

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: Fernando Armenta (Chair),
Alejandro Chavez (1st Vice Chair), Dave Potter (2nd Vice Chair),
Kimbley Craig (Past Chair),
John Phillips (County representative), Robert Huitt (City representative)*

Wednesday, September 7, 2016 Transportation Agency Conference Room
55-B Plaza Circle, Salinas

****9:00 AM****

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.

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 minutes from the Executive Committee meeting of June 1, 2016.

- Rodriguez

The draft minutes from the Executive Committee meeting of June 1, 2016 are attached.

END OF CONSENT AGENDA

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

-Hale/Arriaga

Assembly Bill 2730, authored by Assembly Member Alejo, is currently awaiting action from Governor Brown. A major transportation proposal has been unveiled. The bill list has been updated. Staff will present a legislative update and updated bill list.

5. **CLOSED SESSION**

Public Employee Performance Evaluation pursuant to Government Code Section §54957 – Positions: Executive Director & Legal Counsel.

(Enclosure sent separately)

- Goel

6. **RECEIVE** report on draft agenda for TAMC Board meeting of September 28, 2016.

- Hale

7. **ANNOUNCEMENTS**

8. **ADJOURN**

**Next Executive Committee meeting is:
Wednesday, October 5, 2016
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**



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Executive Committee
From: Elouise Rodriguez
Meeting Date: September 7, 2016
Subject: **Executive Committee Minutes of June 1, 2016**

RECOMMENDED ACTION:

APPROVE minutes from the Executive Committee meeting of June 1, 2016.

SUMMARY:

The draft minutes from the Executive Committee meeting of June 1, 2016 are attached.

FINANCIAL IMPACT:

This item does not have a financial impact on the agency.

DISCUSSION:

The draft minutes from the Executive Committee meeting of June 1, 2016 are attached.

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: Fernando Armenta (Chair),
Alejandro Chavez (1st Vice Chair), Dave Potter (2nd Vice Chair),
Kimbley Craig (Past Chair),
John Phillips (County representative), Robert Huitt (City representative)*

Wednesday, June 1, 2016

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

Transportation Agency Conference Room
55-B Plaza Circle, Salinas

1. **CALL TO ORDER:** Vice Chair Chavez called the meeting to order at 9:20 a.m. Committee members present: Chavez, alternates Mohammadi for Potter, Link for Phillips, and Serrano for Craig. Staff present: Goel, Hale, Leonard, Meyers, Muck, Rodriguez, and Watson. Others present: Agency Counsel Reimann, John Arriaga, JEA & Associates; and Reed Sanders, Senator Cannella's office.
 2. **PUBLIC COMMENTS:** None.
-
3. **CONSENT AGENDA:**
 - On a motion by Committee alternates Mohammadi and seconded by Link, the committee voted 4– 0 to approve the consent agenda.
 - 3.1 Approved minutes from the Executive Committee meeting of May 4, 2016.
 - 3.2 Recommended that the Board of Directors approve evaluation form, procedure, and timeline for completing annual evaluation of the Executive Director and Counsel.

END OF CONSENT

4. The Committee received a presentation on the upcoming evaluation of the Monterey County Call Box Program.

Grant Leonard, Transportation Planner, reported that the Agency currently maintains a network of 189 active call boxes across Monterey County. The Agency will be evaluating the call box usage from the previous three years in fiscal year 2016/17 to determine how to improve program efficiencies. The goal is to determine which call boxes are most needed and decide if there are opportunities to reduce the number of call boxes in Monterey County, as well as reduce the number of locations for ADA and 3G upgrades, thereby improving the cost-benefit of the program.

5. On a motion by Committee alternate Mohammadi and seconded by Committee alternate Link, the committee voted 4– 0 to receive the state legislative update and recommend that the Board adopt the staff-recommended positions on bills of interest to the Agency, and directed staff to place the Board report on the regular agenda.

Christina Watson, Principal Transportation Planner, highlighted the TAMC Bill list additions and changes. She noted that staff recommends a “support” position on SB 824 (Beall): Low Carbon Transit Operations program, which allows a transit agency that does not submit a project for funding in a particular fiscal year to retain its funding for expenditure in a subsequent fiscal year. The Agency recommends an “oppose” position on: SB 885 (Wolk) construction contracts: indemnity based in the likelihood of increased cost to taxpayers; AB 2620 (Dababneh): Passenger Rail Projects funding, which could remove up to \$4.9 million in unexpended funding from Monterey County rail projects; and, SB 1259 (Runner): which would exempt veterans from paying highway tolls, which could lead to an increasing number of classes of individuals who would be exempted from paying to use toll roads.

John Arriaga, JEA & Associates, reported that this is a busy month for the legislators, noting the bill list will change by the end of the week as bills are passed out of their houses of origin, and that a revised list will be available at the Board meeting in June. He reported that the TAMC-sponsored legislation, AB 2730 (Alejo) regarding disposition of excess Prunedale Bypass properties, passed out of Assembly Appropriations on a party line vote, amending the bill to add in Assembly Member Stone and Senator Cannella as co-authors. (Note: on June 2, 2016, the measure was approved on the Assembly Floor with a vote of 55-23, with two Republicans abstaining and 3 voting in favor). The measure will be heard in the Senate Transportation Committee in June.

6. The Committee received a report on the draft agenda for TAMC Board meeting of June 22, 2016:

Executive Director Hale reviewed the highlights of the draft agenda. She reported that the Board would receive a report on the Transportation Safety & Investment Plan survey to be conducted by EMC Research during the week of June 13, 2016. Based on Executive Committee action, the Board will also receive a state legislative update and be asked to adopt positions on bills of interest to the Agency. On the consent agenda, the Board will receive a list of Monterey county's unmet transit needs and be asked to adopt resolution 2016-10 allocating \$14,299,685 in local transportation funds to Monterey-Salinas Transit for fiscal year 2016-17.

7. **ADJOURNMENT**

Vice Chair Chavez adjourned the meeting at 9:56 a.m.



Elouise Rodriguez, Senior Administrative Assistant



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Executive Committee
From: Christina Watson, Principal Transportation Planner
Meeting Date: September 7, 2016
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:

Assembly Bill 2730, authored by Assembly Member Alejo, is currently awaiting action from Governor Brown. A major transportation proposal has been unveiled. The bill list has been updated. Staff will present a legislative update and updated bill list.

FINANCIAL IMPACT:

If signed by the Governor, AB 2730 could direct millions of dollars from surplus right-of-way to projects in the US 101 corridor. See discussion below for the possible financial impacts of the new transportation proposal.

DISCUSSION:

Staff has been working with the legislature and stakeholder entities on AB 2730 (Alejo): Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties. AB 2730 was passed through the Assembly and the Senate and is currently awaiting action from the Governor (see **attachment 1**, analysis for the Senate).

The state legislative transportation committee chairs, Senator Beall and Assembly Member Frazier, have introduced a \$7.4 billion/year transportation funding package. This is an ambitious new proposal based on months of negotiations.

Positive aspects of this proposal are that it: includes new sources of transportation funding;

provides matching funds for self-help counties; increases transit capital; increases funds for freight movement; and includes a constitutional amendment for lowering the voter threshold.

The proposal is, however, still heavily weighted towards maintenance and rehabilitation, and only allocates a small new amount for regional projects via the State Transportation Improvement Program (STIP); self-help counties money is available for existing counties, not just the new ones; no dedicated source of funding for intercity passenger rail; very little time to get this package adopted before the August 31 end of session, although it could be considered in the special session. Staff recommends supporting this proposal and encouraging the authors to include proposals previously discussed such as public private partnerships.

Attachment 2 is a one-page summary. Key provisions include:

- **State** - \$2.9 billion annually for maintenance and rehabilitation of the state highway system.
- **Locals** - \$2.5 billion annually for maintenance and rehabilitation of local streets and roads.
- **Regions** - \$534 million annually to help restore the cuts to the STIP.
- **Self-Help** - \$200 million as matching funds for self-help counties.
- **Transit** - \$516 million annually for transit capital projects and operations.
- **Freight** - \$900 million annually for goods movement.
- **Active Transportation** - \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects.
- **Lower Voter Threshold** - Constitutional Amendment to help locals raise funding at home by lowering the voter threshold for transportation tax measures to 55 percent.

Attachment 3 is the updated bill list as of August 19. **Attachment 4** is the Agency's adopted 2016 legislative program. Agency consultant and staff will walk through the bill list and recommended positions.

ATTACHMENTS:

- Senate Analysis of AB 2730 (Alejo)
- Frazier – Beall Transportation Funding Package
- TAMC Bill List as of August 19
- Final TAMC State Legislative Program, adopted January 27, 2016

BILL ANALYSIS

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| SENATE RULES COMMITTEE                | AB 2730 |
| Office of Senate Floor Analyses      |         |
| (916) 651-1520    Fax: (916)        |         |
| 327-4478                |         |
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THIRD READING

Bill No: AB 2730
 Author: Alejo (D), et al.
 Amended: 5/31/16 in Assembly
 Vote: 21

SENATE TRANS. & HOUSING COMMITTEE: 11-0, 6/28/16
 AYES: Beall, Cannella, Allen, Bates, Gaines, Galgiani, Leyva,
 McGuire, Mendoza, Roth, Wieckowski

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/11/16
 AYES: Lara, Bates, Beall, Hill, McGuire, Mendoza, Nielsen

ASSEMBLY FLOOR: 55-23, 6/2/16 - See last page for vote

SUBJECT: Department of Transportation: Prunedale Bypass:
 County of Monterey: disposition of excess properties

SOURCE: Transportation Agency for Monterey County

DIGEST: This bill directs proceeds from the sale of surplus
 property originally purchased for the Prunedale Bypass to
 various other highway projects in the State Highway 101 corridor
 in Monterey County, as specified.

ANALYSIS:

Existing law:

1) Allows the State Department of Transportation (Caltrans) to acquire any real property that it considers necessary for state highway purposes.

2) Allows Caltrans, whenever it determines that any real property acquired by the state for highway purposes is no longer necessary for those purposes, to sell or exchange it in the

manner and upon terms, standards, and conditions established by the California Transportation Commission.

- 3) Requires Caltrans, to the greatest extent possible, to offer to sell or exchange excess real property within one year from the date that it determines the property is excess.
- 4) Requires, generally, state and local agencies, prior to disposing of excess lands, first to offer property for sale or lease to local public agencies, housing authorities, or redevelopment agencies within whose jurisdiction the property is located. Requires Caltrans to give priority first to entities agreeing to use the land for low- or moderate-income housing, then to entities for open-space purposes, school facilities construction, enterprise zone purposes, and infill opportunities, in that order.
- 5) Directs the proceeds from the sale of excess property to be deposited first to the State Highway Account (SHA) and then transferred to the Transportation Debt Service Fund to pay debt service on general obligation transportation bonds.

This bill directs proceeds from the sale of surplus property originally purchased for the Prunedale Bypass to the SHA for highway projects in the State Highway 101 corridor in Monterey County, and exempts these proceeds from the north/south split and county share formulas.

Comments

- 1) Purpose. The author introduced AB 2730 "to dedicate the

revenues from the Prunedale Bypass right-of-way to serve their original purpose, which was to make transportation-safety and congestion-relief improvements in Monterey County. If this measure is signed into law, it will provide important funding for state highway improvements to the U.S. 101 or State Route (SR) 156 corridors in Monterey County."

- 2) Priority shift. Initially planned in the 1950s, the Prunedale Bypass Project intended to re-route State Highway 101 around the community of Prunedale to alleviate congestions caused by local and transient traffic. In preparation for the project and in an effort to preserve right-of-way related to the project, Caltrans purchased over 140 parcels of land totaling 353 acres. However, the Prunedale Bypass has since been abandoned and is no longer in the area's long-range plans.

Over the past several years, transportation agencies in this

region have moved forward with incremental improvements to address growing congestion and safety concerns. The Prunedale Improvement Project is the most ambitious of these incremental improvements. The purpose of the project is to improve safety along State Highway 101 and intersecting local roadways, improve traffic flow along the corridor, and improve accessibility to area homes, businesses, and services. The Prunedale Improvement Project represents only a portion of the broader improvements envisioned in the Prunedale Bypass project. This bill aims to utilize revenue from any excess property sold from the original Prunedale Bypass project to transportation improvement projects along the same corridor. Total revenue that could be generated from property sales could total anywhere from \$5 million to \$12 million.

- 3) Prior allocations. In prior years, the Legislature has taken action to retain funds in certain corridors from the sale of property from another transportation project within the same region. Specifically, SB 791 (Corbett, Chapter 705, Statutes of 2008) authorized the use of revenues from the sale of excess properties for projects in a local alternative-transportation improvement program that replaced

AB 2730

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the long-planned Hayward Bypass on SR 238 and improvements to SR 84. More recently, SB 416 (Liu, Chapter 468, Statutes of 2013) directed the revenue from the sale of surplus properties in the SR 710 corridor in Los Angeles County to local transportation improvements.

It is important to note that AB 2730 provides Caltrans the opportunity to fully vet the potential use of unused properties and to hold on to properties that it may use in the near future. AB 2730 merely directs the proceeds from any of the Prunedale Bypass properties Caltrans does in fact sell to improvement projects within the State Highway 101 corridor.

FISCAL EFFECT: Appropriation: No Fiscal
Com.: Yes Local: No

According to the Senate Appropriations Committee, redirection of \$5 to \$12 million to projects in a specific highway corridor in Monterey County. Proceeds from the sale of excess Caltrans properties are currently used to offset General Fund payments for transportation-related debt service, so the redirection would result in a commensurate increase in General Fund costs.

SUPPORT: (Verified 8/12/16)

Transportation Agency for Monterey County (source)
Association of Monterey Bay Area Governments

City of Del Rey Oaks
City of Gonzales
City of Greenfield
City of Marina
City of Monterey
City of Pacific Grove
City of Salinas
City of Sand City
City of Seaside

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County of Monterey
Grower-Shipper Association of Central California
Monterey Bay Central Labor Council, AFL-CIO
Monterey County Farm Bureau
Monterey County Hospitality Association
Monterey-Salinas Transit District
Salinas Valley Chamber of Commerce

OPPOSITION: (Verified 8/12/16)

Department of Finance

ASSEMBLY FLOOR: 55-23, 6/2/16

AYES: Achadjian, Alejo, Arambula, Atkins, Bloom, Bonilla,
Bonta, Brown, Burke, Calderon, Campos, Chau, Chiu, Chu,
Cooley, Cooper, Dababneh, Daly, Dodd, Eggman, Frazier,
Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez,
Gonzalez, Gordon, Gray, Roger Hernández, Holden, Irwin,
Jones-Sawyer, Levine, Lopez, Low, Mathis, McCarty, Medina,
Mullin, Nazarian, O'Donnell, Olsen, Quirk, Ridley-Thomas,
Rodriguez, Salas, Santiago, Mark Stone, Thurmond, Ting, Weber,
Williams, Wood, Rendon

NOES: Travis Allen, Baker, Bigelow, Brough, Chang, Chávez,
Dahle, Beth Gaines, Grove, Hadley, Harper, Jones, Kim, Lackey,
Maienschein, Mayes, Melendez, Obernalte, Patterson, Steinorth,
Wagner, Waldron, Wilk

NO VOTE RECORDED: Gallagher, Linder

Prepared by: Manny Leon / T. & H. / (916) 651-4121
8/15/16 20:30:03

**** END ****

Frazier – Beall Transportation Funding Package

- A \$7.4 billion annual funding package to repair and maintain our state and local roads, improve our trade corridors, and support public transit and active transportation.
- A \$706 million repayment of outstanding transportation loans for state and local roads.
- Eliminates the BOE “true up” that causes funding uncertainty and is responsible for drastic cuts to regional transportation projects.
- Indexes transportation taxes and fees to the California CPI to keep pace with inflation.
- Reforms and accountability for state and local governments to protect taxpayers.
- Streamlines transportation project delivery to help complete projects quicker and cheaper.
- Protects transportation revenue from being diverted for non-transportation purposes.*
- Helps local governments raise revenue at home to meet the needs of their communities.*

New Annual Funding

- **State** -- \$2.9 billion annually for maintenance and rehabilitation of the state highway system.
- **Locals** -- \$2.5 billion annually for maintenance and rehabilitation of local streets and roads.
- **Regions** -- \$534 million annually to help restore the cuts to the State Transportation Improvement Program (STIP).
- **Transit** -- \$516 million annually for transit capital projects and operations.
- **Freight** -- \$900 million annually for goods movement.
- **Active Transportation** -- \$80 million annually, with up to \$150 million possible through Caltrans efficiencies, for bicycle and pedestrian projects.
- Constitutional Amendment to help locals raise funding at home by lowering the voter threshold for transportation tax measures to 55 percent.*

Reforms and Accountability

- Restores the independence of the California Transportation Commission (CTC).
- Creates the Office of Transportation Inspector General to oversee all state spending on transportation.
- Increases CTC oversight and approval of the State Highway Operations and Protection (SHOPP) program.
- Requires local governments to report streets and roads projects to the CTC and continue their own funding commitments to the local system.

Streamlining Project Delivery

- Permanently extends existing CEQA exemption for improvements in the existing roadway.
- Permanently extends existing federal NEPA delegation for Caltrans.
- Creates an Advance Mitigation program for transportation projects to help plan ahead for needed environmental mitigation.

New Annual Funding Sources

- Gasoline Excise Tax -- \$2.5 billion (17 cents per gallon increase)
- End the BOE “true up” -- \$1.1 billion
- Diesel Excise Tax -- \$900 million (30 cents per gallon increase)
- Vehicle Registration Fee -- \$1.3 billion (\$38 per year increase)
- Zero Emission Vehicle Registration Fee -- \$16 million (\$165 per year starting in 2nd year)
- Truck Weight Fees -- \$1 billion (Return to transportation over five years)
- Diesel Sales Tax -- \$216 million (3.5% increase)
- Cap and Trade -- \$300 million (from unallocated C&T funds)
- Miscellaneous transportation revenues -- \$149 million

Keeping Promises and Protecting Revenues

- One-time repayment of outstanding loans from transportation programs over two years. (\$706 million)
- Return of truck weight fees to transportation projects over five years. (\$1 billion)
- Constitutional amendment to ensure new funding cannot be diverted for non-transportation uses.

**These provisions will be in companion bills.*

**TAMC Bill List
August 19, 2016****Assembly bills****AB 1505 (Hernandez): Statute of limitations: public contracts****Introduced:** 3/4/15**Last Amended:** 5/27/2016**Status:** 8/18/2016-Read third time. Passed. Ordered to the Assembly.**Summary:** Increases the Statute of Limitations from 1 to 3 years for a violation of the Public Contract Code, regarding breaking up contracts into smaller pieces to avoid bidding.**Priority:** N/A**Position:** Watch**AB 1550 (Gomez) Greenhouse gases: investment plan: disadvantaged communities****Introduced:** 1/4/2016**Last Amended:** 8/18/2016**Status:** 8/18/2016-Read third time and amended. Ordered to second reading**Summary:** The California Global Warming Solutions Act of 2006 provides that the allocation of a minimum of 10% Greenhouse Gas Reduction Fund moneys go to projects located in disadvantaged communities and a minimum of 25% to projects that provide benefits to disadvantaged communities. This bill instead requires the investment plan to allocate a minimum of 25% to projects located within disadvantaged communities and a separate and additional unspecified percentage to projects that benefit low-income households, with a fair share of those moneys targeting households with incomes at or below 200% of the federal poverty level. *The bill would become operational only if AB 1613 is enacted and become effective on or before January 1, 2017.***Priority:** 7S. Support redefinition of “disadvantaged communities” in the Greenhouse Gas Reduction Fund (i.e., “cap and trade”) grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.**Position:** Watch**AB 1591 (Frazier) Transportation funding****Introduced:** 1/6/2016**Status:** 2/1/2016-Referred to Transportation and Revenue & Taxation**Summary:** Establishes the Road Maintenance and Rehabilitation program at \$4.57 billion annually, repays outstanding transportation loans at \$879 million (one-time payment), increases funding to Trade Corridors Improvement Fund (TCIF) at \$1.24 billion annually, increases funding to transit and Intercity Rail Capital program at \$200 million annually, revises the calculation of variable gas tax, and prohibits weight fees from being used for bond debt service or General Fund loans.**Priority:** 1S. Increase and preserve funding for transportation projects.**Position:** SUPPORT (Letter sent 3/28/16)**AB 1919 (Quirk) Local transportation authorities: bonds****Introduced:** 2/11/2016**Last Amended:** 4/4/2016**Status:** 8/16/2016-In Assembly. Ordered to Engrossing and Enrolling.**Summary:** The Local Transportation Authority and Improvement Act provides for the creation in any county of a local transportation authority and authorizes the imposition of a retail transactions

and use tax by ordinance, subject to approval of the ordinance by 2/3 of the voters. Current law requires the bond proceeds to be placed in the treasury of the local transportation authority and to be used for allowable transportation purposes, except that accrued interest and premiums received on the sale of the bonds are required to be placed in a fund to be used for the payment of bond debt service. This bill instead requires the premiums received on the sale of the bonds to be placed in the treasury of the local transportation authority to be used for allowable transportation purposes.

Priority: 1S. Increase and preserve funding for transportation projects.

Position: Watch

AB 2087 (Levine): Regional conservation frameworks

Introduced: 2/17/16

Last Amended: 8/16/2016

Status: 8/16/2016-Read second time and amended. Ordered to third reading.

Summary: Authorizes the Department of Fish and Wildlife to approve “regional conservation frameworks”, a new approach for conservation of natural resources and infrastructure planning that provides for advance mitigation under specified conditions. Once completed, projects that are consistent with the framework (at DFW’s determination) shall be considered as mitigation for identified infrastructure projects.

Priority: N/A

Position: SUPPORT

AB 2289 (Frazier): Department of Transportation: capital improvement projects

Introduced: 2/18/2016

Status: 7/22/16 Chaptered by Secretary of State - Chapter 76, Statutes of 2016.

Summary: Adds operations to the list of capital improvements for the investment of SHOPP fund. The current provision of statute only applies to the “maintenance, safety, and rehabilitation” of the system.

Priority: 1S. Increase and preserve funding for transportation projects.

Position: SUPPORT

AB 2374 (Chiu) Construction Manager/General Contractor method: regional transportation agencies: ramps

Introduced: 2/18/2016

Last Amended: 8/17/2016

Status: 8/18/2016-Read second time. Ordered to third reading.

Summary: Current law authorizes regional transportation agencies to use the Construction Manager/ General Contractor (CM/GC) project delivery method to design and construct certain expressways that are not on the state highway system if: (1) the expressways are developed in accordance with an expenditure plan approved by voters, (2) there is an evaluation of the traditional design-bid-build method of construction and of the CM/GC method, and (3) the board of the regional transportation agency adopts the method in a public meeting. This bill authorizes regional transportation agencies to use this authority on ramps not on the state highway system.

Priority: 5S. Support efforts to extend and expand Public Private Partnership authority.

Position: SUPPORT (letter sent 5/3/16)

AB 2444 (Garcia, Eduardo): California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016

Introduced: 2/19/2016

Last Amended: 8/16/2016

Summary: Enacts the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016, which, if approved by the voters, authorizes issuance of \$2 billion in State General Obligation bonds to finance parks, water, climate adaptation, coastal protection, and outdoor access programs. Authorizes 25% of the total for this program to be made available for innovative transportation programs for disadvantaged youth.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: Watch

AB 2542 (Gatto): Streets and highways: reversible lanes

Introduced: 2/19/2016

Last Amended: 3/15/2016

Status: 8/18/2016-Read third time. Passed. Ordered to the Assembly.

Summary: Requires Caltrans or a regional transportation planning agency, when submitting a capacity-increasing project or a major street or highway lane realignment project to the CTC for approval, to demonstrate that reversible lanes were considered for the project.

Priority: N/A

Position: Watch

AB 2730 (Alejo) Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties.

Introduced: 2/19/2016

Last Amended: 4/25/16

Status: 8/18/2016-Read third time and passed by the Senate. Ordered to the Assembly.

Summary: Requires 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, to other transportation state highway projects in the State Highway Route 101 corridor in that county. Exempts these funds from the distribution formulas otherwise applicable to transportation capital improvement funds.

Priority: 9S. Support legislation to transfer funding derived from the sale of excess rights-of-way purchased for the Prunedale Bypass project to priority projects in the region.

Position: SPONSOR (Letter sent 3/1/16)

Assembly bills in the special session

ABX1-1 (Alejo): Transportation funding

Introduced: 6/23/15

Status: 6/24/15-From printer

Summary: Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, requires the loans to be repaid by December 31, 2018.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 6/25/15)

ABX1-2 (Perea): Transportation projects: comprehensive development lease agreements

Introduced: 6/25/15

Status: 6/26/15 – From printer

Summary: Extends Caltrans authorization to enter into Public-Private Partnerships indefinitely and includes within the definition of “regional transportation agency” the Santa Clara Valley Transportation Authority, thereby authorizing the authority to enter into public-private partnerships under these provisions.

Priority: 5S. Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

Position: SUPPORT (Letter sent 7/17/15)

ABX1-3 (Frazier): Transportation funding

Introduced: 7/9/15

Last Amended: 9/3/15

Status: 9/24/2015-Senators Beall (Co-Chair), Allen, Leyva, Cannella, and Gaines appointed to Conference Committee.

Summary: Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair highways, local roads, bridges, and other critical infrastructure

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: Watch (spot bill)

ABX1-4 (Frazier): Transportation funding

Introduced: 7/9/15

Status: 9/3/15-Referred to Rules

Summary: Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state’s key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: Watch (spot bill)

ABX1-6 (Hernández, Roger) Affordable Housing and Sustainable Communities Program

Introduced: 7/16/15

Status: 7/17/15-From printer.

Summary: Requires 20% of moneys available for allocation under the Affordable Housing and Sustainable Communities Cap and Trade Program to be allocated to eligible projects in rural areas.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 9/9/15)

ABX1-7 (Nazarian) Public transit: funding

Introduced: 7/16/15

Status: 7/17/15-From printer.

Summary: Appropriates 20% of Greenhouse Gas Reduction Fund (Cap and Trade) annual proceeds to the Transit and Intercity Rail Capital Program (TIRCP), and 10% of those annual proceeds to the LCTOP.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 9/9/15)

ABX1 8 (Chiu) Diesel sales and use tax

Introduced: 7/16/15

Status: 7/17/15-From printer.

Summary: Increases the sales and use tax on diesel fuel from 1.75% to 5.25% and allocates the money by formula to public transit agencies, such as Monterey-Salinas Transit.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 9/9/15)

ABX1-19 (Linder) California Transportation Commission

Introduced: 9/1/15

Status: From printer

Summary: This bill excludes the CTC from CalSTA and establishes it as an entity in the state government.

Priority: NA – CTC

Position: Watch

Senate bills

SB 32 (Pavley): California Global Warming Solutions Act of 2006: emissions limit.

Introduced: 12/1/2014

Last Amended: 8/11/2016

Status: 8/11/2016-Read third time and amended. Ordered to third reading.

Summary: This bill would set an enforceable greenhouse gas (GHG) emissions target of 40 percent below 1990 levels by 2030 that would create certainty for markets and consumers.

Priority: 6S: Support efforts to develop alternative funding sources to offset the reduction in gas tax revenues and ensure that any pay-by-the-mile funding is equitably assessed and distributed.

Position: Watch

SB 247 (Lara): Charter bus transportation: safety improvements

Introduced: 2/18/2015

Last Amended: 1/26/2016

Status: 4/28/2016-Referred to Senate Transportation

Summary: Requires a charter-party carrier of passengers engaged in charter bus transportation to ensure each vehicle operated for that purpose is equipped with specified safety features: lighting fixtures, comply with federal motor vehicle safety standards (FMVSS), provide written or video

instruction on safety equipment and emergency exits, and requires CHP to adopt standards for implementation by July 1, 2018.

Priority: N/A – concern that, as written, would apply to intercity buses

Position: Watch

SB 321 (Beall) Motor vehicle fuel taxes: rates: adjustments

Introduced: 2/23/15

Last Amended: 8/18/15

Status: 6/24/16: Sen inactive file - Senate bills

Summary: Modifies the method by which the State Board of Equalization (BOE) annually adjusts the motor vehicle "fuel tax swap" rate to take into account a five-year average of fuel prices, thereby smoothing perceived revenue volatility.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 4/17/15)

SB 824 (Beall) Low Carbon Transit Operations Program

Introduced: 1/7/2016

Last Amended: 8/18/2016

Status: 8/18/2016-Read third time and amended. Ordered to third reading.

Summary: Authorizes the ARB to allow a transit agency that does not submit a project for funding under the LCTOP program in a particular fiscal year to retain its funding for expenditure in a subsequent fiscal year. Allows a transit agency to loan or transfer its funding share in any particular fiscal year to another transit agency within the same region, to pool its funding share with those of other transit agencies, or to apply to Caltrans to reassign, to other eligible expenditures under the program, any savings of surplus moneys from an approved and completed expenditure under the program or from an approved expenditure that is no longer a priority. Allows a recipient transit agency to apply to Caltrans for a letter of no prejudice for any eligible expenditures under the program for which Caltrans has authorized a disbursement of funds, and if granted, would allow the transit agency to expend its own moneys and to be eligible for future reimbursement.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: Watch

SB 903 (Nguyen) Transportation funds: loan repayment

Introduced: 1/21/2016

Status: 2/4/2016-Referred to Transportation & Housing

Summary: Acknowledges, as of June 30, 2015, \$879,000,000 in outstanding loans of certain transportation revenues, and requires this amount to be repaid by June 30, 2016, to the Traffic Congestion Relief Fund for allocation to the Traffic Congestion Relief Program, the Trade Corridors Improvement Fund, the Public Transportation Account, and the State Highway Account.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 3/28/16)

SB 1279 (Hancock): California Transportation Commission: funding prohibition: coal shipment

Introduced: 2/19/16

Last Amended: 8/4/2016

Status: 8/8/2016-Read second time. Ordered to third reading.

Summary: Prohibits the California Transportation Commission (CTC) from programming or allocating state funds for bulk coal terminal projects, and requires terminal project grantees under specific conditions, to annually report to CTC that the project is not being used to handle, store, or transport bulk coal.

Priority: N/A

Position: Watch

SB 1383 (Lara): Short-lived climate pollutants

Introduced: 2/19/16

Last Amended: 8/15/2016

Status: 8/16/2016-Read second time. Ordered to third reading.

Summary: Would require the CARB to no later than January 1, 2018 approve and begin implementing a comprehensive strategy to reduce emission of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40% and anthropogenic black carbon by 50% by 2030.

Priority: N/A

Position: Watch

Senate bills in the special session

SBX1-1 (Beall): Transportation funding: environmental mitigation: oversight

Introduced: 6/22/15

Last Amended: 4/21/16

Status: 4/21/16- Read second time and amended. Referred to Appropriations

Summary: Creates the Road Maintenance and Rehabilitation Program, which increases several taxes and fees to raise roughly \$4.3 billion in new transportation revenues annually, with the funding used to address deferred maintenance on the state highways and local streets and roads and to improve the state's trade corridors. Requires the CTC to adopt performance criteria to ensure efficient use of the funds available for the program. Includes a 5% set-aside for counties that approve a transactions and use tax on or after July 1, 2016. Eliminates the current requirement of the State Board of Equalization to annually modify the gas and diesel taxes, instead requiring the Board to recompute the tax rates based on the California Consumer Price Index and the percentage change in the fuel efficiency of the state motor vehicle fleet. Doubles percentage of greenhouse gas fund proceeds going to the Transit and Intercity Rail Capital Program from 10% to 20% and to the Low Carbon Transit Operations Program from 5% to 10%. Requires the High Speed Rail Authority to set aside \$550 million annually for connectivity projects. Extends CEQA mitigation for roadway maintenance projects to 2025. Establishes the Advance Transportation Project Mitigation Program to be administered and implemented by the Natural Resources Agency. Extends NEPA delegation authority indefinitely. Extends public private partnership authority indefinitely.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letters sent 6/29/15 & 5/9/16)

SBX1-2 (Huff): Greenhouse Gas Reduction Fund

Introduced: 6/30/15

Status: 9/1/15 - refer to Appropriations.

Summary: Excludes from Greenhouse Gas Reduction Fund allocation the annual proceeds of the fund generated from the transportation fuels sector. Provides instead that those annual proceeds shall be appropriated by the Legislature for transportation infrastructure, including public streets and highways, but excluding high-speed rail.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: Watch

SBX1-3 (Vidak): Transportation bonds: highway, street, and road projects

Introduced: 7/1/15

Last Amended: 8/17/15

Status: 9/14/15-Returned to Secretary of Senate

Summary: This bill redirects high-speed rail bond proceeds to state freeways and highways, and local streets and roads, upon voter approval.

Priority: N/A: California High-Speed Rail project

Position: Watch

SBX1-4 (Beall): Transportation funding

Introduced: 7/7/15

Last Amended: 9/4/15

Status: 9/24/2015-Senators Beall (Co-Chair), Allen, Leyva, Cannella and Gaines appointed to Conference Committee.

Summary: Spot bill re: permanent, sustainable sources of transportation funding to maintain and repair the state's highways, local roads, bridges, and other critical transportation infrastructure.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: Watch (spot bill)

SBX1-5 (Beall): Transportation funding

Introduced: 7/7/15

Status: 9/1/15-In Assembly. Read first time. Held at Desk.

Summary: Spot bill re: permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: Watch (spot bill)

SBX1 7 (Allen) Diesel sales and use tax.

Introduced: 7/16/15

Last Amended: 9/3/15

Status: 9/3/15- Referred to Appropriations

Summary: Increases the sales and use tax on diesel fuel from 1.75% to 5.25% and allocates the money by formula to public transit agencies, such as Monterey-Salinas Transit. Restricts expenditures of revenues from the July 1, 2016, increase in the sales and use tax on diesel fuel to transit capital purposes and certain transit services. Requires an existing required audit of transit operator finances to verify that these new revenues have been expended in conformance with these specific restrictions and all other generally applicable requirements and Provides that the increase in the additional sales and use tax on diesel fuel imposed by the bill shall not be considered by the board in its annual modification of the diesel excise tax rate.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 9/9/15)

SBX1 8 (Hill) Public transit: funding.

Introduced: 7/16/15

Status: 9/2/15- Referred to Appropriations

Summary: Appropriates 20% of Greenhouse Gas Reduction Fund (Cap and Trade) annual proceeds to the TIRCP, and 10% of those annual proceeds to the LCTOP. This represents a doubling of the current funding level for bus and rail transit from current levels, and comes from the currently “unallocated” share.

Priority: 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: SUPPORT (Letter sent 9/9/15)

SBX1 11 (Berryhill) Environmental quality: transportation infrastructure

Introduced: 7/16/15

Last Amended: 9/4/15

Status: 9/4/15- Read second time and amended. Referred to Transportation and Infrastructure Development

Summary: CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA.

Priority: 4S. Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.

Position: SUPPORT (Letter sent 9/9/15)

SBX1 12 (Runner) California Transportation Commission.

Introduced: 7/16/15

Last Amended: 8/20/15

Status: 8/20/15-Read second time and amended. Referred to Appropriations

Summary: Removes the CTC from CalSTA, reestablishes it as an independent entity in state government, and allows it to again act in an independent oversight role.

Priority: NA – CTC

Position: SUPPORT (Letter sent 9/9/15)

SBX1 14 (Cannella) Transportation projects: comprehensive development lease agreements.

Introduced: 7/16/15

Status: 8/17/15-August 19 set for first hearing canceled at the request of author.

Summary: Extends Caltrans' authorization to enter into Public-Private Partnerships by removing the January, 2017 expiration date.

Priority: **5S.**Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

Position: **SUPPORT (Letter sent 9/9/15)**

SCAX 1-1 (Huff): Motor vehicle fees and taxes: restriction on expenditures

Introduced: 6/19/15

Status: 9/9/15 - refer to Appropriations

Summary: Prohibits the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles and water-borne vessels or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. Provides that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness.

Priority: **1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: **SUPPORT (Letter sent 6/29/15)**

Bill Number ____ (Frazier-Beall): Transportation Funding Package

Introduced: 8/18/16

Summary: A \$7.4 billion annual funding package to repair and maintain our state and local roads, improve our trade corridors, and support public transit and active transportation. A \$706 million repayment of outstanding transportation loans for state and local roads. Eliminates the BOE "true up" that causes funding uncertainty and is responsible for drastic cuts to regional transportation projects. Indexes transportation taxes and fees to the California CPI to keep pace with inflation. Reforms and accountability for state and local governments to protect taxpayers. Streamlines transportation project delivery to help complete projects quicker and cheaper. Protects transportation revenue from being diverted for non-transportation purposes. Helps local governments raise revenue at home to meet the needs of their communities.

Priority: **1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

Position: **SUPPORT**



FINAL 2016 Legislative Program: State Issues

- 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.
- 2S. Encourage the state to increase investments in passenger rail and bus transit projects and seek funding for Monterey County projects.
- 3S. Support legislation that promotes transit-oriented development, complete streets, and active transportation projects.
- 4S. Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.
- 5S. Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.
- 6S. Support efforts to develop alternative funding sources to offset the reduction in gas tax revenues and ensure that any pay-by-the-mile funding is equitably assessed and distributed.
- 7S. Support redefinition of “disadvantaged communities” in the Greenhouse Gas Reduction Fund (i.e., “cap and trade”) grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.
- 8S. Support measures to allow the California Department of Fish and Wildlife to allow Caltrans to adopt appropriate avoidance and mitigation measures to protect the Santa Cruz Long-Toed Salamander from potential impacts of the Highway 156 project.
- 9S. Support legislation to transfer funding derived from the sale of excess rights-of-way purchased for the Prunedale Bypass project to priority projects in the region.
- 10S. Support legislation to expand the Capitol Corridor Joint Powers Authority to Salinas, and to expand the Los Angeles-San Diego Rail Corridor Agency (LOSSAN) to San Francisco.
- 11S. Support funding proposals to enable cities and counties to implement storm water runoff requirements for transportation projects.
- 12S. Support legislation that promotes transparency and access to information on rail transport of hazardous materials.
- 13S. 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.