

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

EXECUTIVE COMMITTEE

*Members are: Alejandro Chavez (Chair),
John Phillips (1st Vice Chair), Robert Huitt (2nd Vice Chair),
Kimbley Craig (Past Chair),
Luis Alejo (County Representative), Ed Smith (City Representative)*

**Wednesday, April 5, 2017
TAMC Conference Room
55-B Plaza Circle, Salinas
9:00 AM**

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.

3. BEGINNING OF CONSENT AGENDA

Approve the staff recommendations for items listed 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 the Executive Committee draft minutes of March 1, 2017.

-Rodriguez

END OF CONSENT AGENDA

4. RECEIVE state legislative update and **RECOMMEND** that the Board adopt positions on bills of interest to the Agency.

- Watson/Arriaga

Staff will present a state legislative update and new bills for the Committee

to consider.

5. **RECEIVE** Federal Legislative Update.

- Watson

President Trump presented a draft budget proposal on March 15 with dramatic cuts to transportation. This report presents a summary of those proposed cuts.

6. **RECEIVE** an update on the coordination activities necessary between the Transportation Agency and local jurisdictions in order to implement Measure X.

- Zeller

On December 6, 2016, the Monterey County Board of Elections certified that Measure X passed with 67.71% of the vote. The sales tax will start being collected on April 1, 2017 and revenues will be available to the jurisdictions by August 2017. Prior to that, the Transportation Agency will work with the jurisdictions to set up the agreements, pavement management program, financial accounts, and other items required by Measure X's implementing ordinance.

7. **RECEIVE** report on draft agenda for April 26, 2017, TAMC Board meeting.

- Hale

8. **ANNOUNCEMENTS**

9. **ADJOURN**

NEXT MEETING May 3, 2017.

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**

CORRESPONDENCE, MEDIA CLIPPINGS, AND REPORTS - No items this month.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Executive Committee
From: Elouise Rodriguez, Senior Administrative Assistant
Meeting Date: April 5, 2017
Subject: **Exec Draft Minutes**

RECOMMENDED ACTION:

APPROVE the Executive Committee draft minutes of March 1, 2017.

ATTACHMENTS:

- Executive Committee draft minutes

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: Alejandro Chavez (Chair),
John Phillips (1st Vice Chair), Robert Huitt (2nd Vice Chair),
Kimbley Craig (Past Chair),
Luis Alejo (County representative), Ed Smith (City representative)*

Wednesday, March 1, 2017

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

Transportation Agency Conference Room
55-B Plaza Circle, Salinas

1. **CALL TO ORDER:** Vice Chair Phillips called the meeting to order at 9:00 a.m. Committee members present: Alejo, Craig, Huitt, Phillips, and Smith. Staff present: Hale, Muck, Rodriguez, Watson, and Wright. Others present: Agency Counsel Reimann, Linda Gonzalez, Supervisor Alejo's office; and Reed Sanders, Senator Cannella's office.
 2. **PUBLIC COMMENTS:** None.
-
3. **CONSENT AGENDA:**
On a motion by Committee member Huitt and seconded by Craig, the committee voted 5 – 0 to approve the consent agenda as follows:
 - 3.1 Approved minutes from the Executive Committee meeting of February 1, 2017, with correction noticed Committee member Smith was in attendance.

END OF CONSENT

4. CLOSED SESSION:

The Committee held a closed session regarding the Public Employee pursuant to Government Code Section §54957, concerning the employment contract with the Agency's Executive Director.

The Committee reconvened in open session: Agency Counsel Reimann reported that direction was given to her from the Committee.

5. REGIONAL SURFACE TRANSPORTATION PROGRAM FUNDING:

On a motion by Committee member Smith and seconded by Craig, the committee voted 5 – 0 to recommend approval to the Transportation Agency Board to:

1. Program three years (2017/18/19) Regional Surface Transportation Program (RSTP) fair share funds to the cities and County;
2. Program 10% of RSTP funds to the RSTP Reserve;
3. Initiate a call for projects to program competitive RSTP funds; and
4. Program three years (2017/18/19) Transportation Development Act 2% funds for the Fort Ord Regional Trail and Greenway (FORTAG) project, contingent that they receive a matching Federal Land Access Program grant.

Deputy Executive Director Muck reported the three-year estimated funding of Regional Surface Transportation Program for fiscal years 2017/18/19 is \$3.6 million for fair share allocations, \$6.95 million for competitive grants, and \$1.32 million for the RSTP reserve. He noted that the Agency programs RSTP, Transportation Development Act 2%, and Regional Development Impact Fee funds to local and regional projects.

The Committee expressed concern that setting aside three years of the Transportation Development Act 2% funds to the FORTAG project, this would take it out of a competitive pot and expressed that there are a lot of other competitive projects that could benefit from these funds. Mr. Muck noted that it is the Board's option to include in the competitive cycle, noting our rationale is that the FORTAG project is a Measure X priority project, and allowing it to use local funds as a match to a federal grant multiplies the effect of the local funding. Executive Director Hale commented because the grant application is due in May the timing of the grant application was important to the staff recommendation.

6. STATE LEGISLATIVE UPDATE:

On a motion by Committee member Craig and seconded by Huitt, the committee voted 5 – 0 to receive a state legislative update and recommend the Board adopt positions on bills of interest to the Agency.

Christina Watson, Principal Transportation Planner, reported the main focus of transportation legislation this session is the \$6 billion a year transportation funding package, Senate Bill 1 and Assembly Bill 1, proposed by Senator Beall and Assembly Member Frazier. She also discussed AB 696 by Assembly Member Caballero, a bill that would keep funds from the sale of excess properties originally purchased for the Prunedale Bypass project in Monterey County. She presented the draft bill list, and noted that the list presented to the Board on March 22 would have more bills.

Supervisor Alejo noted that the Governor’s desire for a transportation deal by early April is not realistic, and predicted September would be the soonest we would see a deal.

7. The Board received a report on the draft agenda for March 22, 2017, TAMC Board meeting.

Executive Director Hale reviewed the highlights of the draft agenda. She reported that the Board would hold two closed sessions on rail property acquisitions and Executive Director’s employment contract. The Board will receive nominations for the Transportation Safety and Investment Plan Citizens Oversight Committee; and appoint nominees and their alternates to the Transportation Safety and Investment Plan Citizens Oversight Committee. On the consent agenda, the Board will be asked to approve funding each 2017 Bicycle Secure Program application, with a partial allocation to the Monterey Bay Air Resources Board; and approve opening the program for additional applications this calendar year; and approve the use of surplus funds to fund additional applications this calendar year. The Board will receive a state legislative update and authorize staff to issue a Request for Proposals for state legislative assistance, not to exceed \$30,000 per year as noted in the fiscal year 2017/18 Agency budget, for two years and the option for a one-year renewal, pending approval by the Executive Director. The Executive Committee directed the Regional Surface Transportation Program funding item be moved from the consent agenda to the regular agenda.

8. ANNOUNCEMENTS

None this month.

9. ADJOURNMENT

Vice Chair Phillips adjourned the meeting at 10:25 a.m.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Executive Committee
From: Christina Watson, Principal Transportation Planner
Meeting Date: April 5, 2017
Subject: State Legislative Update

RECOMMENDED ACTION:

RECEIVE state legislative update and **RECOMMEND** that the Board adopt positions on bills of interest to the Agency.

SUMMARY:

Staff will present a state legislative update and new bills for the Committee to consider.

FINANCIAL IMPACT:

The lack of reliable and consistent transportation funding is a constant struggle for transportation agencies statewide.

DISCUSSION:

A transportation funding deal between the Governor and Senate and Assembly leadership is close, anticipated by April 6. Rumors are swirling but no firm details have been disclosed formally as of this writing. Staff will provide an update at the meeting.

Attached is the updated bill list as of March 27, 2017. Changes since the March 22 TAMC bill list are indicated with underline and cross-out. Several bills were added to the list with "watch" positions.

Recommended changes in Board positions include:

- AB 1421 (Dababneh): Railroads: noise and vibration levels - this bill was changed to a study on noise and vibration. Staff recommends changing Agency position from "oppose" to "watch".
- SCA 2 (Newman): Motor vehicle fees and taxes: restriction on expenditures - staff recommends supporting this constitutional amendment prohibiting borrowing of

transportation revenues.

Staff and consultant will present the updated bill list.

ATTACHMENTS:

- Draft bill list as of March 27, 2017

WEB ATTACHMENTS:

[TAMC 2017 Adopted Legislative Program](#)

TAMC Bill List
March 27, 2017

Assembly bills

AB 1 (Frazier) Transportation funding

Introduced: 12/5/2016

Status: 1/19/2017-Referred to Committees on Transportation and Natural Resources

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Would require the CTC to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. Would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.

Priority: 1S

Position: SUPPORT

Action Taken: Letter sent 12/16/16

AB 17 (Holden) Transit Pass Program: free or reduced-fare transit passes

Introduced: 12/5/2016

Status: 1/19/2017-Referred to Committee on Transportation

Summary: Would create the Transit Pass Program to be administered by Caltrans. Would require the Controller to allocate moneys made available for the program, upon appropriation by the Legislature, to support transit pass programs that provide free or reduced-fare transit passes to specified pupils and students.

Priority: 15S

Position: Watch

AB 18 (Garcia, Eduardo) California Clean Water, Climate, Coastal Protection, and Outdoor Access for All Act of 2018

Introduced: 12/5/2016

Last Amended: 2/23/2017

Status: 3/20/2017- In Senate. Read first time. To Committee on Rules for assignment

Summary: Would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3.105 billion to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

Priority: 5S

Position: Watch

AB 28 (Frazier) Department of Transportation: environmental review process: federal pilot program

Introduced: 12/5/2016

Last Amended: 3/2/2017

Status: 3/20/2017- Enrolled and presented to the Governor at 2:30 pm

Summary: Re-enacts, until January 1, 2020, Caltrans' authority to waive its 11th Amendment right to sovereign immunity from lawsuits brought in federal court thereby allowing Caltrans to continue assuming the role of the U.S. DOT for NEPA decision making. **The Senate amendments add a**

three-year sunset to provisions authorizing Caltrans to assume U.S. DOT's role for NEPA decision making until January 1, 2020.

Priority: 6S/2F

Position: SUPPORT

Action Taken: Letter sent 12/16/16

AB 65 (Patterson) Transportation bond debt service

Introduced: 12/13/2016

Status: 1/19/2017- Referred to Committee on Transportation

Summary: Current law provides for transfer of certain vehicle weight fee revenues to the Transportation Debt Service Fund to reimburse the General Fund for payment of current year debt service on general obligation bonds issued for transportation purposes, including bonds issued for high-speed rail and associated purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A of 2008). This bill would specifically exclude from payment under these provisions the debt service for Proposition 1A bonds.

Priority: 1S

Position: Watch

AB 278 (Steinorth) California Environmental Quality Act: exemption: existing transportation infrastructure

Introduced: 2/2/17

Status: 3/20/17 - In committee: Set, first hearing. Failed passage. Reconsideration granted.

Summary: Would exempt from CEQA a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure.

Priority: 6S

Position: Watch

AB 351 (Melendez) Transportation funding

Introduced: 2/8/2017

Status: 2/21/2017- Referred to Committee on Transportation

Summary: This bill would retain the weight fee revenues in the State Highway Account and would delete the requirement to transfer these revenues to the Transportation Debt Service Fund, thereby providing for these revenues to be used for any transportation purpose authorized by statute, upon appropriation by the Legislature.

Priority: 1S

Position: SUPPORT

Action Taken: Letter sent 3/27/17

AB 496 (Fong) Transportation funding

Introduced: 2/13/2017

Last Amended: 2/28/2017

Status: 3/1/2017- Referred to Committee on Transportation

Summary: Would create the Traffic Relief and Road Improvement Program to address traffic congestion and deferred maintenance on the state highway system and the local street and road system. Would provide for the deposit of various existing sources of revenue in the Traffic Relief and Road Improvement Account, which the bill would create in the State Transportation Fund, including revenues attributable to the sales and use tax on motor vehicles, revenues attributable to automobile and motor vehicle insurance policies from the insurer gross premiums tax, revenues from certain

diesel fuel sales and use taxes, revenues from certain vehicle registration fees, and certain miscellaneous State Highway Account revenues.

Priority: 1S

Position: Watch

AB 577 (Caballero) Disadvantaged communities

Introduced: 2/14/2017

Last Amended: 3/9/2017

Status: 3/13/2017-Re-referred to Committees on Environmental Safety & Toxic Materials and Local Government

Summary: Existing law defines a disadvantaged community as a community with an annual median household income that is less than 80% of the statewide annual median household income for various purposes, that include, but are not limited to, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, eligibility for certain entities to apply for funds from the State Water Pollution Cleanup and Abatement Account, and authorization for a community revitalization and investment authority to carry out a community revitalization plan. This bill would ~~instead define~~ expand the definition of a disadvantaged community ~~as~~ to include a community with an annual per capita income that is less than 80% of the statewide annual per capita income.

Priority: 9S

Position: Watch

AB 694 (Ting) Bicycles

Introduced: 2/15/17

Status: 3/2/17: Referred to Committee on Transportation

Summary: Would require a person operating a bicycle to ride in the right-hand lane or bicycle lane, if one is present, and would additionally require a person operating a bicycle in a lane that is wide enough for a vehicle and bicycle to travel safely side by side within the lane to ride far enough to the right in order to allow vehicles to pass, except when it is reasonably necessary to avoid conditions that make it hazardous to continue along the right-hand edge of the lane, and when approaching a place where a right turn is authorized.

Priority: 5S

Position: Watch

AB 696 (Caballero) Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties

Introduced: 2/15/2017

Status: 3/20/2017-From committee: pass and re-refer to Committee on Appropriations

Summary: Would require the net proceeds from the sale of any excess properties originally acquired for a replacement alignment for State Highway Route 101 in the County of Monterey, known as the former Prunedale Bypass, to be reserved in the State Highway Account for programming and allocation by the CTC, with the concurrence of TAMC, for other state highway projects in the State Highway Route 101 corridor in that county. Would exempt these funds from the distribution formulas otherwise applicable to transportation capital improvement funds.

Priority: 3S

Position: SUPPORT (SPONSOR)

Action Taken: Letter sent 3/13/17, Testified at 3/20 hearing

AB 778 (Caballero) Insurance: community development investments

Introduced: 2/15/2017

Status: 3/2/2017-Referred to Committees on Insurance and Revenue and Tax

Summary: Would define a community development investment as certain projects, developments, or activities that, among other things, benefit low- to moderate-income individuals or families. Would include investments in reservation-based communities and investments in rural areas in community development investments. Would define community development infrastructure as all California debt where all or a portion of the debt has as its primary purpose community development for, or that directly benefits, low- to moderate-income communities.

Priority: 9S

Position: Watch

AB 863 (Cervantes) Affordable Housing and Sustainable Communities Program

Introduced: 2/16/2017

Status: 3/2/2017-Referred to Committee on Housing & Community Development

Summary: Current law continuously appropriates specified portions of the annual proceeds in the Greenhouse Gas Reduction Fund to various programs, including 20% for the Affordable Housing and Sustainable Communities Program administered by the Strategic Growth Council. This bill would require the Strategic Growth Council, in selecting projects for funding under the program, to seek methods for inclusion of local entrepreneurs in the implementation of the projects and workforce training and certification of workers hired to work on the projects.

Priority: 9S

Position: Watch

AB 1103 (Obermolte) Bicycles: yielding

Introduced: 2/17/2017

Status: 3/9/17: Referred to Committee on Transportation

Summary: Would authorize a person operating a bicycle approaching a stop sign, after slowing to a reasonable speed and yielding the right-of-way, to cautiously make a turn or proceed through the intersection without stopping, unless safety considerations require otherwise. Would require a person operating a bicycle to continuously signal an intention to turn right or left during the last 100 feet traveled before the turn.

Priority: 5S

Position: Watch

AB 1063 (Fong) Transportation funds

Introduced: 2/16/2017

Status: 2/17/2017-From printer. May be heard in committee March 19.

Summary: Current law requires funds in the State Highway Account to be programmed, budgeted, and expended to maximize the use of federal funds and according to a specified sequence of priorities. Current law requires Caltrans to provide certain information to the Legislature to substantiate Caltrans' proposed capital outlay support budget. Spot bill.

Priority: 1S

Position: Watch

AB 1113 (Bloom) State Transit Assistance program

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Committee on Transportation

Summary: Would revise and recast the provisions governing the State Transit Assistance (STA) program. Would provide that only STA-eligible operators are eligible to receive an allocation from the portion of program funds based on transit operator revenues. Would provide for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator.

Priority: 2S

Position: Watch

AB 1218 (Oberholte) California Environmental Quality Act: exemption: bicycle transportation plans

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Committee on Natural Resources

Summary: CEQA, until January 1, 2018, exempts from its requirements bicycle transportation plans. CEQA, until January 1, 2018, also exempts from its requirements projects consisting of restriping of streets and highways for bicycle lanes in an urbanized area that are consistent with a bicycle transportation plan under certain conditions. This bill would extend indefinitely those 2 exemptions.

Priority: 6S

Position: SUPPORT

Action Taken: Letter sent 3/27/17

AB 1223 (Caballero) Construction contract payments: Internet Web site posting

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Committees Accountability and Administrative Review & Local Government

Summary: Current law imposes specified requirements on state and local agencies regarding payment of construction contracts. This bill would require, within 10 days of making a construction contract payment, a state or local agency to post to its Internet Web site the names of each construction contractor paid and the date and amount of the payment.

Priority: N/A

Position: Concern

AB 1233 (Cunningham) Transportation Inspector General

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Committees Accountability and Administrative Review & Transportation

Summary: Would create the Office of the Transportation Inspector General, as an independent office, to ensure that Caltrans and the High-Speed Rail Authority are operating efficiently, effectively, and in compliance with federal and state laws.

Priority: N/A

Position: Watch

AB 1282 (Mullin) Transportation: task force: permit processing

Introduced: 2/17/2017

Status: 3/13/2017-Referred to Committee on Transportation

Summary: Would establish a transportation permitting task force consisting of representatives from Caltrans, the CTC, state environmental permitting agencies, and other transportation planning entities to develop a process for early engagement for all parties in the development of transportation projects.

Priority: 6S

Position: Watch

AB 1363 (Baker) Transportation revenues

Introduced: 2/17/2017

Status: 3/13/2017-Referred to Committee on Transportation

Summary: Current law requires certain revenues in the State Highway Account to be transferred to the Transportation Debt Service Fund, and requires the Controller to transfer from the fund to the General Fund to offset the current year debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. This bill would, on July 1, 2018, delete the transfer of these revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service Proposition 116 of 1990.

Priority: 1S

Position: Watch

AB 1395 (Chu) State highways: blight

Introduced: 2/17/17

Status: 2/19/19 - From printer. May be heard in committee March 21

Summary: Would state the intent of the Legislature to enact legislation to create a pilot project that consists of the Caltrans Division of Maintenance working with a local jurisdiction to effectively address blight on state highway property.

Priority: N/A

Position: Watch

AB 1418 (O'Donnell) Freight transportation systems

Introduced: 2/17/17

Status: 2/19/19 - From printer. May be heard in committee March 21

Summary: Would state the intent of the Legislature to enact legislation ensuring and promoting the competitiveness of California's statewide and local freight transportation systems, including job growth, in a manner consistent with the goals of the Sustainable Freight Strategy.

Priority: N/A

Position: Watch

AB 1421 (Dababneh) Railroads: noise and vibration levels ~~Intereity rail services: noise and vibration~~

Introduced: 2/17/2017

Last Amended: 3/22/2017

Status: 3/23/2017-Re-referred to Committee on Transportation

Summary: Current law creates the State Department of Public Health with various powers and duties. This bill would require the department to conduct a study to determine the noise and vibration levels associated with all railroad lines in the vicinity of residential areas or schools. Current law authorizes Caltrans to contract with Amtrak for intercity rail passenger services and provides funding for these services from the Public Transportation Account. This bill would require the department to conduct a

~~study to determine the noise and vibration levels, associated with the operation of state-funded intercity rail passenger services, that impact residential areas or schools along railroad lines where the department contracts for those services.~~

Priority: N/A

Position: ~~OPPOSE~~ – change to Watch per amendments

AB 1436, as introduced, Levine. County highways

Introduced: 2/17/2017

Status: 2/19/19 - From printer. May be heard in committee March 21

Summary: Spot bill related to County highways.

Priority: N/A

Position: Watch

AB 1441 (Committee on Environmental Safety and Toxic Materials) Hazardous waste: transportation: electronic manifests

Introduced: 2/17/2017

Status: 3/21/2017-From committee: Do pass and re-refer to Committee on Appropriations

Summary: Current law, which is part of the hazardous waste control law, imposes various manifest requirements for transporting hazardous waste. This bill would authorize specified manifest requirements, including requirements to give, provide, send, forward, or return to another person a copy of a manifest, to sign a manifest or manifest certification by hand, or to keep or retain a copy of a manifest, to be satisfied through the use of the US EPA electronic manifest (e-Manifest) system.

Priority: 12S

Position: Watch

AB 1519 (Cervantes) State highways

Introduced: 2/17/2017

Status: 2/19/2017-From printer. May be heard in committee March 21.

Summary: Current law establishes Caltrans and the CTC and provides that the department has full possession and control of all state highways. Spot bill.

Priority: TBD

Position: Watch

AB 1523 (Oberholte) Transportation funds

Introduced: 2/17/2017

Status: 2/19/2017-From printer. May be heard in committee March 21.

Summary: Current law requires Caltrans and the CTC to develop estimates of available state and federal funds in the state transportation improvement program. Spot bill.

Priority: 1S

Position: Watch

AB 1630 (Bloom) California Transportation Plan: wildlife movement and barriers to passage

Introduced: 2/17/2017

Last Amended: 3/16/2017

Status: 3/20/2017-Re-referred to Committee on Water Parks and Wildlife

Summary: Current law provides for Caltrans to prepare the California Transportation Plan as a long-range planning document. The plan is required to consider various subject areas for the movement of people and freight, including environmental protection. This bill would add safe wildlife

movement across transportation infrastructure to reduce vehicle collisions that injure people, disrupt freight delivery, and increase the cost of insurance to the areas that the plan is required to consider.

Priority: 10S

Position: Watch

AB 1640 (Garcia, Eduardo) Transportation funding: low-income communities

Introduced: 2/17/2017

Status: 3/16/2017-Referred to Committee on Transportation

Summary: Would require, beginning January 1, 2020, each regional transportation improvement program to allocate a minimum of 25% of available funds to projects or programs that provide direct, meaningful, and assured benefits to low-income individuals who live in certain identified communities or to riders of transit service that connects low-income residents to critical amenities and services.

Priority: 9S

Position: Watch

AB 1652 (Kalra) Public transportation

Introduced: 2/17/2017

Status: 2/19/2017-From printer. May be heard in committee March 21.

Summary: Current law provides various sources of funding for transportation purposes, including public transportation. Spot bill.

Priority: 2S

Position: Watch

Senate Bills

SB 1 (Beall) Transportation funding

Introduced: 12/5/2016

Last Amended: 1/26/2017

Status: **Status:** 3/8/2017-From committee: Do pass and re-refer to Committee on Appropriations

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Would require the CTC to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

Priority: 1S

Position: SUPPORT

Action Taken: Letter Sent 12/16/16

SB 2 (Atkins) Building Homes and Jobs Act

Introduced: 12/5/2016

Last Amended: 3/23/2017

Status: 3/23/2017-From committee with author's amendments. Read second time and amended.

Re-referred to Committee on Appropriations

Summary: Would enact the Building Homes and Jobs Act. Would make legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. Would impose a fee of \$75 to be paid at the time of the recording of every real estate instrument, per each transaction per single parcel of real property, not to exceed \$225.

Coauthors added.

Priority: 5S

Position: Watch

SB 3 (Beall) Affordable Housing Bond Act of 2018

Introduced: 12/5/2016

Last Amended: 3/14/2017

Status: 3/14/2017- Re-referred to Committee on Governance and Finance

Summary: Enacts the Affordable Housing Bond Act of 2018, which places a \$3 billion bond before voters in the November 2018 ballot to fund affordable housing purposes. Coauthors added.

Priority: 5S

Position: Watch

SB 4 (Mendoza) Goods Movement: allocation of federal funds: Goods Movement and Clean Trucks Bond Act

Introduced: 12/5/2016

Status: 3/9/2017-Set for hearing March 29. Senate Environmental Quality

Summary: Would, subject to voter approval at the June 5, 2018, statewide primary election, enact the Goods Movement and Clean Trucks Bond Act to authorize \$600 million of state general obligation bonds as follows: \$200 million to the CTC for the Trade Corridors Improvement Fund; \$200 million to the State Air Resources Board for the Goods Movement Emission Reduction Program; and \$200 million to the State Air Resources Board for the use of zero- and near-zero emission trucks in areas of the state that are severe or extreme nonattainment areas for ozone and particulate matter.

Priority: 1S

Position: SUPPORT

SB 5 (De León) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018

Introduced: 12/5/2016

Last Amended: 3/15/2017

Status: 3/17/2017-Set for hearing March 22, Senate Governance and Finance

Summary: Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3.5 billion to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Coauthors added.

Priority: 5S

Position: Watch

SB 150 (Allen) Regional transportation plans

Introduced: 1/18/2017

Last Amended: 3/8/2017

Status: 3/16/2017-Re-referred to Committees on Environmental Quality and Transportation & Housing

Summary: Existing law requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) as part of a Regional Transportation Plan (RTP), which is to be designed to achieve certain targets for 2020 and 2035 established by the ARB for the reduction of greenhouse gas emissions. This bill would require the ARB to update the greenhouse gas emission reduction targets and require the SCS or APS to include an appendix that outlines activities prioritized based on objectives relative to reductions in vehicle miles traveled (VMT) and maximization of cobenefits such as public health, social equity, and conservation. The bill, beginning on January 1, 2018, would require the ARB to monitor each MPO's SCS or APS, and to submit a progress report every 4 years to the CTC, which would include an

assessment of whether the MPO is on track to meet VMT and greenhouse gas emissions reduction targets. By imposing new requirements on local agencies, this bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Priority: N/A

Position: Watch

SB 158 (Monning) Commercial driver's license: education

Introduced: 1/19/2017

Status: 3/14/2017-Set for hearing April 4. Senate Transportation & Housing

Summary: Would require the DMV, no later than February 7, 2020, to adopt regulations related to entry-level driver training requirements for drivers of commercial motor vehicles including minimum hours of behind-the-wheel training and in compliance with federal regulations. Would also require, for issuance of an original commercial driver's license, a person to provide proof of successful completion of a course of instruction from a commercial motor vehicle driver training institution, or a program that is listed on the Training Provider Registry of the Federal Motor Carrier Safety Administration.

Priority: N/A

Position: SUPPORT

Action Taken: Letter sent 3/27/17

SB 224 (Jackson) California Environmental Quality Act: baseline conditions

Introduced: 2/2/2017

Status: 2/16/2017-Referred to Committee on Environmental Quality

Summary: Would prohibit a CEQA lead agency, in determining the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment, from considering the effects of unpermitted and/or illegal activities on the environment.

Priority: 6S

Position: Watch

SB 389 (Roth) ~~State highways~~ Department of Transportation: programmatic testing and inspection services

Introduced: 2/14/2017

Last Amended: 3/21/2017

Status: 3/21/2017- Read second time and amended. Re-referred to Committee on Rules

Summary: Would authorize Caltrans to establish a special subaccount of the State Highway Account to accommodate deposits and expenditures of moneys relative to routine programmatic testing and inspection services requested by a local agency or other entity that are not directly related to a particular project, including aggregate qualifications, mix verifications, plant inspections, and laboratory certifications.

Priority: TBD

Position: Watch

SB 423 (Cannella) Indemnity: design professionals

Introduced: 2/15/2017

Last Amended: 3/21/2017

Status: 3/21/2017- Read second time and amended. Re-referred to Committee on Rules.

Summary: Current law provides, with respect to contracts with a public agency for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to,

or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. This bill would make these provisions applicable to all contracts for design professional services entered into by any person or public or private entity on or after January 1, 2018.

Priority: N/A

Position: Watch

SB 594 (Beall) Highway Users Tax Account

Introduced: 2/17/2017

Status: 3/2/2017-Referred to Committee on Rules

Summary: Current law authorizes the Controller to use the funds in the Highway Users Tax Account in the Transportation Tax Fund for cashflow loans to the General Fund. Spot bill.

Priority: 1S

Position: Watch

SB 595 (Beall) City streets and highways

Introduced: 2/17/2017

Status: 3/2/2017-Referred to Committee on Rules

Summary: Spot bill related to City highways.

Priority: N/A

Position: Watch

SB 711 (Hill) Infrastructure finance: Local-State Sustainable Investment Incentive Program

Introduced: 2/17/2017

Status: 3/21/2017-April 5 hearing postponed by Committee on Governance and Finance

Summary: The Bergeson-Peace Infrastructure and Economic Development Bank Act establishes the Infrastructure and Economic Development Bank. The bank is authorized to issue bonds, approve the issuance of certain bonds, invest moneys, and make loans. This bill would establish the Local-State Sustainable Investment Incentive Program, to be administered by the Strategic Growth Council.

Priority: 1S

Position: Watch

SB 732 (Stern) Transportation funding

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Committee on Transportation & Housing

Summary: Would require the Department of Finance (DOF), on or before March 1, 2018, to compute the amount of outstanding loans made from specified transportation funds. Would require the DOF to prepare a loan repayment schedule and would require the outstanding loans to be repaid pursuant to that schedule. Would require the repaid funds to be transferred, pursuant to a specified formula, to cities and counties and to Caltrans for maintenance of the state highway system and for purposes of the state highway operation and protection program.

Priority: 1S

Position: Watch

SB 760 (Wiener) Transportation funding: active transportation: complete streets

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Committee on Transportation & Housing

Summary: Would establish a Division of Active Transportation within Caltrans and require that an undersecretary of the Transportation Agency be assigned to give attention to active transportation program matters to guide progress toward meeting Caltrans' active transportation program goals and objectives. Would require the CTC to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.

Priority: 1S

Position: Watch

SB 768 (Allen) Transportation funds

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Committee on Rules

Summary: Current law requires Caltrans and the CTC to develop estimates of available state and federal funds for the State Transportation Improvement Program. Spot bill.

Priority: 1S

Position: Watch

SB 771 (De León) California Environmental Quality Act: continuing education: public employees

Introduced: 2/17/2017

Status: 3/10/2017-Set for hearing March 29.Senate Governance & Finance

Summary: Would establish a continuing education requirement for employees of public agencies who have responsibility for overseeing compliance with CEQA.

Priority: 6S

Position: Watch

SCA 2 (Newman) Motor vehicle fees and taxes: restriction on expenditures

Introduced: 1/18/2017

Status: 3/21/17 - From committee: adopted and re-referred to Committee on Appropriations

Summary: Would amend the California Constitution to prohibit the Legislature from borrowing revenues from fees and taxes imposed on vehicles or their use or operation, and from using those revenues other than as specifically permitted in the Constitution.

Priority: 1S

Position: **SUPPORT**

SCA 6 (Wiener) Local transportation measures: special taxes: voter approval

Introduced: 2/13/2017

Status: 3/8/2017-Set for hearing April 5. Senate Governance & Finance

Summary: Would require that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation purposes be submitted to the electorate and approved by 55% of the voters voting on the proposition.

Priority: N/A

Position: **SUPPORT**

Action Taken: Letter sent 3/27/17



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Executive Committee
From: Christina Watson, Principal Transportation Planner
Meeting Date: April 5, 2017
Subject: **Federal Legislative Update**

RECOMMENDED ACTION:

RECEIVE Federal Legislative Update.

SUMMARY:

President Trump presented a draft budget proposal on March 15 with dramatic cuts to transportation. This report presents a summary of those proposed cuts.

FINANCIAL IMPACT:

Elimination of federal funding via the New Starts/ Small Starts and Transportation Investment Generating Economic Recovery (TIGER) grant programs as well as elimination of funding for Amtrak long-distance routes could have a dramatic impact on transportation options in Monterey County.

DISCUSSION:

On March 15, 2017, President Trump announced a draft proposal for the federal Fiscal Year (FY) 2018 budget, a big-picture version being nick-named the "Skinny Budget". A full budget proposal is expected from the Trump Administration in late April or early May. As always, the President's draft budget proposal represents the starting point for discussion and negotiations with Congress. The annual budget only becomes law after approval from both houses of Congress and approval from the President. The next step over the coming months will be appropriations committees in both houses of Congress determining funding levels for all federal programs, followed by votes by the full House and Senate.

Although FY 2017 is nearly half over, the federal government is still generally operating under a Continuing Resolution (CR), that funds the various agencies and programs at FY 2016 funding levels. The FY 2018 proposal includes \$16.2 billion for the U.S. Department

of Transportation (DOT) discretionary budget, a \$2.4 billion (or 13%) decrease from the 2017 CR level. The Administration's budget outline does not include details about the President's \$1 trillion infrastructure proposal, but Office of Management and Budget Director Mick Mulvaney has indicated such a proposal would likely be included in the full budget proposal.

The Skinny Budget proposal targets three transportation funding items for reduction or elimination:

- Federal Transit Administration (FTA) Section 5309 Capital Investment Grant/New Starts program: no new Full Funding Grant Agreements would be approved. This includes the Small Starts program, which TAMC has long hoped would fund the Monterey Branch Line project, and MST had hoped would fund its Highway 1 bus on shoulder/bus on branch line project.
- The highly competitive TIGER grant program; TAMC applied for TIGER funding several times to no avail and staff has considered a new application for the Pajaro/Watsonville station if the grant program is still available.
- Elimination of funding to support Amtrak's long-distance routes, which includes the Coast Starlight. When combined with the elimination of the Essential Air Service program, which provides subsidies to the Monterey Regional Airport, the proposal would be a dramatic reduction of intercity travel options for Monterey County. Recalling recent history, nearly every budget proposed by President George W. Bush identified both programs for elimination, which were nonetheless maintained by Congress.

It is hard to determine any big-picture direction until the full budget proposal is released next month. Most concerning is this statement in the proposal in regards to New Starts: "future investments in new transit projects would be funded by localities that use them and benefit from these localized projects." At the same time, more controversial transit investments were included - such as maintained funds for the embattled Washington, D.C., Metro network - and there was no reduction in support for FTA administrative operations.

Meanwhile, the proposal indicates the Administration's overarching objective of reducing regulatory burdens, which could free up administrative resources spent on regulatory procedure, and federal regulatory streamlining has long been a priority for TAMC.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Executive Committee
From: Michael Zeller, Principal Transportation Planner
Meeting Date: April 5, 2017
Subject: Measure X Implementation

RECOMMENDED ACTION:

RECEIVE an update on the coordination activities necessary between the Transportation Agency and local jurisdictions in order to implement Measure X.

SUMMARY:

On December 6, 2016, the Monterey County Board of Elections certified that Measure X passed with 67.71% of the vote. The sales tax will start being collected on April 1, 2017 and revenues will be available to the jurisdictions by August 2017. Prior to that, the Transportation Agency will work with the jurisdictions to set up the agreements, pavement management program, financial accounts, and other items required by Measure X's implementing ordinance.

FINANCIAL IMPACT:

Measure X is estimated to generate \$600 million over 30 years for transportation improvements in Monterey County. Of that amount, \$360 million (60%) is distributed to the local jurisdictions for road maintenance, while the remaining \$240 million (40%) is programmed to regional safety and mobility projects.

DISCUSSION:

With the passage of Measure X by the voters of Monterey County, Transportation Agency staff has been working to develop the organizational frameworks and agreements necessary to implement the measure in advance of revenues being available by August 2017. Below is a summary of activities currently underway by Agency staff:

Citizens Oversight Committee: At the March 22, 2017 Transportation Agency Board meeting, the Board approved the formation of a Citizens Oversight Committee to oversee

the expenditure of Measure X funds and ensure the appropriate use of the funding. Agency staff has set the first meeting of this group for April 18, 2017 with topics for the agenda including a review of the purpose of the committee; a discussion of the regional projects and eligible expenditures; the development of bylaws; and the election of officers.

Financial Advisory Services: Also at the March 22, 2017 Board meeting, the Board approved the release of a Request for Proposals for Measure X Financial Advisory Services. In doing so, Transportation Agency staff is seeking to retain the services of an on-call financial advisor to assist the Agency with setting financial goals and policies for the implementation of Measure X, maintaining overall program cash flow, and, if determined necessary, issuing bonds to expedite the delivery of measure projects. After a competitive bidding process, Agency staff will bring forward a recommendation for a consultant contract at the May Transportation Agency Board Meeting.

Revenue Estimator: As part of Agency staff's research into how other self-help counties administer their programs, other agencies recommended the use of a Revenue Estimator to assist with reviewing actual sale tax revenues collected from Monterey County and that the Board of Equalization is reporting and remitting an accurate amount of Measure X funds back to our County. Agency staff will develop a scope of work for the services of a revenue estimator and bring a Request for Proposals to the April Transportation Agency Board for consideration.

Partner Agency Coordination: Agency staff is also working closely with our partner agencies to implement Measure X and identify areas where project delivery can be streamlined to help construct projects sooner. As part of this effort, Agency staff set a meeting with Caltrans District 5 and County of Monterey Public Works staff to discuss potential timelines for Measure X's regional projects, matching fund opportunities, and inter-agency coordination.

Funding Agreements: The Transportation Agency is working with the local jurisdictions to establish the funding agreements necessary to distribute the local shares of Measure X revenues. This agreement will be similar to, and replace, the existing funding agreement the Agency already executes with the cities for the Regional Surface Transportation Program, and will be used to codify the provisions of the Transportation Safety and Investment Plan Policies and Procedures. After circulating the agreement for comments, Agency staff will bring the agreement to the April Transportation Agency Board meeting for approval.

Early Launch Projects: Agency staff is compiling a list of shovel-ready projects that can be quickly constructed with Measure X funding once the revenues begin to be accrued. Projects will be used to demonstrate the early benefits of Measure X to the public.

Following the activities of this initial year to develop the structure of administering and implementing Measure X, the draft Funding Agreement calls for a package of documents to be submitted by the jurisdictions by October 31st of each year. That package of documents

include:

- Annual Independent Audit: The local jurisdiction shall complete an independent audit of the jurisdiction's financial statements for the prior fiscal year ended June 30th of Measure X funds received and expended.
- Annual Program Compliance Report: An Annual Program Compliance Report is a document produced no later than October 31 of each year the Measure X tax is in effect, and describes the efforts taken by the jurisdiction to comply with the requirements for the receipt and use of Measure X funds.
- Maintenance of Effort Report: A report to be adopted by a jurisdiction, no later than October 31 of each year the Measure X tax is in effect, verifying that Measure X funds received by the reporting jurisdiction have been used to augment, and not supplant, local resources spent in the fiscal year.
- Measure X Five Year CIP: A Capital Improvement Program looking forward for the next five (5) years that specifically references projects anticipated to be funded by Measure X.
- Pavement Management Report: A report on the pavement conditions of the local jurisdiction, using the standardized Pavement Condition Index.