu

**Location:** 8/22/2011-S. INACTIVE FILE

**Summary:** Would require the guidelines adopted by the commission to determine the funding share for each eligible commuter and urban rail recipient to use the distribution factors gathered from the 2007 Data Tables of the National Transit Database of the Federal Transit Administration. Would require the commission to accept from each eligible recipient a priority list of projects up to the target amount expected to be available for the recipient and would require matching funds provided by the recipient to be from non-state funds. Would define "non-state matching funds" for purposes of these bond fund allocations to mean local, federal, and private funds, as well as state funds available to an eligible recipient that are not subject to allocation by the commission.

**Position:** Watch

**Priority:** 2 (Rail Services) and 7 (High Speed Rail)

**Action Taken:** None

**AB 890 (Olsen R) Environment: CEQA exemption: roadway improvement.**

**Introduced:** 2/17/2011

**Last Amended:** 3/29/11

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 5/3/2011)

**Location:** [5/10/2011-A. 2 YEAR](#)

**Summary:** Would exempt from CEQA a roadway improvement project or activity within an existing road right-of-way (e.g., shoulder widening, guardrail improvement, minor drainage, culvert replacement, traffic signal modification, and safety improvements) that is undertaken by a city, county, or city and county.

**Position:** SUPPORT

**Priority:** 1 (Streamlining) and 10 (Complete Streets)

**Action Taken:** None [*Letter drafted – bill now 2-year measure; letter not sent*]

**AB 892 (Carter D) Department of Transportation: environmental review process: federal pilot program.**

**Introduced:** 2/17/2011

**Last Amended:** 7/13/11

**Status:** [10/6/2011-Chaptered by the Secretary of State, Chapter Number 482, Statutes of 2011](#)

**Location:** [10/6/2011-A. CHAPTERED](#)

**Summary:** Existing law gives the Department of Transportation full possession and control of the state highway system. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Existing law, until January 1, 2012, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program. This bill would delete this repeal date and extend the operation of these provisions until January 2017.

**Position:** SUPPORT

**Priority:** 1 (Streamlining)

**Action Taken:** Executive Committee adopted “support” position 4/6/11; Letter sent 4/11/11

**AB 995 (Cedillo D) Environmental quality: CEQA: public assistance and information program: recommendations: review of transit-oriented development.**

**Introduced:** 2/18/2011

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/10/2011)

**Location:** [5/10/2011-A. 2 YEAR](#)

**Summary:** Would require the Office of Planning and Research to prepare and submit to the Legislature a report containing recommendations for expedited environmental review for transit-oriented development. Spot bill.

**Position:** SUPPORT in Concept

**Priority:** 1 (Streamlining) and 9 (TOD)

**Action Taken:** [*action pending specification of language; bill now 2-year bill*]

**AB 1097 (Skinner D) Transit projects: domestic content.**

**Introduced:** 2/18/2011

**Last Amended:** 8/29/11

**Status:** [10/2/2011-Chaptered by the Secretary of State, Chapter Number 405, Statutes of 2011](#)

**Location:** [10/2/2011-A. CHAPTERED](#)

**Summary:** Would specifically authorize the state or a local agency, relative to the use of federal funds for transit purposes, to provide a bidding preference to a bidder if the bidder exceeds Buy America requirements applicable to federally funded transit projects.

**Position:** Watch

**Priority: 1 (Streamlining)**

**Action Taken:** None

**AB 1308 (Miller R) Highway Users Tax Account: appropriation of funds.**

**Introduced:** 2/18/2011

**Status:** [5/28/2011-Failed Deadline pursuant to Rule 61\(a\)\(5\). \(Last location was APPR. on 5/27/2011\)](#)

**Location:** [5/28/2011-A. 2 YEAR](#)

**Summary:** In any year in which the Budget Act has not been enacted by July 1, this bill would provide that all moneys in the Highway Users Tax Account in the Transportation Tax Fund, except as specified, are continuously appropriated and may be encumbered for certain purposes until the Budget Act is enacted.

**Position:** Watch

**Priority:** 3 (Funding)

**Action Taken:** None

**AB 1354 (Huber D) Public works: payments: retention proceeds.**

**Introduced:** 2/18/2011

**Last Amended:** 4/26/11

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was B.,P. & C.P. on 4/27/2011)

**Location:** [5/10/2011-A. 2 YEAR](#)

**Summary:** Existing law prohibits the Department of General Services from making payments upon contracts relating to the construction of a public work improvement in excess of 95% of the percentage of actual work completed, and requires the department to withhold not less than 5% of the contract price until final completion and acceptance of the project. Would instead prohibit retention proceeds from exceeding 5% of the payment.

**Position:** OPPOSE

**Priority:** N/A (Contracts)

**Action Taken:** None [*Letter drafted – bill now 2-year measure; letter not sent*]

**ACA 4 (Blumenfield D) Local government financing: voter approval.**

**Introduced:** 12/6/2010

**Status:** 8/29/2011: Ordered to inactive file at the request of Assemblymember Blumenfield

**Location:** [8/29/2011-A. INACTIVE FILE](#)

**Summary:** Would lower to 55% the voter-approval threshold for a city, county, or city and county to incur bonded indebtedness, exceeding in one year the income and revenue provided in that year, that is in the form of general obligation bonds to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services.

**Position:** Watch

**Priority:** 4 (Voter Threshold)

**Action Taken:** None

**AJR 5 (Lowenthal, Bonnie D) Transportation revenues.**

**Introduced:** 2/10/2011

**Last Amended:** 3/29/11

**Status:** [6/8/2011-Chaptered by the Secretary of State, Chapter Number 29, Statutes of 2011](#)

**Location:** [6/8/2011-A. CHAPTERED](#)

**Summary:** Would request the President and the Congress of the United States to consider and enact legislation to conduct a study regarding the feasibility of the collection process for a transportation revenue source based on vehicle miles traveled, in order to facilitate the creation of a reliable and steady transportation funding mechanism for the maintenance and improvement of surface transportation infrastructure.

**Position:** Watch

**Priority:** 3 (Funding)

**Action Taken:** None

**SB 28 (Simitian D) Vehicles: electronic wireless communications devices: prohibitions.**

**Introduced:** 12/6/2010

**Last Amended:** 7/7/11

**Status:** [9/7/2011-Vetoed by the Governor](#)

**Location:** [9/7/2011-S. VETOED](#)

**Summary:** Would require the Department of Motor Vehicles to test the driver's license applicant's understanding of the distractions and dangers of handheld cell phone use and text messaging while operating a motor vehicle.

**Position:** Watch

**Priority:** N/A (Safety)

**Action Taken:** None

**SB 223 (Leno D) Voter-approved local assessment: vehicles.**

**Introduced:** 2/9/2011

**Last Amended:** 8/31/11

**Status:** [10/4/2011-Vetoed by the Governor](#)

**Location:** [10/4/2011-S. VETOED](#)

**Summary:** Would authorize the City and County of San Francisco to impose a voter-approved local assessment for specified vehicles if certain conditions, including approval by local voters, are met.

**Position:** Watch

**Priority:** 3 (Funding)

**Action Taken:** None

**SB 293 (Padilla D): Payment bonds: laborers**

**Introduced:** 2/14/2011

**Last Amended:** 9/2/11

**Status:** [10/9/2011-Signed by the Governor](#)

**Location:** [10/9/2011-S. CHAPTERED](#)

**Summary:** Related to public works projects, changes the rules of payments to contractors and subcontractors, including reducing the timeframe for such payment from 10 days to 7 days, prohibit contract retentions from exceeding 5% of the contract payment, although it would exempt a contract from this provision if the contractor notified the subcontractor that a bond is required, and the subcontractor failed to furnish the contractor with the bond.

**Position:** OPPOSE

**Priority:** N/A (Streamlining)

**Action Taken:** Letter sent to Governor Brown 9/12/11

**SB 436 (Kehoe D) Land use: mitigation lands: nonprofit organizations.**

**Introduced:** 2/16/2011

**Last Amended:** 9/2/11

**Status:** [10/8/2011-Signed by the Governor](#)

**Location:** [10/8/2011-S. CHAPTERED](#)

**Summary:** The Planning and Zoning Law authorizes a state or local public agency, if the agency requires a property owner to transfer to the agency an interest in real property to mitigate an adverse impact upon natural resources caused by permitting the development of a project or facility, to authorize a nonprofit organization to hold title to and manage that interest in real property, provided that the nonprofit organization meets specified requirements. Would revise these provisions and would additionally authorize a state or local public agency to authorize a nonprofit organization, a special district, a for-profit entity, a person, or another entity to hold title to and manage an interest in property held for mitigation purposes, subject to certain requirements. Would also provide that if a state or local agency, in the development of its own project, is required to protect property to

mitigate an adverse impact upon natural resources, the agency is authorized to take any action that it deems necessary to meet its mitigation obligations, including, but not limited to, providing funds to a nonprofit organization to acquire land or easements that satisfy the agency's mitigation obligations, including funds that have been set aside for the long-term management of any lands or easements conveyed to a nonprofit organization, as specified. Would, until January 1, 2022, require a special district or nonprofit organization that holds funds on behalf of a local agency, for the long-term management of land, to comply with certain requirements. Would also state the findings and declarations of the Legislature with respect to the preservation of natural resources through mitigation, and would state that it is in the best interest of the public to allow state and local public agencies and nonprofit organizations to utilize the tools and strategies they need for improving the effectiveness, cost efficiency, and durability of mitigation for California's natural resources.

**Position: SUPPORT**

**Priority: 8 (Habitat Mitigation Land Management)**

**Action Taken: Letter sent 5/27/11**

**SB 468 (Kehoe D) Department of Transportation: north coast corridor project: high-occupancy toll lanes.**

**Introduced: 2/17/2011**

**Last Amended: 8/31/11**

**Status: 10/7/2011-Chaptered by the Secretary of State, Chapter Number 535, Statutes of 2011**

**Location: 10/7/2011-S. CHAPTERED**

**Summary:** Would impose additional requirements on Caltrans with respect to specified highway projects on State Highway Route 5 in southern California, known collectively as the north coast corridor project, that are located entirely or partially in the coastal zone, including requiring the department to collaborate with local agencies, the California Coastal Commission, and other affected local, state, and federal agencies to ensure that multimodal transportation options are evaluated and included in the public works plan and, where appropriate, in the project design for the projects. The bill would make these requirements applicable to the San Diego Association of Governments (SANDAG) and would also require SANDAG, for these projects, to establish a safe routes to transit program that integrates the adopted regional bike plan with transit services and, pursuant to SANDAG's agreement, as specified, to commit to dedicate for regional habitat acquisition, management, and monitoring activities a portion of specified taxes approved by the voters in San Diego County. The bill would, for these projects, require the department to suspend a notice of determination relating to environmental impact, issued between January 1, 2011, and January 1, 2012, until it is determined that environmental documents for the projects satisfy the requirements of the bill.

**Position: OPPOSE**

**Priority: 1 (Streamlining)**

**Action Taken: Executive Committee adopted "oppose" position 4/6/11; Letter sent 4/11/11**

**SB 653 (Steinberg D) Local taxation: counties: school districts: community college districts: county offices of education: general authorization.**

**Introduced: 2/18/11**

**Last Amended: 6/6/11**

**Status: 8/22/2011: Ordered to inactive file on request of Senator Steinberg.**

**Location: 8/22/2011-S. INACTIVE FILE**

**Summary:** This bill would authorize the governing board of any county or city and county, any school district, any community college district, and any county office of education, subject to specified constitutional and voter approval requirements, to levy, increase, or extend a local personal income tax, transactions and use tax, vehicle license fee, and excise tax, including an alcoholic beverages tax, a cigarette and tobacco products tax, a sweetened beverage tax, and an oil severance tax.

**Position: Watch**

**Priority: 1 (Streamlining) and 3 (Funding)**

**Action Taken: None**

**SB 693 (Dutton R) Public contracts: local agencies.**

**Introduced:** 2/18/2011

**Last Amended:** 4/13/2011

**Status:** [6/3/2011-Failed Deadline pursuant to Rule 61\(a\)\(8\). \(Last location was T. & H. on 4/13/2011\)](#)

**Location:** [6/3/2011-S. 2 YEAR](#)

**Summary:** Existing law authorizes Caltrans and regional transportation agencies to enter into public-private partnerships for transportation projects under certain conditions. Existing law authorizes the department to delegate to any city or county any part of its powers and jurisdiction, except the power of approval, with respect to any portion of any state highway within the city or county, and to withdraw the delegation. Would specify that the delegation authority includes the authority to utilize private-public partnership agreements for transportation projects.

**Position:** SUPPORT

**Priority:** 1 (Streamlining) and 3 (Funding)

**Action Taken:** Letter sent 5/24/11

**SB 851 (Anderson R) Transportation**

**Introduced:** 2/18/2011

**Status:** 5/13/2011-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/10/2011)

**Location:** [5/13/2011-S. 2 YEAR](#)

**Summary:** Existing law provides the Department of Transportation with full possession and control of all state highways and authorizes the department to lay out and construct all state highways. This bill would state intent of the Legislature to enact legislation that would address the need for highway construction. Spot bill.

**Position:** Watch

**Priority:** Unknown

**Action Taken:** None

**SB 910 (Lowenthal, Alan D) Vehicles: bicycles: passing**

**Introduced:** 2/18/2011

**Last Amended:** 8/30/11

**Status:** [10/7/2011-Vetoed by the Governor](#)

**Location:** [10/7/2011-S. VETOED](#)

**Summary:** Would require the driver of a motor vehicle overtaking and passing a bicycle that is proceeding in the same direction on a highway to pass in compliance with specified requirements applicable to overtaking and passing a vehicle, and to do so at a safe distance that does not interfere with the safe operation of the overtaken bicycle, having due regard for the size and speed of the motor vehicle and the bicycle, traffic conditions, weather, and the surface and width of the highway. Would prohibit the driver of the motor vehicle that is overtaking or passing a bicycle proceeding in the same direction on a highway from passing at a distance of less than 3 feet between any part of the motor vehicle and any part of the bicycle or its operator, except as provided. Would make a violation of this provision an infraction punishable by a \$35 fine. Would also require the imposition of a \$220 fine on a driver if a collision occurs between a motor vehicle and a bicyclist causing bodily harm to the bicyclist, and the driver is found to be in violation of the above provisions. Would limit the above prohibition, relating to unbroken double parallel solid lines, to solid yellow lines. Would prohibit a person driving a vehicle from crossing over any part of any double parallel solid white lines except in the above situations or when entering or exiting designated areas of exclusive or preferential use lanes, as provided. Would permit a driver of a motor vehicle to cross double parallel lines in a substandard width lane, as described, to pass a person operating a bicycle in the same direction, if in compliance with a specified provision.

**Position:** Watch

**Priority:** 10S (complete streets)

**Action Taken:** None



# Memorandum

**To:** Executive Committee

**From:** Rita Goel, Director of Finance & Administration

**Meeting Date:** November 2, 2011

**Subject:** **APPOINT NOMINATING COMMITTEE**

**RECOMMENDED ACTION:**

**APPOINT** a Nominating Committee to meet and return to Board of Directors on January 25, 2012 with recommendations for Board Chair, 1<sup>st</sup> Vice Chair, 2<sup>nd</sup> Vice Chair, and Executive Committee to serve one-year terms beginning upon their election through the next election of officers at the beginning of the January 23, 2013 Board meeting.

**SUMMARY:**

Agency Bylaws require the election of officers at the beginning of the January meeting. The Executive Committee includes the Chair, 1<sup>st</sup> Vice Chair, 2<sup>nd</sup> Vice Chair, the immediate past Chair, a City and a County voting Board member.

**FINANCIAL IMPACT:**

None.

**DISCUSSION:**

Current Executive Committee members are Maria Orozco (Chair), Simon Salinas (1<sup>st</sup> Vice Chair), Jerry Edelen (2<sup>nd</sup> Vice Chair), Lou Calcagno (Past Chair), Jane Parker (County Representative), and Kimbley Craig (City Representative). At the January 25, 2012 Board meeting, in addition to the recommendations of the Nominating Committee, there will be opportunity for nominations from the floor.

Approved by: \_\_\_\_\_ Date \_\_\_\_\_  
 Debra L. Hale, Executive Director  
 Regular Agenda Counsel Review N/A