



AGENDA

Legislative and Communications Committee Meeting

Committee Members

Laurie Davies, Chair
Lisa A. Bartlett, Vice Chairwoman
Barbara Delgleize
Michael Hennessey
Gene Hernandez
Donald P. Wagner

Orange County Transportation Authority
Headquarters
Conference Room 07
550 South Main Street
Orange, California
Thursday, July 16, 2020 at 9:00 a.m.

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at the OCTA Headquarters, 600 South Main Street, Orange, California.

Guidance for Public Access to the Board of Directors/Committee Meeting

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N-25-20 and N-29-20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

In accordance with Executive Order N-29-20, and in order to ensure the safety of the Orange County Transportation Authority (OCTA) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID-19, in-person public participation at public meetings of the OCTA will not be allowed during the time period covered by the above-referenced Executive Orders.

Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>



Guidance for Public Access to the Board of Directors/Committee Meeting

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to boardofdirectors@octa.net.

If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, please submit your public comments **30 minutes prior to the start time of the Board and Committee meeting date.**

Call to Order

Roll Call

Pledge of Allegiance

Chair Davies

1. Public Comments

Special Calendar

2. Conference Call with State Legislative Advocate Moira Topp Moira Topp/Lance M. Larson

An update of legislative items in Sacramento will be provided.

Consent Calendar (Items 3 through 6)

All items on the Consent Calendar are to be approved in one motion unless a Committee Member or a member of the public requests separate action or discussion on a specific item.

3. Approval of Minutes

Approval of the Minutes of the Legislative and Communications Committee meeting of June 18, 2020.



4. Agreement for OC Bus Public Awareness and Communication Program Services

Amelia Hsu/Maggie McJilton

Overview

On April 28, 2020, the Orange County Transportation Authority released a request for proposals for consultant support services to develop and implement public awareness and communication programs for OC Bus. Board of Directors' approval is requested to execute an agreement for these services.

Recommendations

- A. Approve the selection of Celtis Ventures, Inc. as the firm to provide consulting services for the OC Bus Public Awareness and Communication Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2249 between the Orange County Transportation Authority and Celtis Ventures, Inc., in the amount of \$300,000, for a two-year initial term, with two, two-year option terms, to provide consulting services for the OC Bus Public Awareness and Communication Program.

5. Amendment to Agreement for Bus Advertising Revenue Program

Jennifer O'Connor/Maggie McJilton

Overview

On June 22, 2015, the Orange County Transportation Authority Board of Directors approved an agreement with Outfront Media Group, LLC, to sell, place, and maintain advertisements on its fleet of fixed-route and OC ACCESS bus vehicles. This revenue agreement has a three-year initial term with two, two-year option terms. On July 24, 2018, the Board of Directors approved the first option term effective through August 31, 2020. In order to continue services, Board of Directors approval is requested to exercise the second option term through August 31, 2022.



5. (Continued)

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-5-3076 between the Orange County Transportation Authority and Outfront Media Group, LLC, to exercise the second option term of the agreement with a 70 percent revenue-sharing agreement through August 31, 2022, reverting to a minimum guarantee reinstatement upon one quarter of positive gross domestic product growth.

6. Federal Legislative Status Report

Dustin J. Sifford/Lance M. Larson

Overview

Updates are provided on efforts in Congress to enact long-term surface transportation reauthorization legislation and a transportation-related hearing.

Recommendation

Receive and file as an information item.

Regular Calendar

7. State Legislative Status Report

Alexis Leicht/Lance M. Larson

Overview

A support position is recommended on legislation that would provide flexibility for the Federal Transportation Improvement Program submittal process. Updates are provided on actions related to the Fiscal Year 2020-21 State Budget and associated trailer bills, as well as guidance on measuring transportation impacts under the environmental review process.

Recommendation

Adopt a SUPPORT position on SB 1291 (Senate Committee on Transportation), which would provide flexibility in the schedule for submittal of the Federal Transportation Improvement Program in 2020.



Discussion Items

- 8. Chief Executive Officer's Report**
- 9. Committee Members' Reports**
- 10. Closed Session**

There are no Closed Session items scheduled.

- 11. Adjournment**

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, August 20, 2020**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.



Committee Members Present

Laurie Davies, Chair
Lisa A. Bartlett, Vice Chairwoman
Barbara Delgleize
Michael Hennessey
Gene Hernandez
Donald P. Wagner
Gregory T. Winterbottom

Staff Present

Jennifer L. Bergener, Deputy Chief Executive Officer
Laurena Weinert, Clerk of the Board
Sara Meisenheimer, Deputy Clerk of the Board
Cassie Trapesonian, General Counsel (teleconference)

Committee Members Absent

None

Call to Order

The June 18, 2020 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chair Davies at 9:07 a.m.

Roll Call

The Deputy Clerk of the Board conducted an attendance Roll Call and announced that there was a quorum of the L&C Committee.

Pledge of Allegiance

Director Hernandez led in the Pledge of Allegiance.

1. Public Comments

No public comments were received.

Special Calendar

2. Conference Call with State Legislative Advocate Moira Topp

Moira Topp, State Legislative Advocate, reported on the following:

- The May Revision was released and the Legislature engaged in a thorough budget review process due to the coronavirus (COVID-19) response.
- On Monday, June 15th, the Legislature passed the budget, which some call a “placeholder” budget that can be amended.

2. (Continued)

- While the budget that passed on Monday was close to the Governor's proposed May Revision, there were some differences between the Governor and the Legislature:
 - The Governor proposed \$14 billion from the federal government would not be immediately available. His proposal was to cut programs on July 1st and when the federal government does provide the additional relief, then the cuts would be restored.
 - The Legislature did not agree to the cuts in education.
- The Legislature and Governor are still negotiating and close to a final deal.
- All transit agencies throughout the state came together to petition the Legislature on some statutory relief due to COVID-19 and the economic situation. They accepted an agreement in a trailer bill that will come forward.
- There are a several transportation bills being reviewed. The focus is on public safety and COVID-19 related issues.

A discussion ensued regarding:

- The Legislature rejected the transfer of \$130 million in the State Highway Account to the General Fund.
- The Governor's broad-based authority is still being discussed between the two houses and most likely, the Governor will obtain more authority.

Consent Calendar (Items 3 through 7)

3. Approval of Minutes

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 7-0, to approve the minutes from the L&C meeting of May 21, 2020.

4. Agreement for Graphic Design Services for Bus Service Change Materials

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 7-0, to:

- A. Approve the selection of Digital Graphics Centre as the firm to provide graphic design and production services for bus service change materials.



4. (Continued)

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2178 between the Orange County Transportation Authority and Digital Graphics Centre, in the amount of \$210,000, for a three-year initial term with two, two-year option terms, to provide graphic design and production services for the bus service change materials.

5. Agreement for Printing, Packaging, and Delivery of the Bus Book

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 7-0, to:

- A. Approve the selection of Southwest Offset Printing Co., Inc. as the firm to provide printing, packaging, and delivery of bus books in support of bus service change communications.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2198 between the Orange County Transportation Authority and Southwest Offset Printing Co., Inc., in the amount of \$180,000, for a three-year initial term with two, two-year option terms, to provide printing, packaging, and delivery of bus books in support of bus service change communications, on an as-needed basis.

6. Citizens Advisory Committee Annual Update and Member Appointments

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 7-0, to receive and file the Citizens Advisory Committee status report.

7. Special Needs Advisory Committee Annual Update and Member Appointments

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 7-0, to receive and file the Special Needs Advisory Committee's status report.

Regular Calendar

8. State Legislative Status Report

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Kristin Jacinto, Manager of State and Federal Relations, who reported on the following:

- Since the writing of the Staff Report, a memo was sent to the Board of Directors (Board) detailing the budgetary impacts from the legislative agreement that was passed on Monday.
- The transportation component of the budget was very much consistent with the Governor's May Revision except for the transfer of the \$130 million from the State Highway Account to the General Fund.
- There are a couple of bills pending that would primarily affect the California Department of Transportation's funding source for maintenance and repair projects.
- Referenced Attachment A of the Staff Report.
- There is a trailer bill that would allow for flexibility on how to calculate the farebox recovery requirements and the allocation of revenues for all transit agencies. Since the numbers have not been consistent this year, the State Transit Assistance funding will use the 2019 numbers.
- A request to create more flexibility in use of the Low Carbon Transit Operations Program has been deferred to a later conversation when the Legislature reconvenes and talks about the future of the cap-and-trade program.

A discussion ensued regarding the significantly lower revenues from the cap-and-trade auctions. The state will receive an estimated \$25 million from the May auction, compared to \$612 million in the previous February auction (referenced the second paragraph on Page 2 of the Staff Report).

No action was taken on this receive and file information item.

9. Federal Legislative Status Report

Lance Larson, Executive Director of Government Relations, provided opening comments and introduced Dustin J. Sifford, Senior Government Relations Representative, who reported on the following:

- Overview of the Health and Economic Recovery Omnibus Emergency Solutions Act which would provide \$3.5 trillion in funding and economic stimulus incentives in response to the novel coronavirus pandemic.
- Referenced Attachment A of the Staff Report.

9. (Continued)

- There are significant disagreements in Washington, D.C., on the next phase of federal stimulus money.
- Overview of the Surface Transportation Reauthorization Legislation.
- The House released a reauthorization bill that would authorize \$494 billion for the surface transportation programs. However, the Senate and House do not agree on a way to finance reauthorization efforts.
- The Congressional Budget Office has projected a \$3.5 trillion deficit for this year.
- The House Transportation and Infrastructure Committee is currently holding a markup that features 290 amendments.

No action was taken on this receive and file information item.

10. Approval to Release Request for Proposals for State Legislative Advocacy and Consulting Services

Kristin Jacinto, Manager of State and Federal Relations, gave an overview on the background of the current contract with Platinum Advisors, LLC (Platinum), the procurement process, and the recommendations. Staff will return to the Board of Directors (Board) in October with a proposed firm to consider for approval.

A discussion ensued regarding the County of Orange having a contract with Platinum and whether Moira Topp would respond to the request for proposal through Platinum or Topp Strategies, LLC. Lance Larson, Executive Director of Government Relations, stated that any interested firm could submit a proposal.

A motion was made by Committee Vice Chairwoman Bartlett, seconded by Director Wagner, and following a roll call vote, declared passed 7-0, to:

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2369 for selection of a firm to provide state legislative advocacy and consulting services.
- B. Approve the release of Request for Proposals 0-2369 to select a firm to provide state legislative advocacy and consulting services for a two-year initial term with two, two-year option terms.



11. Amendment to Agreement with Potomac Partners DC, for Federal Legislative Advocacy and Consulting Services

Kristin Jacinto, Manager of State and Federal Relations, gave an overview on the background with Potomac Partners, DC (PPDC), the procurement process, and the recommendations.

Director Hennessey commented on his time as a Board Member and the excellent job PPDC has done for the Orange County Transportation Authority (OCTA), especially with the Transportation Infrastructure Finance and Innovation Act funding.

A motion was made by Director Hennessey, seconded by Director Delgleize, and following a roll call vote, declared passed 7-0, to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement No. C-8-1750 between the Orange County Transportation Authority and Potomac Partners DC, to exercise the first option term of the agreement, in the amount of \$480,000, for federal legislative advocacy and consulting services. This will increase the maximum obligation of the agreement to a total contract value of \$960,000.

12. Proposed Schedule for the Orange County Transportation Authority's 2021-22 State and Federal Legislative Platforms

Lance Larson, Executive Director of Government Relations, gave an overview on the preparation plans for the OCTA State and Federal Legislative Platforms, referenced Attachment A of the Staff Report, and noted that staff will come back to the L&C Committee to finalize the draft in November.

A motion was made by Director Hennessey, seconded by Director Hernandez, and following a roll call vote, declared passed 7-0, to approve the preparation plan and timeline for the Orange County Transportation Authority State and Federal Legislative Platforms.

Discussion Items

13. Marketing Update

Stella Lin, Department Manager of Marketing and Customer Engagement, gave a PowerPoint presentation as follows:

- Novel Coronavirus Customer Education and Safety Campaign;
- June 2020 Service Change and Safety Guidelines;
- Digital Tactics;
- Brochure;
- Signage;

13. (Continued)

- Social Media;
- Bus Interior Cards;
- Bus Ads;
- College Pass Program;
- Metrolink Customer Comeback Campaign;
- National Bike to Work Week – September 2020; and
- Brand Awareness.

Director Delgleize complimented the branding colors on the promotional items.

No action was taken on this Discussion Item.

14. Chief Executive Officer's Report

Jennifer L. Bergener, Deputy Chief Executive Officer, reported on the following:

- This past Sunday, the June service change went into effect and bus service was increased to a Saturday plus service. There has been a slight uptick in ridership, specifically, a six percent increase for the week ending on June 12th. Staff will continue to monitor ridership levels and provide additional buses as needed.
- This afternoon, Maggie McJilton, Executive Director of Human Resources and Organizational Development, will host a virtual meeting with the administrative staff to review the Return to Workplace plan. A cross-divisional team has been working on this plan and has been evaluating safety concerns. OCTA will continue to remain as flexible as possible while successfully having administrative and professional staff work remotely. Darrell E. Johnson, Chief Executive Officer, will continue to keep the Board apprised of any changes to the Return to Workplace plan.

15. Committee Members' Reports

Director Hennessey re-confirmed his “yes” vote on Item 11 and Director Winterbottom re-confirmed his “yes” vote on the Consent Calendar.



16. Closed Session

There were no Closed Session items scheduled.

17. Adjournment

The meeting adjourned at 9:58 a.m.

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, July 16, 2020**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.

ATTEST

Laurie Davies
Committee Chair

Sahara Meisenheimer
Deputy Clerk of the Board



July 16, 2020

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for OC Bus Public Awareness and Communication Program Services

Overview

On April 28, 2020, the Orange County Transportation Authority released a request for proposals for consultant support services to develop and implement public awareness and communication programs for OC Bus. Board of Directors' approval is requested to execute an agreement for these services.

Recommendations

- A. Approve the selection of Celtis Ventures, Inc. as the firm to provide consulting services for the OC Bus Public Awareness and Communication Program.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2249 between the Orange County Transportation Authority and Celtis Ventures, Inc., in the amount of \$300,000, for a two-year initial term, with two, two-year option terms, to provide consulting services for the OC Bus Public Awareness and Communication Program.

Discussion

The Orange County Transportation Authority (OCTA) provides countywide bus service to an area covering approximately 752 square miles. Service includes local fixed route, community, intracounty express, intercounty express, and rail feeder bus service.

OCTA creates communications programs to make the public aware of OCTA's transit services. With support from a consultant, OCTA develops and implements these public awareness and communications programs for various bus ridership initiatives to achieve the following goals:

1. Educate customers about how to ride and the benefits of riding OC Bus.
2. Promote special fares and pass programs to retain current riders and attract potential customers.
3. Strategically select and target high-propensity market segments.
4. Pivot and develop new approaches and communications strategies when needed to accommodate different directions.

In addition, due to COVID-19, marketing and communication goals now also include:

- Creating awareness about OCTA's response to COVID-19.
- Integrating service change and safety information.
- Positioning OCTA as a trusted brand in helping community during the process of recovery.

Consultant Services

To assist with the development and implementation of these strategies, OCTA requires consultant support to provide various marketing services to develop effective communication materials and tactics. Services include:

1. Market and customer research, segmentation studies, online surveys, and reporting.
2. Integrated strategic marketing plan development and campaign development.
3. Email, social media, and mobile marketing.
4. Digital and traditional media planning, buying, and optimization.
5. Diversity marketing and translation services.
6. Print and digital creative development, including website development, video production, and photography.
7. Production and printing services.

Procurement Approach

The procurement was handled in accordance with OCTA Board of Directors' (Board)-approved procedures for professional and technical services. Various factors are considered in the award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as prior experience with similar projects, staffing and project organization, work plan, as well as cost and price.

On April 28, 2020, Request for Proposals (RFP) 0-2249 was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on April 28 and May 4, 2020. A pre-proposal conference was held on May 6, 2020, with 15 attendees from 10 firms. Three addenda were issued to make available the pre-proposal conference registration sheet and presentation, as well as to respond to written questions related to the RFP.

On May 21, 2020, six proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Marketing and Customer Engagement, Public Outreach, and Transit Service Planning departments met to review all proposals received.

The proposals were evaluated based on the following evaluation criteria and weightings:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 25 percent
- Work Plan 30 percent
- Cost and Price 20 percent

Several factors were considered in developing the evaluation criteria weightings. Qualifications of the firm was weighted at 25 percent as the firm had to demonstrate experience providing similar marketing services. Staffing and project organization was also weighted at 25 percent as the proposed project team must have the expertise and skills in developing and implementing public awareness and communication programs. Work plan was weighted at 30 percent as the firm had to demonstrate its understanding of the scope of work and approach to developing and implementing the OC Bus Public Awareness and Communication Program. Cost and price was weighted at 20 percent to ensure OCTA receives value for the services provided.

On June 2, 2020, the evaluation committee reviewed the proposals based on the evaluation criteria and short-listed the two most qualified firms listed below in alphabetical order:

Firm and Location

Celtis Ventures, Inc. (Celtis)
Redondo Beach, California

Truth and Advertising (Truth)
Santa Ana, California

On June 2, 2020, the evaluation committee conducted interviews with the short-listed firms. The interview consisted of a presentation by each firm to demonstrate the firms' understanding of OCTA's requirements. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. Questions were related to strategies for reaching out to ethnically and socially diverse communities through various marketing efforts, as well as specific clarification questions related to each firm's proposal.

After considering the responses to the questions asked during the interviews, the evaluation committee reviewed the preliminary ranking and made adjustments to individual scores. However, Celtis remained the higher-ranked firm with the higher overall score.

Based on the evaluation of the written technical proposals and the information obtained from the interviews, the evaluation committee recommends Celtis for consideration of the award. The following is a brief summary of the proposal evaluation results.

Qualifications of the Firm

Celtis was established in 2012. The firm is headquartered in the City of Redondo Beach and has 17 employees. The founder has 30 years of experience and was formerly the Chief Marketing Officer at Los Angeles County Metropolitan Transportation Authority. Celtis demonstrated experience in developing and implementing public awareness and communication programs for multiple transit agencies, such as Ventura County Transportation Commission, Santa Barbara Metropolitan Transit District, and Omnitrans. The firm has also worked with OCTA on previous marketing campaigns to promote OC Bus and increase ridership. Celtis proposed three subcontractors to provide multicultural marketing and outreach services.

Truth is located in the City of Santa Ana with 20 employees and was incorporated in 1996. The firm demonstrated experience in strategic planning, content marketing, and branding. The firm has worked with various clients, such as the Los Angeles-San Diego-San Luis Obispo Rail Corridor Agency, Bosche, and OCTA. Truth is currently providing marketing services for the 91 Express Lanes and OC Streetcar. The firm proposed to utilize multiple subcontractors to provide the majority of the required services; however, quality control measures related to having a large subcontracting group were not addressed. Truth's interview team consisted of a subcontractor proposed to engage Asian communities; however, that firm was not identified in the proposal and its background and

experience was previously unknown. In addition, Truth did not elaborate on its experience related to bus marketing when asked during the interview.

Staffing and Project Organization

Celtis proposed a knowledgeable and experienced project team. The proposed project manager has 22 years of experience related to marketing and branding strategies, community engagement, and advertising. The individual has been with the firm for five years and is proposed with 50 percent availability for this effort. The proposed project team has experience in strategic planning, digital and traditional marketing, large-scale marketing, and multicultural marketing for transportation agencies. Additionally, the organization of the project team was clearly defined. During the interview, the project team discussed their roles and approach to communicating and building public awareness about OC Bus, as well as responded to the evaluation committee's questions.

Truth proposed a project team with relevant experience. The proposed project manager has over 20 years of experience and has been with the firm for two years. The individual is proposed with 25 percent availability for this effort. The project team's marketing experience includes creative strategies, branding, media planning, and advertising. During the interview, the team members discussed their roles, as well as their approach to developing the public awareness and communication program. The firm did not clearly respond to questions regarding current commitments and resource availability. Furthermore, the proposed project manager did not actively participate in the presentation or respond to the evaluation committee's questions during the interview.

Work Plan

Celtis demonstrated an understanding of the scope of work in its work plan. The firm detailed its approach for delivering OC Bus marketing initiatives, engaging key audiences, and building a customer-focused marketing strategy. Celtis also addressed COVID-19 and discussed the opportunity to explore new ways to engage current and new customers. The firm provided examples to support the strategies described. For example, the firm proposed innovative ideas to increase ridership, such as creating a point-based system that rewards loyal and new customers, expanding multicultural marketing by engaging ethnic and community-based organizations to communicate information about OC Bus, and creating a virtual training program to educate people on how to ride the bus safely.

Truth discussed its approach to meeting the objectives identified in the scope of work. The firm's strategy included planning resource allocation, messaging to engage target audiences, and establishing a communication program that is flexible in light of COVID-19. Truth discussed its process, including identifying ways to deliver the message, developing messaging that will work across all audiences and implementation tactics, creating campaigns that will drive traffic and ridership, as well as reviewing key metrics and assessing the program. Truth presented a campaign idea that allows OCTA to deliver a single message with the ability to tailor the message to specific multicultural groups to engage people about OC Bus.

Cost and Price

Pricing scores were based on a formula which assigned the highest score to the firm with the lowest weighted average hourly rate and scored the other proposals' weighted average hourly rate on their relation to the lowest weighted average hourly rate. Although Truth proposed the lowest weighted average hourly rate, Celtis ranked second lowest in pricing among the other proposing firms.

Procurement Summary

Based on the evaluation of written proposals, the firms' qualifications, and the information obtained from the interviews, the evaluation committee recommends the selection of Celtis as the top-ranked firm to provide consulting services for the OC Bus Public Awareness and Communication Program. Celtis delivered a thorough and comprehensive proposal and an interview that was responsive to all the requirements of the RFP.

Fiscal Impact

The project was included in OCTA's Fiscal Year 2020-21 budget, External Affairs Division, accounts 1837-A3311-1I2-7519, 1837-A3311-1I0-7519, and 1837-A3311-17S-7519.

Summary

Staff is recommending the Board authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2249 with Celtis Ventures, Inc., in the amount of \$300,000, for a two-year initial term, with two, two-year option terms, to provide consulting services for the OC Bus Public Awareness and Communication Program.

Attachments

- A. Review of Proposals, RFP 0-2249 OC Bus Public Awareness and Communication Program
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 0-2249 OC Bus Public Awareness and Communication Program
- C. Contract History for the Past Two Years, RFP 0-2249 OC Bus Public Awareness and Communication Program

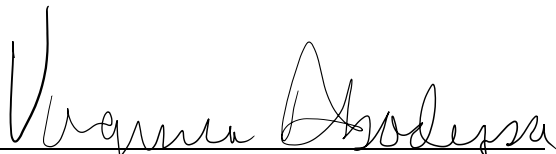
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Review of Proposals
RFP 0-2249 OC Bus Public Awareness and Communication Program
Presented to Legislative and Communications Committee - July 16, 2020
6 firms proposed, 2 firms were interviewed, 1 firm is being recommended

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Weighted Average Hourly Rate
1	88	Celtis Ventures, Inc. Redondo Beach, California	Young Communications Group Nakatomi & Associates Bumpercar, Inc.	Higher-ranked firm overall. Experience providing marketing services for transportation agencies. Provided marketing services to OCTA to increase bus ridership. Proposed project team is knowledgeable with relevant experience. Organization of project team and their availability were clear. Discussed approach and demonstrated an understanding of the scope of work. Provided examples of how strategies would be executed. Presented approach and answered questions during the interview. Received positive responses from references. Proposed competitive hourly rates.	\$144
2	83	Truth and Advertising Santa Ana, California	Bumpercar, Inc. U.S. International Media NRS Marketing Solutions Geo Commerce An Ideal World Akorn Entertainment Campsite Media House Campsite Media House HannaRose Productions Lyon Studios The LanguageWorks, Inc. Walter Urie Photograpy Scott Montgomery Photography Don Bonsey Photography Shutterstock Images Istockphoto Masterfile Getty Images The ACE Agency Main Graphics Precision Services Group Pace Lithographers, Inc. Imagic, Inc. Adwater Graphix Graphics360	Experience providing marketing services for public and private sector clients. Currently providing marketing services for the 91 Express Lanes and OC Streetcar. Proposed project team has relevant marketing experience. Project team organization, roles, and availability were unclear. Proposed project team has relevant experience. Demonstrated an understanding of the scope of work. Discussed approach and presented a potential campaign. Presented approach and answered questions during the interview. Received positive responses from references. Proposed lowest weighted average hourly rate.	\$139

Evaluation Panel:
Internal:
Contracts Administration and Materials Management (1)
Marketing and Customer Engagement (2)
Public Outreach (2)
Transit Service Planning (1)

<u>Proposal Criteria</u>	<u>Weight Factors</u>
Qualifications of the Firm	25%
Staffing and Project Organization	25%
Work Plan	30%
Cost and Price	20%

PROPOSAL EVALUATION CRITERIA MATRIX (Short-Listed Firms)
RFP 0-2249 OC Bus Public Awareness and Communication Program

Celtis Ventures, Inc.							Weights	Overall Score
Evaluator Number	1	2	3	4	5	6		
Qualifications of Firm	4.5	4.5	4.5	4.5	4.0	4.5	5	22.1
Staffing/Project Organization	4.0	4.0	4.0	4.0	4.0	4.0	5	20.0
Work Plan	4.5	4.5	4.5	4.5	4.0	4.5	6	26.5
Cost and Price	4.8	4.8	4.8	4.8	4.8	4.8	4	19.2
Overall Score	88.7	88.7	88.7	88.7	83.2	88.7		88

Truth and Advertising							Weights	Overall Score
Evaluator Number	1	2	3	4	5	6		
Qualifications of Firm	4.0	3.5	4.0	4.0	4.0	4.0	5	19.6
Staffing/Project Organization	3.5	3.5	3.5	4.0	4.0	4.0	5	18.8
Work Plan	4.0	4.0	4.0	4.0	4.5	4.5	6	25.0
Cost and Price	5.0	5.0	5.0	5.0	5.0	5.0	4	20.0
Overall Score	81.5	79.0	81.5	84.0	87.0	87.0		83

Range of score for non-short-listed firms 25 to 70.

CONTRACT HISTORY FOR THE PAST TWO YEARS
RFP 0-2249 OC Bus Public Awareness and Communication Program

ATTACHMENT C

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
Celtis Ventures, Inc.						
Contract Type: Time-and-Expense	C-8-1586	Bus Ridership Marketing Services	June 20, 2018	June 30, 2020	N/A	\$ 245,000
Subconsultants: N/A						
Contract Type: Time-and-Expense	C-8-1539	Employer Rideshare Outreach Program	May 31, 2018	June 30, 2019	N/A	\$ 200,000
Subconsultants: N/A						
Sub Total						\$ 445,000
Truth and Advertising						
Contract Type: Time-and-Expense	C-8-1610	91 Express Lanes Marketing Services	July 18, 2018	June 30, 2021	N/A	\$ 250,000
Subconsultants:						
U.S. International Media						
NRS Marketing Solutions						
Geo Commerce						
Stones Insight LLC						
Akorn Entertainment						
Campsite Media House						
HannaRose Productions						
An Ideal World						
Lyon Studios						
Walter Urie Photography						
Scott Montgomery Photography						
Don Bonsey Photography						
The ACE Agency						
Bumpercar, Inc.						
The LanguageWorks, Inc.						
Shutterstock Images						
Masterfile						
Getty Images						
Istockphoto						
Corbis						
Main Graphics						
Precision Services Group						
Pace Lithographers, Inc.						
Imagic, Inc.						
Adwater Graphix						
Graphics360						
Contract Type: Time-and-Expense	C-7-1910	M2 Freeway Environmental Mitigation Program Public Outreach Consulting Services	November 8, 2017	October 14, 2020	N/A	\$ 250,000
Subconsultants:						
Walter Urie Photography						
Scott Montgomery Photography						
The ACE Agency						
Bumpercar, Inc.						
Pace Lithographers, Inc.						
Precision Services Group						
Graphics360						
Akorn Entertainment						
NRS Marketing Solutions						

Contract Type: Time-and-Expense	C-6-1293	OC Streetcar Marketing Services	October 31, 2016	December 31, 2020	N/A	\$ 250,000
Subconsultants:						
U.S. International Media						
NRS Marketing Solutions						
Bumpercar, Inc.						
The LanguageWorks, Inc.						
J-U Carter, Inc. dba J-U Public						
Imagic, Inc.						
Main Graphics						
Precision Services Group						
Pace Lithographers, Inc.						
Walter Urie Photography						
Shutterstock Images						
Istockphoto						
Corbis						
Masterfile						
Getty Images						
An Ideal World						
Lyon Studios						
Campsite Media House						
Stewart Sound						
Bark Incorporated						
ARC Document Solutions, LLC						
Erik Issakson Photographics						
Sub Total						\$ 750,000



July 16, 2020

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer 
Subject: Amendment to Agreement for Bus Advertising Revenue Program

Overview

On June 22, 2015, the Orange County Transportation Authority Board of Directors approved an agreement with Outfront Media Group, LLC, to sell, place, and maintain advertisements on its fleet of fixed-route and OC ACCESS bus vehicles. This revenue agreement has a three-year initial term with two, two-year option terms. On July 24, 2018, the Board of Directors approved the first option term effective through August 31, 2020. In order to continue services, Board of Directors approval is requested to exercise the second option term through August 31, 2022.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 3 to Agreement No. C-5-3076 between the Orange County Transportation Authority and Outfront Media Group, LLC, to exercise the second option term of the agreement with a 70 percent revenue-sharing agreement through August 31, 2022, reverting to a minimum guarantee reinstatement upon one quarter of positive gross domestic product growth.

Discussion

The Orange County Transportation Authority (OCTA) has historically contracted with an outside bus advertising sales firm to sell, place, and maintain advertisements on the interior and exterior of buses, which provides considerable revenue for OCTA to support bus operations. OCTA has contracted with Outfront Media Group, LLC, (Outfront) for these services since September 2015. The initial term of the contract was three years through August 2018. The first of two, two-year option terms was approved by the Board of Directors (Board) on July 24, 2018, and will expire on August 31, 2020.

The terms of the initial contract specified that OCTA would receive revenue from Outfront based on either a minimum guarantee amount of \$4 million a year, paid

in equal monthly payments of \$333,333.33, or 70 percent of gross advertising sales revenue, whichever is the greater amount.

Due to the impacts of the coronavirus (COVID-19) pandemic, which resulted in a decrease of OCTA's operating bus fleet size consistent with reduced service levels and fewer revenue vehicle hours and a substantial decrease in advertising sales revenue, Outfront requested to amend the payment terms of the contract to be solely based on a revenue-sharing arrangement, eliminating the minimum annual guarantee for the remainder of the first option term. The Board approved this amendment on April 27, 2020.

Since the inception of the agreement, Outfront has performed in accordance with the provisions in the agreement and provided timely payments of the minimum guarantee every month. However, the current COVID-19 pandemic drastically impacted the economy, including transit advertising sales. With several months of limited travel by the public, along with the stay-at-home executive order by Governor Newsom and the closing of non-essential businesses, advertisers have either cancelled previously placed advertising contracts or temporarily halted any new advertising contracts, significantly impacting Outfront's advertising revenue.

The following chart outlines the impact of the pandemic on Outfront's bus advertising sales. The 2019 sales agreements are based on previous year's sales, and the current sales agreements reflect actual and projected advertising revenue after multiple advertising contract cancellations, which reflects a substantial loss in advertising revenue.

Sales Month	2019 Sales Agreements	2020 Sales Agreements	Percentage Decrease
April	\$326,596	\$162,396	50%
May	\$379,918	\$220,437	42%
June	\$313,613	\$144,915	54%
July	\$493,986	\$117,807	76%
August	\$198,519	\$107,609	46%
September	\$402,135	\$162,797	60%
October	\$323,873	\$109,324	66%
November	\$218,367	\$173,651	20%
December	\$235,273	\$77,195	67%

As a result of decreased advertising revenue, Outfront is seeking continued relief for the second option term. Outfront's proposed payment term would be based

on a revenue-sharing arrangement whereby OCTA would receive 70 percent of the revenue share until such time that the United States (U.S.) real gross domestic product (GDP), as reported by the Bureau of Economic Analysis (BEA), shows positive growth for a one quarter period. U.S. real GDP is an inflation-adjusted measure that reflects the value of all goods and services produced by the U.S. economy. After the first quarter of GDP growth occurs, OCTA will begin receiving the minimum guarantee of \$333,333.33 per month for the balance of the term ending August 31, 2022.

A similar situation occurred during the recession in 2010. At that time, the Board made the decision to accept the former vendor's request to eliminate the annual minimum guarantee and increase the revenue-sharing percentage from 60 percent to 67 percent. While the situation is similar with Outfront's request to eliminate the minimum guarantee, staff is not requesting an increase in revenue share due to the reduction of OCTA's in-service vehicle fleet. Additionally, in comparing OCTA's revenue sharing arrangement with Outfront's current transit clients, shown in the chart below, OCTA has the highest revenue sharing percentage at 70 percent.

	Annual Minimum Guarantee	Pre-Pandemic Revenue-Sharing Arrangement	Post-Pandemic Revenue-Sharing Arrangement
OCTA	\$4,000,000	70%	70%
Los Angeles County Metropolitan Transportation Authority	\$23,500,500	55%	55%
Long Beach Transit	\$675,000	60%	60%
Santa Clara Valley Transportation Authority	\$2,200,000	65%	65%
Metropolitan Atlanta Rapid Transit Authority	\$3,840,000	65%	65%
Miami-Dade Transit	\$3,650,000	60%	60%
Ann Arbor Area Transportation Authority	\$104,167	50%	50%

Procurement Approach

This procurement was originally handled in accordance with OCTA's Board-approved policies and procedures for professional and technical services. On July 22, 2015, the OCTA Board approved the award of the agreement with Outfront. The original agreement was awarded on a competitive basis and includes a three-year initial term and two, two-year option terms.

In the initial three-year term, Outfront performed in accordance with the provisions in the agreement and provided OCTA timely payments of the minimum guarantee amount, as originally agreed upon. The terms were renegotiated to eliminate the minimum guarantee and adopt a payment term based solely on a 70 percent revenue-sharing arrangement. The amendments are listed on Attachment A. This renegotiation was a result of COVID-19 effects on the economy. Based on the historical gross revenues, exercising the second option term on this contract is fiscally prudent.

Outfront has offered good customer service for the bus advertising revenue program for the initial term and first option term of the agreement. Exercising the second two-year option term will allow OCTA to continue to receive revenue to support bus operations.

Fiscal Impact

Pending approval by the Board, OCTA will receive 70 percent of the actual bus advertising sales revenue instead of the minimum guarantee. Upon the first quarter of positive GDP growth, the minimum guarantee will be reinstated and OCTA will begin receiving the monthly minimum guarantee of \$333,333.33 for the balance of the option term ending August 31, 2022. Per the Federal Transit Administration's guidance currently available, advertising revenue is not an eligible item under the Coronavirus Aid, Relief, and Economic Security Act.

Summary

Authorize the Chief Executive Officer to execute Amendment No. 3 to Agreement No. C-5-3076 between the Orange County Transportation Authority and Outfront Media, LLC, to exercise the second option term for the period of September 1, 2020 through August 31, 2022, with a 70 percent revenue-sharing agreement until the first quarter of positive GDP growth, whereby the minimum guarantee will be reinstated.

Attachment

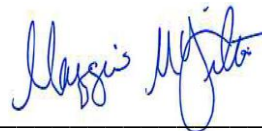
- A. Outfront Media Group, LLC, Agreement No. C-5-3076 Fact Sheet

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ATTACHMENT A

Outfront Media Group, LLC Agreement No. C-5-3076 Fact Sheet

1. June 22, 2015, Agreement No. C-5-3076, in the amount of \$12,000,000 in revenue, for a three-year initial term with two, two-year option terms approved by the Board of Directors (Board).
 - Revenue-generating agreement for selling, placing, and maintaining advertisements on OCTA's transit vehicles.
 - Initial term effective September 1, 2015 through August 31, 2018, with two, two-year option terms.
2. May 25, 2018, Amendment No. 1 to Agreement No. C-5-3076, \$8,000,000 minimum in revenue, approved by the Board.
 - Amendment to exercise the first option term of the agreement effective September 1, 2018 through August 31, 2020.
3. April 27, 2020, Amendment No. 2 to Agreement No. C-5-3076, 70 percent revenue share, approved by the Board.
 - Eliminated the annual minimum guarantee and adopted a payment term based solely on a 70 percent revenue-sharing arrangement beginning April 1, 2020 through August 31, 2020.
4. July 27, 2020, Amendment No. 3 to Agreement No. C-5-3076, 70 percent of revenue share, pending Board approval.
 - Amendment to exercise the second option term of the agreement effective September 1, 2020 through August 31, 2022.



July 16, 2020

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Federal Legislative Status Report

Overview

Updates are provided on efforts in Congress to enact long-term surface transportation reauthorization legislation and a transportation-related hearing.

Recommendation

Receive and file as an information item.

Discussion

Surface Transportation Reauthorization Legislation

On June 18, 2020, the House Transportation and Infrastructure Committee passed the \$494 billion Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act by a party line vote, 35 to 25. As previously reported to the Legislative and Communications Committee (Committee), the INVEST in America Act would authorize nearly \$200 billion more than what is authorized by the current authorization bill, which expires on September 30, 2020. However, the INVEST in America Act faces many hurdles in the legislative process, and as such, Congress may have to enact one, or possibly a series, of short-term extensions for transportation programs while work continues on long-term reauthorization legislation.

On June 22, 2020, House leaders announced that the INVEST in America Act would become the basis for the Moving Forward Act, a broader \$1.5 trillion infrastructure package. In addition to the nearly \$500 billion for surface transportation programs in the INVEST in America Act, the Moving Forward Act would also provide significant investments in housing, broadband, drinking water, and clean energy. Additionally, the Moving Forward Act also includes various tax incentives to facilitate investment in infrastructure, including restoring the tax-exempt status of the advanced refunding of municipal bonds. Similar to

the INVEST in America Act, the Moving Forward Act does not fully offset the costs of the bill's expenditures, instead relying on deficit spending in a time of historic deficit projections. The Congressional Budget Office estimates that the Moving Forward Act would add nearly \$450 billion to the federal budget deficit over the course of the next decade.

On June 29, 2020, the Administration issued a statement threatening to veto the Moving Forward Act. The veto recommendation notes the Administration's concern with debt financing, instead calling for a bipartisan solution to long-term transportation funding certainty. The gap between the Administration and House leaders only widened the next day, as the House Select Committee on the Climate Crisis issued a more than 500-page report outlining a sweeping climate change plan. Published the same day that the Moving Forward Act was taken up on the House floor, the report emphasized the need to enact the types of aggressive climate mandates outlined in the Green New Deal.

The floor debate on the Moving Forward Act was particularly contentious, and it featured significant disagreement about how to approach climate change efforts through federal transportation legislation. The House minority argued against sprawling climate mandates, reiterating their desire to focus on core federal transportation programs in surface transportation legislation. In the Senate, Majority Leader Mitch McConnell (R-KY) criticized that the Moving Forward Act as overly partisan, declaring that the bill stands very little chance of passing. The sharp partisan divide, the lack of a pay-for, and the continued uncertainty stemming from the novel coronavirus (COVID-19) pandemic cast significant uncertainty on how Congress will come together to enact bipartisan, long-term surface transportation reauthorization legislation.

On July 1, 2020, the Moving Forward Act passed the House of Representatives largely along party lines, by a final vote of 233 to 188. Unfortunately, at the time of the writing of this report, the final text of the 2,300-page bill, including all amendments passed, was not available. Staff will provide a more thorough written analysis of the Moving Forward Act, and any other reauthorization proposals, at future Committee meetings.

Summary of a Transportation Hearing

On July 1, 2020, the Senate Environment and Public Works Committee held a hearing entitled "Infrastructure: The Road to Recovery." At the hearing, Senators discussed the need for bipartisan, long-term surface transportation reauthorization. As previously reported to the Committee, the Environment and Public Works Committee unanimously passed a highway-only reauthorization bill last year, but the Banking, Housing, and Urban Affairs Committee and the Commerce, Science, and Transportation Committee have yet to introduce transit and rail titles, respectively. At the hearing, Chairman John Barasso (R-WY)

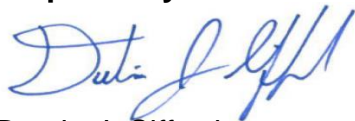
emphasized how the highway-only bill that passed the Environment and Public Works Committee last year was a truly bipartisan effort, and the Chair criticized the House bill, the Moving Forward Act, as a partisan effort. Ranking Member Tom Carper (D-DE) reiterated that the other committees must introduce transit and rail titles so that the House and Senate can begin the process of reconciling comprehensive surface transportation reauthorization bills. Senators and witnesses also discussed the need to improve the environmental permitting process, the benefits of investing in more resilient infrastructure, the role that Congress should play in addressing climate change, and the way in which bipartisan surface transportation efforts will create jobs lost as a result of the economic consequences of the COVID-19 pandemic.

Summary

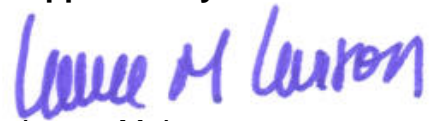
Updates are provided on surface transportation reauthorization efforts and a transportation-related hearing.

Attachments

- A. Potomac Partners DC, Monthly Legislative Report – June 2020

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Monthly Legislative Report – June 2020

June Advocacy Meetings

Because of the phased reopening for the District of Columbia, Congress is still restricting visitor access to the Capitol Complex and many congressional staffers and federal employees in DC are still telecommuting to work. As a result, we have had limited opportunities for in-person meetings during the month of June. Nevertheless, we have been in regular contact with the OCTA congressional delegation, House T&I Committee majority and minority staff, Senate EPW Committee, Senate Commerce Committee, Senate Banking Committee, Appropriations Committees, and leadership offices. Some of the relevant meetings on specific OCTA issues include the following:

Congressman Harley Rouda (D-CA) – We had a series of conference calls with Congressman Rouda's staff to discuss OCTA's policy and funding requests for the pending Surface Transportation Reauthorization and the Infrastructure Bill. During this process we discussed amendment language that would benefit self-help counties. We helped Congressman Rouda's office reach out to key members in the California delegation, securing additional support for the amendments ahead of the Rules committee meeting on Monday, June 29th. There was no official vote on the amendment on the House floor due to a request from the Committee and House Democratic leadership to withdraw the amendments. The text of both amendments can be found [HERE](#) and [HERE](#). We also discussed the alternative fuel tax issue and the strategy to extend the tax credit and prevent any phase out of the credits. Finally, we discussed the aviation fuel tax issue.

Congressman Gil Cisneros (D-CA) – We have been in communication with Congressman Cisneros' office this month to continue providing updates on OCTA transit services, and improvement projects. We also discussed need for additional flexibilities for highway formula funding and the need for additional transit formula funding along the same lines of the CARES act in the next stimulus bill. We also discussed support for Congressman Rouda's amendments to support self-help counties.

Congressman Lou Correa (D-CA) – We have been in close contact with Congressman Correa and his staff to discuss the relevant HR 2 amendments and policy issues of concern for OCTA in the infrastructure bill.

Congressman Mike Levin (D-CA) – We had numerous conference calls with Congressman Levin and his senior staff this month to discuss the Alternative Fuel Tax Credit issue and follow-up on possible amendments to the TIFIA program that would allow for a one time reduction in interest rates to match the current interest rates. We also

discuss support for amendments being offered to HR 2 that would support self-help counties.

Congressman Alan Lowenthal (D-CA) – This month we continued to communicate with Congressman Lowenthal's office virtually to discuss the upcoming Surface Transportation Reauthorization and the principles supported by OCTA. We discussed the aviation fuel tax issue and advocated with many offices in the Southern California delegation to support for this amendment to reestablish the previous FAA interpretation that the use of aviation fuel tax revenues for airport purposes applies to excise taxes and not general sales taxes. The amendment can be found [HERE](#). The amendment was included in the #2 "en bloc" amendments and accepted by voice vote.

Congresswoman Katie Porter (D-CA) – We have been in contact with senior staff in Congresswoman Porter's office this month to discuss support for increasing transit formula funding in response to COVID-19 and provided an update on OCTA activities. We also discussed support for Congressman Rouda's amendment to HR 2 that would support self-help counties.

Congresswoman Linda Sanchez (D-CA) – We have been in contact with Congresswoman Sanchez's office regarding OCTA's support for increasing transit formula funding in response to the COVID-19 crisis. We also discussed the alternative fuel tax credit issue and how a phase out of the credit would be a significant detriment to regional transit.

Congressman Pete Aguilar (D-CA) – We have been in communication with Congressman Aguilar and his staff frequently this month to discuss FY21 appropriations and HR 2. We discussed support for amendments to HR 2 offered by Congressman Rouda that would benefit self-help counties and provide spending relief for transportation corridors of national significance. We also discussed the need for additional transit formula funds to help respond to, and provide service during, the COVID-19 crisis.

Congresswoman Norma Torres (D-CA) – We had several conference call meetings with senior staff in Congresswoman Torres' office this month to discuss the FY21 appropriations process. Specifically, we discussed the need for more transit funding to be delivered through existing formulas to help respond to, and continue to provide safe service during, the COVID-19 crisis.

Congressman Mike Garcia (R-CA) – We spoke with Rep. Garcia this month. Rep. Garcia has been appointed to the House Transportation and Infrastructure Committee. We will continue to meet with Rep. Garcia and his staff to brief his office on OCTA issues.

Senator Dianne Feinstein (D-CA) – We have held numerous conference calls with staff in Senator Feinstein's office this month to discuss FY21 appropriations, the surface transportation reauthorization, and OCTA's policy requests. Specifically, we discussed OCTA's support letter for additional transit formula funding to respond to COVID-19 in a supplemental or regular appropriations bill. We also discussed support for Congressmen

Rouda's and Lowenthal's amendments to support self-help counties using ballot-approved sales tax measures for transportation and infrastructure, and a reversal of the FAA's aviation fuel tax use policy.

Senator Kamala Harris (D-CA) – We have been in contact with staff in Senator Harris' office to discuss OCTA's priorities for the upcoming Surface Transportation Reauthorization. We discussed OCTA's support letter for additional transit formula funding to respond to COVID-19 in a supplemental or regular appropriations bill. We also discussed support for Congressmen Rouda's and Lowenthal's amendments to support self-help counties using ballot-approved sales tax measures for transportation and infrastructure, and a reversal of the FAA's aviation fuel tax use policy.

House Transportation and Infrastructure Committee – We have been in close contact with both Majority and Minority staff to reiterate OCTA's policy and funding priorities for the Surface Transportation Reauthorization, as well as the Infrastructure bill. We discussed ways to include more permitting streamlining, in addition to support for the amendments offered by Congressman Rouda and Lowenthal. We also discussed support for additional transit formula funds in response to COVID-19. Additionally, we discussed opposition to a potential phase-out of the Alternative Fuels Tax Credit and discussed the benefits of the credit for OCTA.

House Ways and Means Committee – We have been in contact with senior Majority and Minority staff on the Ways and Means Committee to discuss the Alternative Fuels Tax Credit and the benefit it provides to transit authorities. We discussed a legislative solution, as well as our strong opposition to phasing out the credit. We also discussed this issue with House and Senate Leadership.

Senate Environment and Public Works Committee – This month we communicated with various EPW staff (minority and majority) on OCTA's Surface Transportation Reauthorization policy asks with regard to the TIFIA interest rate reduction possibility similar to what was included in RM Graves amendment to DeFazio's bill.

Senate Banking Committee – We communicated early this month with senior Senate Banking staff on the Majority and Minority to discuss the possibility and timing of a Senate transit title of the Surface Transportation Reauthorization. We were told that title is not likely going to be release until after the Senate Finance Committee releases their title for the Highway bill.

White House Council on Environmental Quality – We have been in contact over email with senior staff at CEQ regarding the Executive Order to expedite infrastructure projects and streamline environmental permitting. We inquired about the possibility to submit projects for consideration.

Federal Permitting Improvement Steering Council – We reached out to staff at the FPISC to discuss EO 13927 and other permit reform and streamlining opportunities for OCTA.

Highway/Infrastructure Bill Update

On July 1st, the House passed H.R. 2 – INVEST Act (Moving Forward Act) by a vote of 233-188. The \$1.5 trillion legislation includes a Democratic version of a Surface Transportation Reauthorization as well as other Democratic priorities such as \$500 million for a network of charging stations for electric vehicles, \$3.3 billion for energy efficiency projects for low-income housing, and \$1 billion for solar projects in underserved areas as defined by the bill.

- The Rules Committee print can be found [HERE](#).
- The text of H.R. 2 as reported by the House Transportation and Infrastructure (T&I) Committee can be found [HERE](#).
- The T&I Committee report accompanying the bill can be found [HERE](#).
- The Section-by-Section summary can be found [HERE](#).

A number of amendments were offered to HR 2 that we are continuing to review. A breakdown of all the amendments offered are as follows:

1. **En Bloc #1:** 45 Democratic amendments (accepted)
2. **En Bloc #2:** 34 Democratic amendments (accepted)
3. **En Bloc #3:** 28 Democratic amendments (accepted)
4. **En Bloc #4:** 17 Bipartisan & 10 Republican amendments (accepted)
5. **En Bloc #5:** 25 Democratic amendments (accepted)
6. **En Bloc #6:** 8 Republican amendments (failed)
7. **Amendment #178:** Republican amendment offered by Rep. Virginia Foxx (R-NC) (failed)
8. **Amendment #21:** Democratic amendment offered by Reps. Courtney (CT), Himes (CT), Hayes (CT), DeLauro (CT), John Larson (CT) (withdrawn)
9. **Amendment #195:** Democratic amendment offered by Reps. Tlaib (MI), Kildee (D-MI), Slotkin (D-MI) (accepted)

House Republicans have criticized the bill citing a complete lack of Republican input throughout the process. Upon passage of HR 2, Ranking Member Graves made the following statement:

If the Speaker had taken this seriously, the House would have passed a consensus surface transportation infrastructure bill that could move highway, bridge, and transit projects forward with commonsense policies.

If this effort had been taken seriously, the House would have voted to empower our states and local communities to move ahead with long-term transportation plans and projects to help rural and urban communities alike, providing a dose of desperately needed stability during one of the most uncertain times for transportation sectors and workers that I can remember.

But that's not the bill the House approved today. The House passed a bill to appease the Majority's most liberal Members by turning our transportation system upside down with unworkable Green New Deal requirements. By passing this bill, the Speaker would rather heap an irresponsible amount of debt onto our children instead of seeking market-driven, collaborative, bipartisan solutions to improve our infrastructure.

To put it simply, the House passed a bill that won't get signed into law and won't do anything for our infrastructure.

-Congressman Sam Graves (R-MO)

House T&I Republicans did release their own version of a Surface Transportation Reauthorization called the STARTER Act. The text of the bill can be found [HERE](#). A Section-by-Section summary can be found [HERE](#).

Senate Environment and Public Works (EPW) Committee chairman also released a statement saying that the Democrat infrastructure bill is completely partisan and a "road to nowhere." The American Association of State Highway and Transportation Officials also issued a statement saying that H.R. 2 does not address many priorities for state DOTs and in some cases will make it more difficult for states to address critical transportation challenges.

Additionally, President Trump issued a veto threat on H.R. 2 on Monday, June 29th. The Statement of Administration Policy says that the veto threat is because the bill is biased against rural America and is entirely debt financed. The White House also criticized the bill for not addressing unnecessary permitting delays, and a lack of any cost-saving proposals to address ineffective, inefficient, or outdated programs. The complete SAP can be found [HERE](#).

As indicated by Congressman Sam Graves' statement, this bill is not likely going to be taken up in the Senate. Nevertheless, many Members do expect some type of Highway Bill extension to be considered sometime in September. That extension may also need to include additional funding based on new models that are predicting the HTF may become insolvent as early as April-May 2021, and the Mass Transit Account being completely insolvent by June 2021. This is partly due to a decrease in tax revenue over the last few months. In the past, Congress has provided for some "general fund transfers" to bailout the HTF.

FY 21 Appropriations Update

The House Appropriations Committee will move forward with marking-up its twelve spending bills for FY 2021 next month, with plans to have the bills on the floor before the

August recess. In a 'Dear Colleague' letter circulated to Committee members from Chairwoman Nita Lowey (D-NY) the Committee will begin its process with subcommittee-level markups for all twelve bills between July 6-8, and full Committee markups will begin on July 9.

The current Committee markup schedule is as follows:

- **July 6:**
 - State-Foreign Operations (4 p.m.);
 - Agriculture (6 p.m.); and
 - Military Construction-Veterans Affairs (8 p.m.)
- **July 7:**
 - Homeland Security (9 a.m.);
 - Interior-Environment (11 a.m.);
 - Legislative Branch (1 p.m.);
 - Energy-Water (3 p.m.); and
 - Labor-HHS-Education (5 p.m.)
- **July 8:**
 - Commerce-Justice-Science (9 a.m.);
 - **Transportation-Housing and Urban Development (11 a.m.);**
 - Financial Services (1 p.m.);
 - Defense (3 p.m.);
 - Full Committee markup run-through (4 p.m.)
- **July 9: *Full committee markup of***
 - Subcommittee funding allocations, or 302(b) allocations,
 - State-Foreign Operations,
 - Agriculture, and
 - **Transportation, Housing and Urban Development (time TBD)**
- **July 10: *Full committee markup of***
 - Interior-Environment and
 - Energy-Water (time TBD).

In the Senate, Appropriations Committee Chairman Richard Shelby (R-AL) has indicated he wants to avoid policy debates, instead urging his Democratic colleagues to seek those reforms via separate legislation outside the Committee's jurisdiction. Similarly, Committee Republicans are reportedly insisting that any additional funding to address the coronavirus pandemic should be sought through an additional emergency supplemental spending package. House Appropriations Democrats, however, have already indicated they plan to include funding to respond to and recover from the coronavirus pandemic, and are open to addressing policing reforms in their FY 2021 spending bills. The full Senate Appropriations Committee was expected to begin markups of at least three of its FY 2021 spending bills this week, with at least four more scheduled for the following week.

However, that schedule is likely be delayed unless Senate leadership can reach an agreement on a path forward.

Senate Begins Work on New Stimulus Package

On July 1st, Senate Republicans released a statement saying they have begun work on a new stimulus package focusing on children, jobs, and healthcare. Senate Appropriations Subcommittee Chairman (LHHSE) Roy Blunt (R-MO) said that he is directing his Subcommittee Members to begin working on a division that would provide more testing for COVID-19, as well as additional resources for therapeutics and vaccine research. Senator Blunt said that a full package should be ready for release near the end of July. At the time of this report, it is unclear if the Senate bill will include other provisions from the House Heroes Act.

Executive Order 13927 - Accelerating the Nation's Economic Recovery from the COVID-19 Emergency by Expediting Infrastructure Investments and Other Activities

On June 4th the President signed EO 13927 to expedite infrastructure project delivery during the declared COVID-19 National Emergency. The EO directs the Department of Transportation, Army Corps of Engineers Civil Works, Department of Defense, and Department of Interior to submit a report to the Office of Management and Budget listing projects that should be, or have been, expedited using all relevant emergency and other authorities. These projects can include transportation infrastructure projects, water resources projects, federal lands projects, NEPA regulations and procedures, Endangered Species Act emergency consultation procedures, and other existing authorities to expedite project delivery.

House Select Committee on the Climate Crisis Report

House Select Committee on the Climate Crisis published on June 30th a 547-page [report](#) entitled "Solving the Climate Crisis: The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America." The report, released as a majority staff report, lays out an extensive list of detailed and actionable climate solutions for Congress to enact to improve the health and protect the safety of the American people from climate change.

US DOT and COVID-19 Response Efforts

On June 12th, DOT announced nearly 100 million facial coverings will be sent to the aviation, transit, and passenger rail transportation sectors for passenger use. Around 86.8 million coverings were sent to airports. According to the [press release](#), "The U.S.

Department of Transportation (DOT), alongside the U.S. the Department of Homeland Security (DHS) and U.S. Department of Health and Human Services (HHS), have been working with states, industries, and stakeholders to ensure that the traveling public has access to cloth facial coverings. The cloth facial coverings secured by the Federal Emergency Management Agency (FEMA) will be sent to airports, transit agencies, and Amtrak over the coming weeks through the U.S. Postal Service.”

House T&I Hearing on Impacts of COVID-19 on Transportation Workers

On June 9th, the House Transportation and Infrastructure Committee held a remote hearing entitled, “[On the Front Lines: The Impacts of COVID-19 on Transportation Workers](#),” hearing from: Mr. Larry Willis, President, Transportation Trades Department of the AFL-CIO; Mr. LaMont Byrn, Director of Health and Safety International Brotherhood of Teamsters; Ms. Susannah Carr, Flight Attendant, United Airlines, on behalf of the Association of Flight Attendants – CWA; Mr. Tom Shaw, Transit Operator, Southeastern Pennsylvania Transportation Authority on behalf of the Transportation Workers Union; and, Mr. Randy Guillot, President, Triple G Express, Inc. and Southeast Motor Freight Inc., and Chairman, American Trucking Associations, on behalf of the American Trucking Associations.

INFRA Awards Announced by DOT

On June 18th, the Department of Transportation announced the award of \$906 million in INFRA Grants. This is the final installment of FAST Act funding for the program unless reauthorized, totaling \$4.1 billion spread over 94 projects in the last five years. No California projects were included in the latest awards.



July 16, 2020

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: State Legislative Status Report

Overview

A support position is recommended on legislation that would provide flexibility for the Federal Transportation Improvement Program submittal process. Updates are provided on actions related to the Fiscal Year 2020-21 State Budget and associated trailer bills, as well as guidance on measuring transportation impacts under the environmental review process.

Recommendation

Adopt a SUPPORT position on SB 1291 (Senate Committee on Transportation), which would provide flexibility in the schedule for submittal of the Federal Transportation Improvement Program in 2020.

Discussion

SB 1291 (Senate Committee on Transportation): Federal Statewide Transportation Improvement Program (FTIP): submissions

State statute requires that an FTIP be submitted every two years, whereas federal law only requires an FTIP every four years. Every two years, the Orange County Transportation Authority (OCTA) develops a list of regionally-significant projects that require federal funding or approval in Orange County to inform the development of the regional FTIP by the Southern California Association of Governments (SCAG), the region's metropolitan planning organization (MPO). SCAG must submit the regional FTIP to the California Department of Transportation (Caltrans) by October 1 of every even-numbered year. After compiling all of the regional FTIPs, Caltrans must submit the statewide FTIP to the Federal Highway Administration (FHWA) by December 1 of every even-numbered year.

SB 1291 would provide flexibility in the FTIP submittal process in 2020. The bill specifies that regional agencies, MPOs, and Caltrans are not required to develop and submit regional and statewide FTIP documents to FHWA for approval in 2020 only. After this cycle, the normal biennial submittal process required by State statute would resume.

The events of this year have greatly complicated the FTIP development schedule. The implementation of the Safer Affordable Fuel-Efficient Vehicles Rule, a federal air quality rulemaking being finalized in two parts, resulted in significant delays at the beginning of the year, with MPOs working to understand the rulemaking's consequences for development of the FTIP. Unfortunately, the novel coronavirus (COVID-19) pandemic has only further complicated the situation. While the SCAG region is likely to submit its regional FTIP by the statutory deadline, other regions are experiencing delays in the FTIP development process due to the COVID-19 pandemic. Projects in the SCAG region will be impacted if Caltrans cannot submit the statewide FTIP to FHWA by the statutory deadline on December 1. As such, SB 1291 is necessary to ensure a one-time waiver for the FTIP development schedule to allow for the adequate planning of transportation projects during this unprecedented national emergency.

The text of SB 1291 and a comprehensive analysis of the legislation are included as Attachment A. A SUPPORT position on SB 1291 is consistent with OCTA's 2019-2020 State Legislative Platform principle to "Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements." SB 1291 is supported by the California Association of Councils of Government and various MPOs and transportation agencies including SCAG and the San Diego Association of Governments.

An Overview of the Final State Budget

After significant negotiations, the final budget agreement and associated trailer bills were approved by the State Legislature and, subsequently, signed by Governor Gavin Newsom on June 29, 2020. The state budget provides \$139.7 billion in total General Fund resources for fiscal year (FY) 2020-21. The state budget assumes a \$54 billion deficit, stemming from an approximately 22 percent decrease in revenues projected in FY 2020-21. Under this budget agreement, total General Fund expenditures for the 2020-21 FY are \$133.9 billion. It is expected that there will be further adjustments to this final budget later this year, after revenues from the extended tax deadline in July are fully realized.

Initially, due to the COVID-19 pandemic creating a considerably truncated budget schedule, the State Legislature passed a placeholder budget by its Constitutionally prescribed deadline on June 15, 2020. However, they had yet to reach a deal with Governor Newsom by this deadline. Negotiations remained ongoing, including issues related to labor agreements, cuts to education, and the overall trigger structure for when reductions to programs would occur. The Legislature's initial budget significantly differed from the Governor's May Revision in its assumption that \$14 billion in additional federal funding would be available to offset baseline General Fund costs. If the federal funding did not materialize, funding cuts would then take place October 1, 2020. However, the final budget agreement departs from the Legislature's "trigger down" approach, as aforementioned, changing the structure to a "trigger up" approach, which assumes budget reductions immediately, but provides funding restorations or augmentation to programs if additional federal funds are received by October 15, 2020. These programs include public university funding, county realignment backfill, and state employee compensation. The budget agreement withdraws \$7.8 billion from the Rainy-Day Fund/Budget Stabilization Account and \$450 million from the Safety Net Reserve, resulting in an end balance of \$11.4 billion left in total reserves. However, in order to access these funds under the provisions outlined in Proposition 2, the Governor must declare a budget emergency, which he officially announced on June 25, 2020.

Regarding transportation, the state budget continues to assume a decrease of \$1.8 billion in funding through FY 2024-25, with most of the reduction to occur in FY 2019-20 and 2020-21. However, the budget maintains staffing levels at Caltrans to ensure projects continue to move forward.

The final budget agreement defers decisions related to the \$965 million cap-and-trade expenditure plan until later in the year, when more certainty exists with the revenues. For context, the State will receive an estimated \$25 million from the latest auction on May 20, 2020, compared to \$612 million in the previous February auction. Given these results, the total FY 2019-20 revenue will be approximately \$2.1 billion, which is \$300 million less than assumed in the budget. It is not yet clear how this decrease in revenue will impact discretionary programs within the Greenhouse Gas Reduction Fund, like the Low Carbon Transit Operations Program (LCTOP). Overall, continuously appropriated programs are expected to receive an estimated \$1.2 billion in FY 2019-20, which is \$170 million less than the budget assumed. In the final budget agreement, a proposal to provide \$200,000 for the California Air Resources Board (CARB) to conduct a formal rulemaking to improve the cap-and-trade program was rejected, due to concerns that this effort made the program appear too focused on revenue generation. Instead, such improvements will be considered as part of CARB's next scheduled evaluation of the program in 2022.

The final budget agreement allocates \$1.289 billion in Coronavirus Aid, Relief, and Economic Security (CARES) Act funding to counties for homelessness, public health, public safety, and other services in response to the COVID-19 pandemic. In addition, \$500 million in CARES Act funding is provided for cities for the same purposes, with \$225 million to cities with a population over 300,000 that did not receive a direct allocation, and \$275 million to cities with a population less than 300,000. However, a provision in the language makes this money contingent on local governments abiding by the state of emergency declared by the Governor and the compliance of various guidance released by the California Department of Public Health on lifting the statewide stay-at-home order as declared in Executive Order N-33-20.

An Overview of State Budget Trailer Bills

In conjunction with the state budget, nineteen trailer bills were considered by the State Legislature. Upon signing by the Governor, these policies take effect immediately. The transportation trailer bill contains several important provisions, including many that OCTA worked with the California Transit Association and other transit agencies on advancing:

- Institutes a hold harmless provision for calculation and allocation of the State Transit Assistance (STA) Program, State of Good Repair, and LCTOP allocations. Such formula programs are based 50 percent on the revenues for each transit agency. For the next two years, the formulas will use the revenue amounts each transit agency reported prior to the COVID-19 pandemic.
- Prevents any financial penalty to be imposed on a transit operator that is unable to meet its farebox recovery requirement until January 1, 2022.
- For FY 2020-21 and 2021-22, exempts a transit operator from meeting STA efficiency standards, with each agency able to utilize funding for either operating or capital purposes.
- Requires retailers of aircraft jet fuel to report quarterly to the California Department of Tax and Fee Administration (CDTFA) on their sales of aircraft jet fuel. Such data will allow the CDTFA to better communicate the State and local taxing jurisdiction compliance with Federal Aviation Administration regulatory requirements that sales tax proceeds from aviation fuel be used for the benefit of airports.
- Delays adoption of the California High Speed Rail Authority's (CHSRA) Business Plan (Plan) until December 15, 2020, instead of its intended adoption date of June 25, 2020. The Assembly Transportation Committee held an oversight hearing on May 27, 2020, to discuss the draft of the Plan. During this hearing, it was made clear that the Legislature does not approve of the draft Plan and wanted further work to be done. Prior to adopting the Plan, the CHSRA would now be required

to have its Peer Review Group review the Plan prior to adoption. The bill also specifies that the 2021 project update report will no longer be required.

In addition to the transportation trailer bill, several other trailer bills passed with policies that are of interest to OCTA including trailer bill language that would do the following:

- Establishes the Climate Catalyst Revolving Loan Fund (Climate Catalyst Fund) within the State Treasuring to receive funding from private sources and non-government entities to help fund and finance eligible projects. The Climate Catalyst Fund was originally proposed in the Governor's January Budget as a state funded program, but as part of the budget agreement is now dependent on private funding and future appropriations. The Strategic Growth Council and Labor and Workforce Development Agency is to identify potential eligible categories of projects, with the aim to further the state's climate goals, activities that reduce climate risk, and the implementation of low-carbon technology and infrastructure.
- Requires state employees during FY 2020-21 to participate in the Personal Leave Program (PLP), which requires state employees to receive a pay reduction of no more than ten percent. For state employees not subject to the PLP, the Department of Human Resources will adopt a plan for those employees to be furloughed for two workdays per calendar month until June 30, 2021.
- Although not a trailer bill, the overall budget agreement also includes SB 1383 (Jackson, D-Santa Barbara) which is related to family leave. This legislation expands the California Family Rights Act to prohibit employers with five or more employees to refuse to grant an employee request to take up to 12 weeks of unpaid leave for family care and medical leave. At the time of the drafting of this staff report, this bill was still awaiting passage by the Legislature.

SB 743 (Chapter 386, Statutes of 2013) Implementation

The regulations implementing SB 743 (Chapter 386, Statutes 2013), which would change the standard for measuring traffic impacts from the traditional metric of level of service to vehicle miles travelled (VMT), are scheduled to officially take effect on July 1, 2020. Caltrans is developing guidance specific to transportation projects on the State Highway System (SHS), with implementation to occur in September 2020. In coordination with the other county transportation commissions in the SCAG region, OCTA provided correspondence, included as Attachment B, to Caltrans outlining concerns and suggested improvements to the SHS-specific guidance. Specifically, the letter emphasizes that Caltrans

should prioritize a regional approach to VMT reduction by allowing for localized traffic demand modeling; facilitating more opportunities for programmatic VMT reductions, a concept known as “tiering”; and developing further guidance on regional VMT mitigation efforts. Despite ongoing advocacy efforts to delay SB 743 implementation, at this point no state budget trailer bill or legislation has advanced to facilitate such delay. Staff will continue to provide updates should these efforts result in policy changes that impact OCTA’s project delivery process.

Summary

A support position is recommended on legislation related to federal planning requirements, information on the final state budget is provided, and an update on revisions to environmental analysis guidance.

Attachments

- A. SB 1291 (Senate Committee on Transportation) Bill Analysis with Bill Language
- B. Letter to Ms. Ellen Greenberg re: Comments On The Draft ‘Transportation Analysis Framework’ (TAF) and Draft ‘Transportation Analysis Under CEQA’ (TAC), dated June 15, 2020
- C. Orange County Transportation Authority Legislative Matrix

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BILL: SB 1291 (Senate Committee on Transportation)
Introduced February 21, 2020
Amended March 26, 2020
Amended April 3, 2020

SUBJECT: Provides flexibility in the deadline for submittal of the Federal Transportation Improvement Program in 2020.

STATUS: Pending in Assembly Transportation Committee
Passed Senate floor 39-0
Passed Senate Appropriations Committee on consent calendar
Passed Senate Transportation Committee 13-0

SUMMARY as of June 26, 2020:

SB 1291 (Senate Committee on Transportation), an urgency bill, clarifies that metropolitan planning organizations and regional transportation agencies do not have to submit their regional Federal Transportation Improvement Program (FTIP) to the California Department of Transportation (Caltrans) in 2020, with the next required submittal in 2022. The bill also specifies that Caltrans is not required to develop and submit the statewide FTIP documents to the Federal Highway Administration (FHWA) for approval in 2020. In both instances, the language allows flexibility for regional agencies, MPOs and Caltrans to continue to develop an FTIP, if needed, prior to 2022. Under SB 1291, the FTIP development schedule would then return to every two years under state law, and by federal law every four years, after the one-time waiver facilitated by the bill.

EFFECTS ON ORANGE COUNTY:

State statute requires that an FTIP be submitted every two years, whereas federal law only requires an FTIP every four years. Every two years, the Orange County Transportation Authority (OCTA) develops a list of regionally-significant projects that require federal funding or approval in Orange County to inform the development of the regional FTIP by the Southern California Association of Governments (SCAG), the MPO. SCAG must submit the regional FTIP to the Caltrans by October 1 of every even-numbered year. After compiling all of the regional FTIPs from across California, Caltrans must submit the statewide FTIP to the FHWA by December 1 of every even-numbered year.

The events of this year have greatly complicated the FTIP development schedule. The implementation of the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, a federal air quality rulemaking being finalized in two parts, created significant uncertainty at the beginning of the year. Both Part One and Part Two of the SAFE Vehicles Rule created delays across California, with MPOs working to understand the rulemaking's consequences for the FTIP development process. Even under normal circumstances,

many MPOs would have been pressed to submit a regional FTIP by the statutory deadline of October 1 due to these delays.

Unfortunately, the novel coronavirus (COVID-19) pandemic has only further complicated the situation. While the SCAG region is likely to submit its regional FTIP by the statutory deadline, other regions are experiencing delays in the FTIP development process due to the COVID-19 pandemic. Projects in the SCAG region will be impacted if Caltrans cannot submit the statewide FTIP to FHWA by the statutory deadline on December 1. Based on a statewide consensus among MPOs across California, Caltrans plans to develop and submit the statewide FTIP to FHWA early next year. This approach, however, would not be allowable under current State law. As such, SB 1291 is necessary to ensure a one-time waiver for the FTIP development schedule to allow for the adequate planning of transportation projects during this unprecedented national emergency. Since State law requires an FTIP more frequently than federal law, the bill does not, in any way, conflict with the FTIP requirements in federal law.

A SUPPORT position on SB 1291 is consistent with OCTA's 2019-2020 State Legislative Platform principle to "Ensure that air quality determinations and policies do not constrain funding availability or otherwise undermine OCTA's ability to deliver transportation improvements." SB 1291 is supported by the California Association of Councils of Government and various MPOs and transportation agencies including SCAG and the San Diego Association of Governments.

OCTA POSITION:

Staff recommends: SUPPORT

AMENDED IN SENATE APRIL 3, 2020

AMENDED IN SENATE MARCH 26, 2020

SENATE BILL

No. 1291

Introduced by ~~Senator Beall~~ *Committee on Transportation (Senators Beall (Chair), Bates (Vice Chair), Allen, Dahle, Dodd, Galgiani, Lena Gonzalez, McGuire, Moorlach, Morrell, Roth, Rubio, Skinner, Umberg, and Wieckowski)*

February 21, 2020

An act to amend Section 65074 of the Government Code, and to amend Sections 182.6 and 182.7 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1291, as amended, ~~Beall~~ *Committee on Transportation*. Federal Statewide Transportation Improvement Program: submissions.

Existing law provides for the allocation of certain federal transportation funds apportioned to the state between state purposes administered by the Department of Transportation and local and regional purposes administered by various regional agencies. Existing law requires each metropolitan planning organization and transportation planning agency, not later than October 1 of each even-numbered year, to submit its Federal Transportation Improvement Program to the department for incorporation into the Federal Statewide Transportation Improvement Program, which existing law requires the department to submit to the United States Secretary of Transportation by not later than December 1 of each even-numbered year.

This bill would provide that a metropolitan planning organization or transportation planning agency is not required to submit a Federal

Transportation Improvement Program to the department, and the department is not required to submit the Federal Statewide Transportation Improvement Program to the secretary, for 2020.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 65074 of the Government Code is amended to read:

65074. (a) The department shall prepare, in cooperation with the metropolitan planning agencies, a Federal Statewide Transportation Improvement Program in accordance with ~~subsection (g) of Section 135~~ 135(g) of Title 23 of the United States Code. The Federal Statewide Transportation Improvement Program shall be submitted by the department to the United States Secretary of ~~Transportation~~, *Transportation* by not later than December 1 of each even-numbered year.

(b) Notwithstanding subdivision (a), the department shall not be required to submit a Federal Statewide Transportation Improvement Program to the United States Secretary of Transportation for 2020.

SEC. 2. Section 182.6 of the Streets and Highways Code is amended to read:

182.6. (a) Notwithstanding Sections 182 and 182.5, Sections 188, 188.8, and 825 do not apply to the expenditure of an amount of federal funds equal to the amount of federal funds apportioned to the state pursuant to that portion of ~~subsection (b)(3) of Section 104~~, ~~subsections (a) and (c) of 104(b)(3)~~, Section ~~157~~, 157(a) and (c), and ~~subsection (d) of Section 160~~ 160(d) of Title 23 of the United States Code that is allocated within the state subject to ~~subsection (d)(3) of Section 133~~ 133(d)(3) of that code. These funds shall be known as the regional surface transportation program funds. The department, the transportation planning agencies, the county transportation commissions, and the metropolitan planning organizations may do all things necessary in their jurisdictions to secure and expend those federal funds in accordance with the intent of federal law and this chapter.

(b) The regional surface transportation program funds shall be apportioned by the department to the metropolitan planning organizations designated pursuant to Section 134 of Title 23 of the United States Code and, in areas where none has been designated, to the transportation planning agency designated pursuant to Section 29532 of the Government Code. The funds shall be apportioned in the manner and in accordance with the formula set forth in ~~subsection (d)(3) of Section 133~~ 133(d)(3) of Title 23 of the United States Code, except that the apportionment shall be among all areas of the state. Funds apportioned under this subdivision shall remain available for three federal fiscal years, including the federal fiscal year apportioned.

(c) (1) Where county transportation commissions have been created by the County Transportation Commissions Act (Division 12 (commencing with Section 130000) of the Public Utilities Code), all regional surface transportation program funds shall be further apportioned by the metropolitan planning organization to the county transportation commission on the basis of relative population.

(2) In the Monterey Bay region, all regional surface transportation program funds shall be further apportioned, on the basis of relative population, by the metropolitan planning organization to the regional transportation planning agencies designated under subdivision (b) of Section 29532 of the Government Code.

(d) The applicable metropolitan planning organization, county transportation commission, or transportation planning agency shall annually apportion the regional surface transportation program funds for projects in each county, as follows:

(1) An amount equal to the amount apportioned under the federal-aid urban program in federal fiscal year 1990–91 adjusted for population. The adjustment for population shall be based on the population determined in the 1990 federal census except that no county shall be apportioned less than 110 percent of the apportionment received in the 1990–91 fiscal year. These funds shall be apportioned for projects implemented by cities, counties, and other transportation agencies on a fair and equitable basis based upon an annually updated five-year average of allocations. Projects shall be nominated by cities, counties, transit operators,

1 and other public transportation agencies through a process that
2 directly involves local government representatives.

3 (2) An amount not less than 110 percent of the amount that the
4 county was apportioned under the federal-aid secondary program
5 in federal fiscal year 1990–91, for use by that county.

6 (e) (1) The department shall notify each metropolitan planning
7 organization, county transportation commission, and transportation
8 planning agency receiving an apportionment under this section,
9 as soon as possible each year, of the amount of obligation authority
10 estimated to be available for program purposes.

11 (2) The metropolitan planning organization and transportation
12 planning agency, in cooperation with the department, congestion
13 management agencies, cities, counties, and affected transit
14 operators, shall select and program projects in conformance with
15 federal law. The metropolitan planning organization and
16 transportation planning agency shall submit its Federal
17 Transportation Improvement Program prepared pursuant to Section
18 134 of Title 23 of the United States Code to the department for
19 incorporation into the Federal Statewide Transportation
20 Improvement Program not later than October 1 of each
21 even-numbered year. The Federal Transportation Improvement
22 Programs shall, at a minimum, include the years covered by the
23 Federal Statewide Transportation Improvement Program.

24 (3) Notwithstanding paragraph (2), a metropolitan planning
25 organization or transportation planning agency shall not be required
26 to submit a Federal Transportation Improvement Program to the
27 department for 2020.

28 (f) Not later than July 1 of each year, the metropolitan planning
29 organizations, and the regional transportation planning agencies,
30 receiving obligational authority under this article shall notify the
31 department of the projected amount of obligational authority that
32 each entity intends to use during the remainder of the current
33 federal fiscal year, including, but not limited to, a list of projects
34 that will be obligated by the end of the current federal fiscal year.
35 Any federal obligational authority that will not be used shall be
36 redistributed by the department to other projects in a manner that
37 ensures that the state will continue to compete for and receive
38 increased obligational authority during the federal redistribution
39 of obligational authority. If the department does not have sufficient
40 federal apportionments to fully use excess obligational authority,

the metropolitan planning organizations or regional transportation planning agencies relinquishing obligational authority shall make sufficient apportionments available to the department to fund alternate projects, when practical, within the geographical areas relinquishing the obligational authority. Notwithstanding this subdivision, the department shall comply with ~~subsections (d)(3) and (f) of Section 133~~ 133(d)(3) and (f) of Title 23 of the United States Code.

(g) A regional transportation planning agency that is not designated as, ~~nor~~ or represented by, a metropolitan planning organization with an urbanized area population greater than 200,000 pursuant to the 1990 federal census may exchange its annual apportionment received pursuant to this section on a dollar-for-dollar basis for nonfederal State Highway Account funds, which shall be apportioned in accordance with subdivision (d).

(h) (1) If a regional transportation planning agency described in subdivision (g) does not elect to exchange its annual apportionment, a county located within the boundaries of that regional transportation planning agency may elect to exchange its annual apportionment received pursuant to paragraph (2) of subdivision (d) for nonfederal State Highway Account funds.

(2) A county not included in a regional transportation planning agency described in subdivision (g), whose apportionment pursuant to paragraph (2) of subdivision (d) was less than 1 percent of the total amount apportioned to all counties in the state, may exchange its apportionment for nonfederal State Highway Account funds. If the apportionment to the county was more than 3 ½ percent of the total apportioned to all counties in the state, it may exchange that portion of its apportionment in excess of 3 ½ percent for nonfederal State Highway Account funds. Exchange funds received by a county pursuant to this section may be used for any transportation purpose.

(i) The department shall be responsible for closely monitoring the use of federal transportation funds, including regional surface transportation program funds to ensure full and timely use. The department shall prepare a quarterly report for submission to the commission regarding the progress in use of all federal transportation funds. The department shall notify the commission and the appropriate implementation agency whenever there is a

1 failure to use federal funds within the three-year apportionment
2 period established under subdivision (b).

3 (j) The department shall provide written notice to implementing
4 agencies when there is one year remaining within the three-year
5 apportionment period established under subdivision (b) of this
6 section.

7 (k) Within six months of the date of notification required under
8 subdivision (j), the implementing agency shall provide to the
9 department a plan to obligate funds that includes, but need not be
10 limited to, a list of projects and milestones.

11 (l) If the implementing agency has not met the milestones
12 established in the implementation plan required under subdivision
13 (k), before the end of the three-year apportionment period
14 established under subdivision (b), the commission shall redirect
15 those funds for use on other transportation projects in the state.

16 (m) Notwithstanding subdivisions (g) and (h), regional surface
17 transportation program funds available under this section
18 exchanged pursuant to Section 182.8 may be loaned to and
19 expended by the department. The department shall repay from the
20 State Highway Account to the Traffic Congestion Relief Fund all
21 funds received as federal reimbursements for funds exchanged
22 under Section 182.8 as they are received from the Federal Highway
23 Administration, except that those repayments are not required to
24 be made more frequently than on a quarterly basis.

25 (n) Before determining the amount for local subvention required
26 by this section, the department shall first deduct the amount
27 authorized by the Legislature for increased department oversight
28 of the federal subvented program.

29 SEC. 3. Section 182.7 of the Streets and Highways Code is
30 amended to read:

31 182.7. (a) Notwithstanding Sections 182 and 182.5, Sections
32 188, 188.8, and 825 do not apply to the expenditure of an amount
33 of federal funds equal to the amount of federal funds apportioned
34 to the state pursuant to Section 104(b)(4) of Title 23 of the United
35 States Code. These funds shall be known as the congestion
36 mitigation and air quality improvement program funds and shall
37 be expended in accordance with Section 149 of Title 23 of the
38 United States Code, including the requirements relating to
39 particulate matter less than 2.5 micrometers in diameter in
40 ~~subsections (g) and (k) of the section.~~ *Section 149(g) and (k) of*

1 *that title.* The department, the transportation planning agencies,
2 and the metropolitan planning organizations may do all things
3 necessary in their jurisdictions to secure and expend those federal
4 funds in accordance with the intent of federal law and this chapter.

5 (b) The congestion mitigation and air quality improvement
6 program funds shall be apportioned by the department to the
7 metropolitan planning organizations designated pursuant to Section
8 134 of Title 23 of the United States Code and, in areas where none
9 has been designated, to the transportation planning agency
10 established by Section 29532 or 29532.1 of the Government Code.
11 All funds apportioned to the state pursuant to Section 104(b)(4)
12 of Title 23 of the United States Code shall be apportioned to
13 metropolitan planning organizations and transportation planning
14 agencies responsible for air quality conformity determinations in
15 federally designated air quality nonattainment and maintenance
16 areas within the state as follows:

17 (1) The department shall apportion these funds in the ratio that
18 the weighted nonattainment and maintenance population in each
19 federally designated area within the state bears to the total of all
20 weighted nonattainment and maintenance area populations in the
21 state.

22 (2) Subject to paragraph (3), the weighted nonattainment and
23 maintenance area population shall be calculated by multiplying
24 the population of each area in the state that is a nonattainment area
25 or maintenance area as described in Section 149(b) of Title 23 of
26 the United States Code for ozone or carbon monoxide by the
27 following factors:

28 (A) A factor of 1.0, if, at the time of apportionment, the area is
29 a maintenance area.

30 (B) A factor of 1.0, if, at the time of the apportionment, the area
31 is classified as a marginal ozone nonattainment area under Subpart
32 2 of Part D of Title I of the Clean Air Act (42 U.S.C. Sec. 7511 et
33 seq.).

34 (C) A factor of 1.1, if, at the time of the apportionment, the area
35 is classified as a moderate ozone nonattainment area under Subpart
36 2 of Part D of Title I of the Clean Air Act (42 U.S.C. Sec. 7511 et
37 seq.).

38 (D) A factor of 1.2, if, at the time of the apportionment, the area
39 is classified as a serious ozone nonattainment area under Subpart

1 2 of Part D of Title I of the Clean Air Act (42 U.S.C. Sec. 7511 et
2 seq.).

3 (E) A factor of 1.3, if, at the time of the apportionment, the area
4 is classified as a severe ozone nonattainment area under Subpart
5 2 of Part D of Title I of the Clean Air Act (42 U.S.C. Sec. 7511 et
6 seq.).

7 (F) A factor of 1.4, if, at the time of the apportionment, the area
8 is classified as an extreme ozone nonattainment area under Subpart
9 2 of Part D of Title I of the Clean Air Act (42 U.S.C. Sec. 7511 et
10 seq.).

11 (G) A factor of 1.0, if, at the time of the apportionment, the area
12 is not a nonattainment or maintenance area for ozone, but is
13 classified under Subpart 3 of Part D of Title I of the Clean Air Act
14 (42 U.S.C. Sec. 7512 et seq.) as a nonattainment area for carbon
15 monoxide.

16 (H) A factor of 1.0, if, at the time of the apportionment, an area
17 is designated as a nonattainment area for ozone under Subpart 1
18 of Part D of Title I of the Clean Air Act (42 U.S.C. Sec. 7512 et
19 seq.).

20 (3) If, in addition to being designated as a nonattainment or
21 maintenance area for ozone as described in paragraph (2), any
22 county within the area is also classified under Subpart 3 of Part D
23 of Title I of the Clean Air Act (42 U.S.C. Sec. 7512 et seq.) as a
24 nonattainment or maintenance area described in paragraph (2) for
25 carbon monoxide, the weighted nonattainment or maintenance
26 area population of the county, as determined under subparagraphs
27 (A) to (F), inclusive, or subparagraph (H) of paragraph (2), shall
28 be further multiplied by a factor of 1.2.

29 (4) Funds allocated under this subdivision shall remain available
30 for three federal fiscal years, including the federal fiscal year
31 apportioned.

32 (c) (1) Notwithstanding subdivision (b), where county
33 transportation commissions have been created by the County
34 Transportation Commissions Act (Division 12 (commencing with
35 Section 130000) of the Public Utilities Code), all congestion
36 mitigation and air quality improvement program funds shall be
37 further apportioned by the metropolitan planning organization to
38 the county transportation commission on the basis of relative
39 population within the federally designated air quality nonattainment
40 and maintenance areas after first apportioning to the nonattainment

1 and maintenance areas in the manner and in accordance with the
2 formula set forth in subdivision (b).

3 (2) In the Monterey Bay region, all congestion mitigation and
4 air quality improvement program funds shall be further
5 apportioned, on the basis of relative population, by the metropolitan
6 planning organization to the regional transportation planning
7 agencies designated under subdivision (b) of Section 29532 of the
8 Government Code.

9 (d) (1) The department shall notify each metropolitan planning
10 organization, transportation planning agency, and county
11 transportation commission receiving an apportionment under this
12 section, as soon as possible each year, of the amount of obligational
13 authority estimated to be available for expenditure from the federal
14 apportionment. The metropolitan planning organizations,
15 transportation planning agencies, and county transportation
16 commissions, in cooperation with the department, congestion
17 management agencies, cities and counties, and affected transit
18 operators, shall select and program projects in conformance with
19 federal law. Each metropolitan planning organization and
20 transportation planning agency shall, not later than October 1 of
21 each even-numbered year, submit its Federal Transportation
22 Improvement Program prepared pursuant to Section 134 of Title
23 23 of the United States Code to the department for incorporation
24 into the Federal Statewide Transportation Improvement Program.
25 Federal Transportation Improvement Programs shall, at a
26 minimum, include the years covered by the Federal Statewide
27 Transportation Improvement Program.

28 (2) Notwithstanding paragraph (1), a metropolitan planning
29 organization or transportation planning agency shall not be required
30 to submit a Federal Transportation Improvement Program to the
31 department for 2020.

32 (e) Not later than July 1 of each year, the metropolitan planning
33 organizations and the regional transportation planning agencies
34 receiving obligational authority under this section, shall notify the
35 department of the projected amount of obligational authority that
36 each entity intends to use during the remainder of the current
37 federal fiscal year, including, but not limited to, a list of projects
38 that will use the obligational authority. Any federal obligational
39 authority that will not be used shall be redistributed by the
40 department to other projects in a manner that ensures that the state

1 will continue to compete for and receive increased obligational
2 authority during the federal redistribution of obligational authority.
3 If the department does not have sufficient federal apportionments
4 to fully use excess obligational authority, the metropolitan planning
5 organization or transportation planning agency relinquishing
6 obligational authority shall make sufficient funding available to
7 the department to fund alternate projects, when practical, within
8 the geographical areas relinquishing the obligational authority.
9 Notwithstanding this subdivision, the department shall comply
10 with ~~subsection (f) of Section 133~~ 133(f) of Title 23 of the United
11 States Code.

12 (f) The department shall be responsible for closely monitoring
13 the use of federal transportation funds, including congestion
14 management and air quality improvement program funds to ensure
15 full and timely use. The department shall prepare a quarterly report
16 for submission to the commission regarding the progress in use of
17 all federal transportation funds. The department shall notify the
18 commission and the appropriate implementation agency whenever
19 there is a failure to use federal funds within the three-year
20 apportionment period established under paragraph (4) of
21 subdivision (b).

22 (g) The department shall provide written notice to implementing
23 agencies when there is one year remaining within the three-year
24 apportionment period established under paragraph (4) of
25 subdivision (b).

26 (h) Within six months of the date of notification required under
27 subdivision (g), the implementing agency shall provide to the
28 department a plan to obligate funds that includes, but need not be
29 limited to, a list of projects and milestones.

30 (i) If the implementing agency has not met the milestones
31 established in the implementation plan required under subdivision
32 (h), before the end of the three-year apportionment period
33 established under paragraph (4) of subdivision (b), the commission
34 shall redirect those funds for use on other transportation projects
35 in the state.

36 (j) Congestion mitigation and air quality improvement program
37 funds available under this section exchanged pursuant to Section
38 182.8 may be loaned to and expended by the department. The
39 department shall repay from the State Highway Account to the
40 Traffic Congestion Relief Fund all funds received as federal

1 reimbursements for funds exchanged under Section 182.8 as they
2 are received from the Federal Highway Administration, except
3 that those repayments are not required to be made more frequently
4 than on a quarterly basis.

5 (k) Before determining the amount for local subvention required
6 by this section, the department shall first deduct the amount
7 authorized by the Legislature for increased department oversight
8 of the federal subvented program.

9 SEC. 4. This act is an urgency statute necessary for the
10 immediate preservation of the public peace, health, or safety within
11 the meaning of Article IV of the California Constitution and shall
12 go into immediate effect. The facts constituting the necessity are:

13 Due to changes in federal law, many metropolitan planning
14 organizations and transportation planning agencies are unable to
15 comply with existing law, which requires those entities to submit
16 Federal Transportation Improvement Programs to the Department
17 of Transportation for 2020.



June 15, 2020

Ms. Ellen Greenberg
Deputy Director for Sustainability
California Department of Transportation
120 N Street, MS 49
Sacramento CA 95814



RE: Comments On The Draft 'Transportation Analysis Framework' (TAF) and Draft
'Transportation Analysis Under CEQA' (TAC)



Dear Ms. Greenberg:



The Southern California Association of Governments (SCAG), with the support of our County Transportation Commissions (CTCs), would like to express our sincere appreciation to Caltrans for providing the opportunity to comment on the draft 'Transportation Analysis Framework' (TAF) and 'Transportation Analysis under CEQA' (TAC) guidance publications in support of the implementation of SB 743, which is scheduled to take effect statewide on July 1, 2020.



As the Metropolitan Planning Organization (MPO) representing six counties and 191 cities in Southern California, SCAG is responsible for coordinating with our CTCs and our local jurisdictions on the development of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for our region. In May 2020, SCAG's Regional Council adopted the 2020-2045 RTP/SCS (Connect SoCal), for purposes of meeting federal transportation conformity requirements. Connect SoCal is committed to further achieving regional sustainability objectives and reducing greenhouse gas (GHG) emissions.



SCAG recognizes the importance of SB 743 for the achievement of the regional sustainability goals presented in Connect SoCal, and we are committed to its successful implementation throughout our region. The use of vehicle miles traveled (VMT) as the required metric to evaluate CEQA transportation impacts will serve to reduce GHG emissions, support development of multimodal networks, and encourage mixed-use transit oriented development in our region, all of which are primary goals of Connect SoCal. SCAG also recognizes that the transition to a VMT-based transportation impact assessment metric will facilitate implementation of many of the community sustainability strategies described in Connect SoCal, while also supporting active transportation and transit system investments throughout our region.



SCAG is very much appreciative of the proactive approach Caltrans has demonstrated through the development of these important guidance documents and for providing the opportunity for public comment on them. SB 743 will present substantial change to existing practices for many of our local jurisdictions, and it is critical that implementation guidance be provided that is clear, practical, and serves to minimize any administrative and technical burdens that may be encountered by our local agencies. It is therefore



extremely important that the concerns expressed by our local implementing agencies be clearly presented in this letter so that they may be addressed and incorporated, as appropriate, in the final guidance documents. The successful implementation of SB 743 in the SCAG region is dependent on the fully cooperative engagement of our local agencies. The purpose for this letter is, therefore, to provide the opportunity for Caltrans to become aware of these local concerns in regard to the two draft guidance documents as a means to facilitate the successful implementation of SB 743 in our region.



In developing this comment letter, SCAG reached out to each of our six CTCs to understand any issues or concerns they may have in regard to the draft TAF and TAC guidance documents that have been made available by Caltrans for public comment through June 15, 2020. It is our understanding that some of our local implementing agencies, including our CTCs, will be providing separate comment letters addressing issues of specific local concern. Therefore, the scope of the comments presented in this letter will focus on areas of expressed regional concern relative to the draft TAF and TAC documents. For clarity of presentation, comments associated with each of the two documents will be discussed in turn.

Transportation Analysis Framework (TAF) Comments



The draft TAF document is focused specifically on the induced travel demand analyses required by SB 743 for applicable transportation system improvement projects. While the analysis of VMT impact generated by a new development is generally well understood and accepted by most of our local jurisdictions, the concept of induced travel demand and the associated analysis it will require, presents a much more complex issue that will require more detailed guidance and clarification.



Several of our CTCs have expressed concern in regard to the proposed induced travel demand technical methodologies presented in the draft TAF. Specifically, the 'empirical' approach outlined in the TAF proposes the use of a non-standardized VMT 'elasticity' calculation tool developed by the National Center for Sustainable Transportation (NCST) for conducting the required analysis of the VMT impact of State Highway System improvement projects. While many of our local implementing agencies have access to well-calibrated local or regional travel demand models that have already been extensively and successfully employed in the conduct of previous SB 743 related per capita VMT analyses and studies, the effective and accurate conduct of project-specific induced travel demand analysis remains a significant area of concern. In particular, several of our CTCs have expressed concern in regard to the overly simplistic induced demand calculation methodology employed by the NCST tool.



We therefore request that Caltrans provide additional information in the draft TAF guidance document to clarify that the NCST tool is not, in itself, sufficient for accurately gauging the long-term induced VMT impacts of transportation improvement projects and its results may require significant analytical supplementation by local implementing agencies for effective application within a local context. We are aware that currently



available tools for accurately assessing a project's induced VMT impact are demonstrably limited. However, it must be noted that the NCST calculation tool has not been sufficiently validated for long-term and consistently effective use in the context of SB 743 implementation in the SCAG region. Providing clarification on the appropriate application of supplemental analytical methods and tools in the assessment of a project's induced VMT impacts in the TAF would resolve much apprehension toward the implementation of SB 743 at the local level, while also facilitating a more collaborative and, ultimately, more successful statewide SB 743 implementation strategy.

Transportation Analysis under CEQA (TAC) Comments

Throughout the process of planning for SB 743 implementation, many of our local jurisdictions, particularly in the inland areas and in other parts of our region where more suburban development patterns prevail, have expressed significant concern with the application of appropriate and feasible VMT mitigation measures at the project level. Many of the standard VMT mitigation measures for highway improvement projects featured in the Governor's Office of Planning and Research (OPR) Technical Advisory are not as feasible for implementation in these locations as they are proven to be in the more centralized and densely populated areas of our region.

In view of this general area of concern, the primary issues expressed by local agencies in the SCAG region in regard to the draft TAC document are related to the topic of regional and/or programmatic VMT mitigation strategies. Specifically, we request that Caltrans provide more detail in the TAC as to how the SB 743 implementation process at the local level might be made to be more complimentary with the adopted RTP/SCS and PEIR, as a means for the possibility of allowing opportunities for programmatic 'tiering' from those documents to account for the VMT impacts of transportation system improvement projects that are already included in an adopted RTP/SCS.

Several local agencies in the SCAG region have expressed concern that site-based mitigation options may not be achievable for some of the much needed transportation system improvement projects which are already included in the approved RTP/SCS. For this reason, we are requesting that Caltrans provide more detailed clarification in the TAC on provisions for the programmatic tiering of VMT compliance for a project from an adopted RTP/SCS.

Providing the option for use of a programmatic approach to project-level VMT impact evaluation, including the possible use of tiering from an adopted RTP/SCS and its associated PEIR, would relieve local jurisdictions of the significant and costly burden of having to perform separate analyses for each individual transportation system improvement project. It should be noted, however, that while implementation of SCAG's newly adopted 2020 RTP/SCS (Connect SoCal) will significantly reduce VMT per capita in our region by 2045, and also demonstrates achievement of the 19 percent per capita GHG reduction target by 2035 as mandated for the SCAG region by the California Air Resources Board, these achievements do not necessarily correlate with fulfillment



of project-specific SB 743 VMT mitigation requirements. For this reason, clarification on the topic of programmatic tiering is requested in the TAC document.



Another topic of interest expressed by many of our local implementing agencies is in regard to another type of regional VMT mitigation strategy that may be used as an alternative to site-specific VMT interventions. The establishment of regional or subregional VMT banking or exchange programs may offer a promising alternative to the application of site-specific VMT mitigation elements, specifically in those areas of the region where traditional mitigation interventions are not demonstrably feasible. The utility of the TAC document would be significantly enhanced by the inclusion of more detailed guidance on the potential development and use of these types of regional VMT mitigation mechanisms.



SCAG looks forward to continuing our productive collaboration with Caltrans in the development of these important guidance documents to support the successful implementation of SB 743 in our region, while also minimizing the administrative and technical burdens these new requirements may impose upon our local jurisdictions. SCAG firmly believes that the successful implementation of SB 743 will greatly facilitate achievement of our region's sustainability goals as presented in Connect SoCal, specifically in our ability to plan for and implement projects, programs, and strategies that are supportive of these regional objectives.



Please keep us apprised of any means by which we may be able to further assist Caltrans to ensure the successful implementation of SB 743 throughout the SCAG region.

Should you have any questions, please contact Ms. Sarah Jepson, Director of Planning, at (213) 236-1955.



Sincerely,



Kome Ajise

KOME AJISE
Executive Director

Southern California
Association of
Governments

Darren Kettle

DARREN KETTLE
Executive Director

Ventura County
Transportation
Commission

Mark Baza

MARK BAZA
Executive Director

Imperial County
Transportation
Commission



ANNE MAYER
Executive Director

PHILLIP WASHINGTON
Chief Executive Officer

DARRELL JOHNSON
Chief Executive Officer



Riverside County
Transportation
Commission

Metropolitan Transportation
Authority

Orange County
Transportation Authority

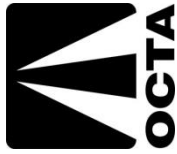


RAY WOLFE
Executive Director



San Bernardino County
Transportation Authority





Orange County Transportation Authority Legislative Matrix

2020 State Legislation Session
July 16, 2020

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
BILLS WITH POSITIONS			
AB 1402 (Petrie-Norris - D) Active Transportation Program	Requires the California Department of Transportation to award Active Transportation Program (ATP) funds to projects and small urban and rural region distribution categories and to adopt a program of projects for those distribution categories. Provides guidelines for use of funds.	<p>INTRODUCED: 02/22/2019 LAST AMEND: 03/26/2019 LOCATION: Assembly Transportation Committee</p> <p>STATUS: 02/03/2020 Died pursuant to Art. IV, Sec. 10(c) of the Constitution</p> <p>02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.</p>	<p>SPONSOR</p> <p>Support: Orange County Business Council (OCBC) (Co-Sponsor)</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
AB 1568 (McCarty – D) Housing Law Compliance: State Grants	Requires the California Department of Housing and Community Development to review any action or failure to act by a city or county that it determines is inconsistent with an adopted housing element or a specified provision of the Housing Element Law. Prohibits a city or county found to be in violation of state law from applying for a state grant, unless the eligibility of the city or county to apply is constitutionally required or the state grant funds, if awarded to the city or county, would assist in compliance.	INTRODUCED: 02/22/2019 LAST AMEND: 04/11/2019 LOCATION: Assembly Appropriations Committee STATUS: 02/03/2020 <i>Died pursuant to Art. IV, Sec. 10(c) of the Constitution</i> 02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	OPPOSE Support: California Apartment Association (Co-Sponsor), California Association of Realtors (Co-Sponsor) Opposed: Bizfed, California State Association of Counties, Marin County Council of Mayors and Councilmembers
AB 2011 (Holden – D) West San Bernardino County Rail Construction Authority	Creates the West San Bernardino County Rail Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold Line light rail project from the City of Montclair to the Ontario International Airport. Prescribes the powers and duties of the Authority.	INTRODUCED: 01/28/2020 LOCATION: Assembly Transportation Committee STATUS: 02/14/2020 To ASSEMBLY Committee on TRANSPORTATION.	OPPOSE Oppose: San Bernardino County Transportation Authority (SBCTA), Metrolink, Mobility 21, Riverside County Transportation Commission (RCTC)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
ACA 13 (Obernolte – R) Local Sales Taxes: Online Sales	Provides that, for the purpose of distributing the revenues derived under a sales tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, the retail sale of tangible personal property by a qualified retailer that is transacted online is instead consummated at the point of the delivery of that tangible personal property to the purchaser's address or to any other delivery address designated by the purchaser.	INTRODUCED: 03/26/2019 LOCATION: Assembly STATUS: 03/26/2019 INTRODUCED.	SUPPORT
SB 152 (Beall – D) Active Transportation Program	Requires that a percentage of available ATP funds be awarded to projects selected by metropolitan planning organizations (MPO) in urban areas with populations greater than a specified amount with the available funds distributed to each MPO based on its relative share of the population, a percentage to fund projects in small urban and rural regions, and a percentage to projects competitively awarded by the commission on a statewide basis.	INTRODUCED: 01/22/2019 LAST AMEND: 04/25/2019 LOCATION: Assembly STATUS: 02/03/2020 Died pursuant to Art. IV, Sec. 10(c) of the Constitution. 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	SUPPORT Support: Metropolitan Transportation Commission (sponsor), RCTC Oppose (Partial List): California Bicycle Coalition, Walk Long Beach, PolicyLink

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 526 (Allen – D) Regional Transportation Plans: Greenhouse Gas Emissions	Requires the California Air Resources Board (ARB) to adopt a regulation that requires an MPO to provide any data that the ARB determines is necessary to fulfill the requirements of a specified report and to determine if the MPO is on track to meet its greenhouse gas emission reduction target deadline. Establishes an interagency working group to develop and implement a State Mobility Action Plan for Healthy Communities.	INTRODUCED: 2/21/2019 LAST AMEND: 04/30/2019 LOCATION: Senate STATUS: 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	OPPOSE Support (Partial List): American Lung Association, ActiveSGV, California Bicycle Coalition, Coalition for Clean Air, Asthma Coalition of LA County Oppose: California Association of Councils of Governments (CALCOG)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 664 (Allen – D) Electronic Toll and Transit Fare Collection systems	Provides that a transportation agency is not prohibited from using or providing personally identifiable information for purposes of operating and managing an electronic toll collection or electronic transit fare collection system, auditing, or performing billing, collection, account maintenance, account settlement, and enforcement activities. Requires a transportation agency to limit the personally identifiable information it provides to information relevant to assist in carrying out an intended function.	<p>INTRODUCED: 02/22/2019 LAST AMEND: 9/10/2019 LOCATION: Assembly Privacy and Consumer Protection Committee</p> <p>STATUS: 09/10/2019 In ASSEMBLY. Suspend Assembly Rule 96.</p> <p>09/10/2019 Re-referred to ASSEMBLY Committees on PRIVACY AND CONSUMER PROTECTION and JUDICIARY.</p> <p>09/10/2019 From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION with author's amendments.</p> <p>09/10/2019 In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</p>	<p>SUPPORT</p> <p>Support (Partial List): California Transit Association, Transportation Corridor Agencies, Los Angeles County Metropolitan Transportation Authority, OCBC, RCTC, Bay Area Transportation Authority, Self-Help Counties Coalition</p> <p>Oppose (Partial List): American Civil Liberties Union of California, Consumer Attorneys of California (unless amended), Consumer Federation of California</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 732 (Allen – D) South Coast Air Quality Management District	Authorizes the South Coast Air Quality Management District Board of Directors to impose a transactions and use tax within the boundaries of the agency.	INTRODUCED: 2/22/2019 LAST AMEND: 01/14/2020 LOCATION: Senate STATUS: 02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.	OPOSE Support (Partial List): Coalition for Clean Air, Environmental Defense Fund, MoveLA Oppose (Partial List): San Bernardino County Transportation Authority, Orange County Taxpayers Association, California Business Roundtable
► SB 1291 (Senate Transportation Committee) Federal Statewide Transportation Improvement Program	Provides that a metropolitan planning organization or transportation planning agency is not required to submit a Federal Transportation Improvement Program to the Department of Transportation, and the department is not required to submit the Federal Statewide Transportation Improvement Program to the United States Department of Transportation.	INTRODUCED: 2/21/2020 LAST AMEND: 04/03/2020 LOCATION: Assembly <i>Transportation Committee</i> STATUS: 06/18/2020 <i>In ASSEMBLY Committee on TRANSPORTATION.</i>	STAFF RECOMMENDS: SUPPORT Support (Partial List): CALCOG, Southern California Association of Governments, San Diego Association of Governments

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
SB 1363 (Allen – D) Comprehensive Strategy	Requires that MPOs meet Vehicle Miles Traveled (VMT) reduction targets in conjunction with SB 375's (Chapter 728, Statutes of 2008) greenhouse gas (GHG) emission reduction targets. The bill requires that MPOs meet GHG and VMT reduction targets in 2035, 2045, and 2050.	INTRODUCED: 2/21/2020 LOCATION: Senate Environmental Quality Committee STATUS: 03/12/2020 To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION and HOUSING. 05/12/2020 In SENATE. 2nd & 3rd Committee referral withdrawn by rule.	OPPOSE UNLESS AMENDED Oppose: CALCOG
SB 1390 (Portantino – D) Montclair to Ontario Airport Construction Authority	Creates the Montclair to Ontario Airport Construction Authority for purposes of awarding and overseeing all design and construction contracts for completion of an extension of the Metro Gold light rail project from the city of Montclair to the Ontario International Airport. Prescribes the powers and duties of the construction authority. Requires the construction authority to be governed by a board consisting of 7 voting members and one nonvoting member.	INTRODUCED: 2/21/2020 LOCATION: Senate Transportation Committee STATUS: 03/12/2020 To SENATE Committee on TRANSPORTATION.	OPPOSE Oppose: SBCTA, Metrolink, Mobility 21, RCTC, CALCOG

BILLS BEING MONITORED

► AB 145	<p>AUTHOR: Frazier [D] TITLE: High-Speed Rail Authority: Senate Confirmation INTRODUCED: 12/13/2018 LOCATION: Senate Transportation Committee SUMMARY: Provides that the members of the High-Speed Rail Authority appointed by the Governor are subject to appointment with the advice and consent of the Senate. STATUS: 06/23/2020 To SENATE Committee on TRANSPORTATION. CATEGORY: Rail and Transit</p>
AB 196	<p>AUTHOR: Gonzalez [D] TITLE: Workers' Compensation: Coronavirus INTRODUCED: 01/10/2019 LAST AMEND: 05/05/2020 LOCATION: Senate Labor, Public Employment and Retirement Committee SUMMARY: Defines injury for certain employees who are employed in an occupation or industry deemed essential except as specified, or who are subsequently deemed essential, to include coronavirus disease that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. Creates a conclusive presumption that the injury arose out of and in the course of the employment. STATUS: 05/05/2020 From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT with author's amendments. 05/05/2020 In SENATE. Read second time and amended. Re-referred to Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT. CATEGORY: Labor and Employment</p>
AB 313	<p>AUTHOR: Frazier [D] TITLE: Road Maintenance and Rehabilitation Account: Reports INTRODUCED: 01/30/2019 LAST AMEND: 03/05/2019 LOCATION: Senate Rules Committee SUMMARY: Requires the University of California and the California State University, on or before a specified date of each year, to each submit a report to the Transportation Agency and specified legislative committees detailing its expenditures of those moneys for that fiscal year, including, but not limited to, research activities and administration. STATUS: 05/29/2019 To SENATE Committee on RULES. CATEGORY: Funding</p>

AB 352	<p>AUTHOR: Garcia [D]</p> <p>TITLE: Wildfire Prevention, Safe Drinking Water</p> <p>INTRODUCED: 02/04/2019</p> <p>LAST AMEND: 08/14/2019</p> <p>COMMITTEE: Senate Environmental Quality Committee</p> <p>SUMMARY: Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildlife prevention, safe drinking water, drought preparation, and flood protection program.</p> <p>STATUS: 08/14/2019 From SENATE Committee on ENVIRONMENTAL QUALITY with 08/14/2019 author's amendments. In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.</p> <p>CATEGORY: Environment</p>
AB 422	<p>AUTHOR: Frazier [D]</p> <p>TITLE: High-Speed Rail: Performance Measurement Dashboards</p> <p>INTRODUCED: 02/07/2019</p> <p>COMMITTEE: Senate Transportation Committee</p> <p>SUMMARY: Requires the High-speed Rail Authority, in consultation with the independent peer review group, to develop and update quarterly a set of summary performance measurement dashboards that show ongoing performance of the project and post on its internet website full sets of the summary performance measurement dashboards.</p> <p>STATUS: 05/08/2019 To SENATE Committee on TRANSPORTATION.</p> <p>CATEGORY: Audits, Records, Reports, and Litigation</p>
CA AB 839	<p>AUTHOR: Mullin [D]</p> <p>TITLE: Climate Adaption: Strategy</p> <p>INTRODUCED: 02/20/2019</p> <p>LAST AMEND: 06/26/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY: Requires the Secretary of the Natural Resources Agency to review the Safeguarding California Plan, the state's climate adaptation strategy, and develop a strategic resiliency framework. Requires updates to the plan to include a review of the progress made implementing past plans and an evaluation of each lead agency's lead adaptation efforts. Creates the Resiliency through Adaption, Economic Vitality, and Equity Account for funding climate adaptation projects.</p> <p>STATUS: 08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Environment</p>

CA AB 1046	<p>AUTHOR: Ting [D]</p> <p>TITLE: Air Quality Improvement Program: Clean Vehicles</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 08/13/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY: Requires the State Air Resources Board to develop a plan to provide for the funding of the Clean Vehicle Rebate Project. Requires the state board to provide to the Director of Finance a rebate structure designed to support the deployment of 5,000,000 zero-emission vehicles in the state by December 2030.</p> <p>STATUS: 08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Environment</p>
AB 1112	<p>AUTHOR: Friedman [D]</p> <p>TITLE: Shared Mobility Devices: Local Regulation</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 06/19/2019</p> <p>LOCATION: Senate Transportation Committee</p> <p>SUMMARY: Defines a shared mobility device as a bicycle, electric bicycle, motorized scooter, electrically motorized board, or other similar personal transportation device, that is made available to the public for shared use and transportation. Requires shared mobility devices to include a single unique alphanumeric ID. Prohibits the sharing of individual trip data, except as provided by the Electronic Communications Privacy Act.</p> <p>STATUS: 06/19/2019 From SENATE Committee on TRANSPORTATION with author's amendments. 06/19/2019 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION.</p> <p>CATEGORY: Active Transportation</p>
CA AB 1142	<p>AUTHOR: Friedman [D]</p> <p>TITLE: Regional Transportation Plans: Transportation Network</p> <p>INTRODUCED: 02/21/2019</p> <p>LAST AMEND: 08/12/2019</p> <p>LOCATION: Senate Appropriations Committee</p> <p>SUMMARY: Authorizes the inclusion of an indicator regarding measures of policies to increase use of existing transit in regional transportation plans. Requires, in a specified commission rulemaking relating to TNCs, any decision that the commission issues regarding data sharing to reflect the needs of governmental entities, including metropolitan planning organizations, state and local transportation agencies, and the State Air Resources Board for analyzing and planning for the impacts of TNCs.</p> <p>STATUS: 08/30/2019 In SENATE Committee on APPROPRIATIONS: Held in committee.</p> <p>CATEGORY: Miscellaneous</p>

CA AB 1226	AUTHOR:	Holden [D]
	TITLE:	State Highways: Property Leases: Assessment
	INTRODUCED:	02/21/2019
	LAST AMEND:	06/12/2019
	LOCATION:	Senate Appropriations Committee
	SUMMARY:	Requires the Department of Transportation to assess the feasibility of constructing facilities above highways built below grade in urban areas that would be made available and leased to a city, county, or other political subdivision or another state agency for affordable housing, transitional housing, emergency shelter, feeding program, or wraparound services purposes, or any combination of thereof.
	STATUS:	
	08/30/2019	In SENATE Committee on APPROPRIATIONS: Held in committee.
	CATEGORY:	Planning

CA AB 1286	AUTHOR:	Muratsuchi [D]
	TITLE:	Shared Mobility Devices: Agreements
	INTRODUCED:	02/21/2019
	LAST AMEND:	06/06/2019
	LOCATION:	Senate Judiciary Committee
	SUMMARY:	Requires a shared mobility service provider to enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. Requires the provider to maintain a specified amount of commercial general liability insurance. Prohibits the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. Defines shared mobility device.
	STATUS:	
	06/25/2019	In SENATE Committee on JUDICIARY: Not heard.
	CATEGORY:	Public Works

AB 1350 (Gonzalez), which pertained to free youth transit passes, was gut and amended to relate to high school diplomas for graduating seniors and is now dead. Therefore, the bill has been removed from the matrix.

AB 1457	AUTHOR:	Gomez Reyes [D]
	TITLE:	Omnitrans Transit District
	INTRODUCED:	02/22/2019
	LAST AMEND:	05/24/2019
	LOCATION:	Senate Governance and Finance Committee
	SUMMARY:	Creates Omnitrans Transit District in the County of San Bernardino. Provides that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa and specified portions of the unincorporated areas of the County of San Bernardino.
	STATUS:	
	06/25/2019	From SENATE Committee on TRANSPORTATION: Do pass to Committee on GOVERNANCE AND FINANCE. (11-0)
	CATEGORY:	Rail and Transit

AB 1770	AUTHOR:	Frazier [D]
	TITLE:	Tire Recycling Program: Rubberized Pavement
	INTRODUCED:	02/22/2019
	LOCATION:	Senate Environmental Quality Committee
	SUMMARY:	Extends the operation of the Rubberized Pavement Market Development Act to June 30, 2024.
	STATUS:	
	06/06/2019	To SENATE Committee on ENVIRONMENTAL QUALITY.
	CATEGORY:	Environment

AB 1839 (Bonta), which pertained to the creation of the California Green New Deal Task Force, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 1845	AUTHOR:	Rivas, L [D]
	TITLE:	Homelessness: Office to End Homelessness
	INTRODUCED:	01/06/2020
	LAST AMEND:	06/04/2020
	LOCATION:	SENATE
	SUMMARY:	Creates, within the Governor's office, the Governor's Office to End Homelessness, which would be administered by the Secretary on Housing Insecurity and Homelessness appointed by the Governor; requires that the office serve the Governor as the lead entity for ending homelessness in California and tasks the office with coordinating the various federal, state, and local departments and agencies that provide housing and services to individuals experiencing homelessness.
	STATUS:	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To
	06/10/2020	SENATE. (69-0)
	CATEGORY:	Homelessness

AB 1848 (Lackey), which pertained to a specified amount of revenues from the Safe, Reliable High-Speed Passenger Train Bond Act, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 1908 (Chen), which pertained to the Department of Transportation, to establish a Homeless Encampment and Litter Program, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 1934 (Voepel), which pertained to a development proponent to submit an application for a development to be subject to a streamlined, ministerial approval process provided that development meet specified objective planning standards, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 1939 (Gonzalez), which pertained to expanding the definition of a pedicab to include electric bicycles, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 1964 (Frazier), which pertained to expanding the definition of the term autonomous vehicle to also include a remotely operated vehicle, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 1991 (Friedman), which pertained to expanding the purpose of the Transit and Intercity Rail Capital Program to authorize funding for passenger tramway transit systems, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 1992 (Friedman), which pertained to the intent of the Legislature to enact legislation that would establish a new program to fund climate change adaptation planning for transportation impacts, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2012 (Chu), which pertained to transit agencies to offer free senior transit passes, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2028	AUTHOR: TITLE: INTRODUCED: LAST AMEND: LOCATION: SUMMARY: STATUS: CATEGORY:	Aguiar-Curry [D] State Agencies: Meetings 01/30/2020 06/04/2020 Senate Governmental Organization Committee Relates to Bagley-Keene Open Meeting Act. Requires the state body to provide notice of its meeting, including specified information and a specific agenda of the meeting, as provided, to any person who requests that notice in writing and to make that notice available on the internet website at least a number of days in advance of the meeting. Provides exceptions to the provisions. 06/23/2020 To SENATE Committee on GOVERNMENTAL ORGANIZATION. Miscellaneous
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AB 2057 (Chiu), which pertained to the creation of the Bay Area Seamless Transit Task Force, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2062 (Horvath), which pertained to the San Diego Association of Governments and a study of higher speed and safety alternatives for the LOSSAN Rail Corridor in the County of San Diego, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2089 (Rivas), which pertained to establishing the Resilient Economies and Community Health Pilot Program, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2093 (Gloria), which pertained to requiring a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record that is transmitted by electronic mail, failed to meet appropriations committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2121 (Friedman), which required the California Department of Transportation to convene a committee of external design experts to advise on revisions to the Highway Design Manual, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2148 (Quirk), which required the Strategic Growth Council to establish guidelines for the formation of regional climate adaptation planning groups and to develop criteria for the development of regional climate adaptation plans, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2151	AUTHOR:	Gallagher [R]
	TITLE:	Political Reform Act: Online Filing Disclosure
	INTRODUCED:	02/10/2020
	LOCATION:	Senate Elections and Constitutional Amendments Committee
	SUMMARY:	Requires a local government agency to post on its internet website, within seventy two hours of the applicable filing deadline, a copy of any specified statement, report, or other document filed with that agency in paper format.
	STATUS:	
	06/23/2020	To SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
	CATEGORY:	Miscellaneous

AB 2155 (Oberholte), which pertained to prohibiting members of the Legislature, and state and city officers or employees, from being financially interested in any contract made by them in their official capacity, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 2172	AUTHOR:	Petrie-Norris [D]
	TITLE:	State Highways: Route 133: Relinquishment
	INTRODUCED:	02/11/2020
	LOCATION:	Senate Transportation Committee
	SUMMARY:	Authorizes the State Transportation Commission to relinquish to the City of Laguna Beach a specified portion of Route 133 if the Department of Transportation and the city enter into an agreement providing for that relinquishment.
	STATUS:	
	06/23/2020	To SENATE Committee on TRANSPORTATION.
	CATEGORY:	Planning

AB 2176 (Holden), which pertained to transit agencies offering free student transit passes, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2186 (Grayson), which pertained to eliminating specified limitations on a local agency's authority to prescribe payments on public contracts, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2194 (Kiley), which pertained to requiring a vacancy in the office of United States Senator be filled in the same manner as a vacancy in a congressional representative or state legislative office, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 2231	AUTHOR:	Kalra [D]
	TITLE:	Public Works
	INTRODUCED:	02/13/2020
	LAST AMEND:	05/06/2020
	LOCATION:	SENATE
	SUMMARY:	Provides that a public subsidy is de minimis if it is less than a specified amount and percentage of total project cost. Specifies that these provisions do not apply to a project that was advertised for bid, or a contract that was awarded, before a specified date.
	STATUS:	
	06/08/2020	In ASSEMBLY. Read third time. PASSED ASSEMBLY. *****To SENATE. (57-15)
	CATEGORY:	Labor and Employment

AB 2249 (Mathis), which pertained to creating a Joint Legislative Committee on High-Speed Rail Oversight, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2262 (Berman), which pertained to an assessment prepared by the State Energy Resources Conservation and Development Commission, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2269 (Chau), which pertained to the Automated Decision Systems Accountability Act of 2020, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix

AB 2284 (Calderon), which pertained to contracting by counties for county highways and county bridges and subways, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2285	AUTHOR: Assembly Transportation Committee
	TITLE: Transportation
	INTRODUCED: 02/14/2020
	LAST AMEND: 05/04/2020
	LOCATION: SENATE
	SUMMARY: Relates to transportation financing. Extends a requirement that a certain percent of funding from the state Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program be made available for projects involving development of zero and near zero emission truck technology. Appropriates the interest earnings in the Road Maintenance and Rehabilitation Account for the State Highway Operation and Protection Program. Modifies certain traffic regulations.
	STATUS: 06/11/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (78-0)
	CATEGORY: Miscellaneous

AB 2307 (Bonta), which pertained to specified labor laws that require public entities to grant employee representatives of employee organizations reasonable time off without loss of compensation, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2310 (Daly), which pertained to interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2320 (Chau), which pertained to a contract with a contractor doing business with a state agency to require that the contractor maintain cyber insurance, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2323	AUTHOR:	Friedman [D]
	TITLE:	California Environmental Quality Act: Exemptions
	INTRODUCED:	02/14/2020
	LAST AMEND:	06/04/2020
	LOCATION:	Senate Environmental Quality Committee
	SUMMARY:	Allows a project located on a site that is included in lists regarding the presence of hazardous substances compiled by specified state agencies to be exempt from certain requirements of the Environmental Quality Act if the Department of Toxic Substances Control has cleared the site for the proposed land use. Establishes requirements for certain developments to be exempt from certain requirements of the act.
	STATUS:	
	06/23/20	To SENATE Committee on ENVIRONMENTAL QUALITY.
	CATEGORY:	Environment

AB 2337 (Bloom), which pertained to extending parking enforcement provisions concerning transit only traffic lanes in the Bay Area to the Los Angeles County Metropolitan Transportation Authority, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2345	AUTHOR:	Gonzalez [D]
	TITLE:	Planning Zoning: Density Bonuses: Affordable Housing
	INTRODUCED:	02/18/2020
	LAST AMEND:	05/22/2020
	LOCATION:	SENATE
	SUMMARY:	Amends the Planning and Zoning Law. Requires the annual report of the planning agency of a city or county to include specified information regarding density bonuses granted in accordance with specified law. Provides for a city, county, or city and county that has adopted an ordinance pursuant to the Density Bonus Law.
	STATUS:	
	06/10/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (74-1)
	CATEGORY:	Miscellaneous

AB 2355 (Bonta), which pertained to an unlawful employment practice for an employer or other entity, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2371	AUTHOR:	Friedman [D]
	TITLE:	Climate Change: Strategic Growth Council
	INTRODUCED:	02/18/2020
	LAST AMEND:	06/04/2020
	LOCATION:	Senate Environmental Quality Committee
	SUMMARY:	Requires the Office of Planning and Research to convene a climate science advisory team of distinguished scientists to advise on climate planning and adaptation efforts in the state and to provide input to improve climate adaptation and hazard mitigation planning across state agencies.
	STATUS:	
	06/23/2020	To SENATE Committee on ENVIRONMENTAL QUALITY.
	CATEGORY:	Planning

► AB 2405	AUTHOR:	Burke [D]
	TITLE:	Housing: Children and Families
	INTRODUCED:	02/18/2020
	LAST AMEND:	06/04/2020
	LOCATION:	SENATE
	SUMMARY:	Declares that it is the policy of the state that every child and family has the right to safe, decent, and affordable housing. Requires agencies to consider that state policy when revising, adopting, or establishing policies, regulations, and grant criteria pertinent to advancing the guidelines of the Housing First policy.
	STATUS:	06/010/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (64-5)
	CATEGORY:	Miscellaneous

AB 2428 (Fong), which pertained to the Office of Emergency Services to work with representatives from the access and functional needs population when updating the State Emergency Plan, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2452 (Garcia), which pertained to the State Auditor to include in the high risk local government agency audit program any local agency or district association that the State Auditor identifies as being at high risk, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2455 (Medina), which pertained to a natural gas vehicle or electric battery vehicle to exceed the weight limits on the power unit, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2473	AUTHOR:	Cooper [D]
	TITLE:	Public Investment Funds
	INTRODUCED:	02/19/2020
	LAST AMEND:	06/03/2020
	LOCATION:	Senate Labor, Public Employment and Retirement Committee
	SUMMARY:	<i>Exempts from disclosure under California Public Records Act specified records regarding an internally managed private loan made directly by a public investment fund, including quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information. Makes nonsubstantive changes to certain other provisions. Defines terms.</i>
	STATUS:	06/23/2020 To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
	CATEGORY:	Audits, Reports, and Records

AB 2514 (Rivas), which pertained to eliminating the requirement to make specified findings by a specified number of votes of the members of the Authority in order to award contracts, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

▶ AB 2542	AUTHOR:	Kalra [D]
	TITLE:	Local Transportation Funds: Transit Assistance Programs
	INTRODUCED:	02/19/2020
	LOCATION:	Senate Transportation Committee
	SUMMARY:	Relates to a report by the State Transit Assistance Program which would no longer require the Controller to submit this annual report to the Legislature and would instead require the Controller to compile, publish, and make publicly available on the Controller's internet website this data and information on or before a certain date of each year.
	STATUS:	
	06/23/2020	To SENATE Committee on TRANSPORTATION.
CATEGORY:	Rail and Transit	

AB 2577 (Chiu), which pertained the Office of Planning and Research and the Strategic Growth Council to identify vulnerable populations, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2619 (Stone), which pertained to the creation of the Coastal Resilience, Adaption, and Access Fund in the State Treasury, failed to meet appropriations committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2674 (Ting), which pertained to extending the prohibition on imposing a pedestrian toll on various toll bridges, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2698 (Gray), which pertained to prohibiting the High-Speed Rail Authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2730	AUTHOR:	Cervantes [D]
	TITLE:	Access and Functional Needs: Emergency Management
	INTRODUCED:	02/20/2020
	LAST AMEND:	05/04/2020
	LOCATION:	SENATE
	SUMMARY:	Requires a local transportation authority that provides paratransit services to enter into an agreement with adjacent authorities to borrow, for compensation, paratransit vehicles and drivers in the event of an emergency that requires the evacuation and relocation of the access and functional needs population in the jurisdiction or service area.
	STATUS:	
	06/10/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (78-0)
	CATEGORY:	Rail and Transit

► AB 2731	AUTHOR:	Gloria [D]
	TITLE:	California Environmental Quality Act: San Diego
	INTRODUCED:	02/20/2020
	LAST AMEND:	06/03/2020
	LOCATION:	Assembly Second Reading File
	SUMMARY:	Amends the California Environmental Quality Act. Requires a lead agency, in certifying the environmental impact report and in granting approvals for a transit and transportation facilities project, to serve as a connection to link regional transit to the San Diego International Airport.
	STATUS:	
	06/10/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (72-0)
	CATEGORY:	Rail and Transit

AB 2738 (Quirk-Silva), which pertained to expanding the purposes for which a county may spend moneys deposited into its road fund to include any street or road within the county, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2748 (Fong), which pertained to the definition of protected consumer, for purposes of provisions relating to security freezes by consumer credit reporting agencies, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2770 (Gipson), which pertained to the use of alternative devices intended to serve in lieu of license plates authorized by the Department of Motor Vehicles pursuant to the pilot program, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2777 (Quirk), which pertained to designation of the Alameda Contra Costa Transit District as a rapid transit district, thereby excluding the district from the definition of a local agency for purposes of existing law, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2800	AUTHOR:	Quirk [D]
	TITLE:	Climate Change: Infrastructure Planning
	INTRODUCED:	02/20/2020
	LAST AMEND:	06/04/2020
	LOCATION:	SENATE
	SUMMARY:	<i>Extends provisions relating to the Climate Safe Infrastructure Working Group, whose purpose it is to exam how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, including oversight, investment, design, and construction. Provide that the working group shall only convene and perform its functions to the extent resources are available to fund the support of the working group and its activities.</i>
	STATUS:	
	06/10/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (62-15)
	CATEGORY:	Environment

AB 2824 (Bonta), which pertained to requiring certain transportation agencies to deliver a comprehensive set of operational, transit, and infrastructure investments for the San Francisco-Oakland Bay Bridge corridor, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2828 (Friedman), which pertained to Caltrans to convene a committee of external design experts to advise on revisions to the Highway Design Manual, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 2850	AUTHOR:	Low [D]
	TITLE:	Public Transit Employer Employee Relations
	INTRODUCED:	02/21/2020
	LAST AMEND:	05/04/2020
	LOCATION:	SENATE
	SUMMARY:	Requires that the Meyers-Milias-Brown Act govern the San Francisco Bay Area Rapid Transit District's employer-employee relations and that these relations be subject to the exclusive jurisdiction of, and be administered by, the Public Employment Relations Board.
	STATUS:	
	06/10/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (59-17)
	CATEGORY:	Labor and Employment

AB 2860 (O'Donnell), which pertained to the California Global Warming Solutions Act, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2873 (Kalra), which pertained to requiring a public transit operator to also take into consideration recommendations of, and best practices standards developed, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2940 (Quirk), which pertained to requiring the Public Utilities Commission, in consultation with the Energy Commission and State Air Resources Board, to establish a critical consumption program for hydrogen production, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2943 (Ting), which pertained to regulating the disposal of surplus land, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2953 (Gray), which pertained to requiring the California Department of Transportation to eliminate the use of potable groundwater from groundwater basins, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2987 (Flora), which pertained to authorizing a public agency as an alternative to the publication or posting requirement to meet the notice inviting formal bid, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 2991 (Santiago), which pertained to the Jobs and Economic Improvement Through Environmental Leadership Act, failed to meet appropriations committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 3046 (Mathis), which pertained to establishing the Energy, Environment, and Economy Council, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 3197 (Diep), which pertained to the definition of "public works", failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 3205	AUTHOR:	Salas [D]
	TITLE:	Regions Rise Grant Program
	INTRODUCED:	02/21/2020
	LAST AMEND:	05/19/2020
	LOCATION:	SENATE
	SUMMARY:	Establishes the Regions Rise Grant Program for the purpose of enabling regions to collaborate and create interdisciplinary and cross-sector regional strategies to address key regional barriers to prosperity to all. Requires the Office of Business and Economic Development to develop an application for regions to apply for competitive grants that can be spent over a period of three years.
	STATUS:	
	06/10/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (78-0)
	CATEGORY:	Funding

AB 3213 (Rivas), which pertained to requiring the high-speed rail authority to prioritize projects based on specified criteria, failed to meet appropriations committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► AB 3216	AUTHOR:	Kalra [D]
	TITLE:	Employee Leave: Authorization
	INTRODUCED:	02/21/2020
	LAST AMEND:	06/04/2020
	LOCATION:	SENATE
	SUMMARY:	Makes it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take family and medical leave due to the coronavirus. Permits employees taking leave due to COVID 19 to continue participation in employee health plans, including life insurance or short or long term disability or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans.
	STATUS:	
	06/18/2020	In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (44-17)
	CATEGORY:	Labor and Employment

AB 3248 (Waldron), which pertained to the San Diego Association of Governments' sales tax measure, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 3278 (Patterson), which pertained to the Safe, Reliable High Speed Passenger Train Bond Act for the 21st Century, failed to meet appropriations committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 3331 (Brough), which pertained to deleting the state highway system portion of State Route 241 from State Route 5 south of the City of San Clemente to Oso Parkway east of the City of Mission Viejo, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 3335 (Friedman), which pertained to requirements for limited CEQA review, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

AB 3350 (Friedman), which pertained to the Transportation Agency and the Department of Transportation to convene a workgroup to analyze the current allocations of Highway Safety Improvement Program funds, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

ACA 1	AUTHOR: Aguiar-Curry [D] TITLE: Local Government Financing: Affordable Housing INTRODUCED: 12/03/2018 LAST AMEND: 08/19/2019 LOCATION: Assembly Unfinished Business - Reconsideration SUMMARY: Creates an exception to the 1% limit on the ad valorem property tax rate on real property that would authorize a city or county to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters of the city or county. STATUS: 08/19/2019 In ASSEMBLY. Read third time. Failed to pass ASSEMBLY. (44-20) 08/19/2019 In ASSEMBLY. Motion to reconsider. CATEGORY: Miscellaneous
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ACA 2	AUTHOR: Nazarian [D] TITLE: State Tax Agency INTRODUCED: 12/03/2018 LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Abolishes the State Board of Equalization and instead requires the Legislature to create a state tax agency by statute for purposes of carrying out those powers, duties and responsibilities previously vested in the State Board of Equalization. Authorizes the Legislature to vest all powers, duties, and responsibilities in a single state tax agency or separately in multiple state tax agencies. STATUS: 05/24/2019 To ASSEMBLY Committee on REVENUE AND TAXATION. CATEGORY: Miscellaneous
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► ACA 5	AUTHOR: Weber [D] TITLE: Government Preferences INTRODUCED: 01/18/2019 ENACTED: 06/25/2020 DISPOSITION: Adopted LOCATION: Chaptered CHAPTER: 2020-23 SUMMARY: <i>Proposes an amendment to the state Constitution to repeal provisions enacted by the initiative Proposition 209 which prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin, in the operation of public employment, public education, or public contracting.</i> STATUS: 06/25/2020 Chaptered by Secretary of State. 06/25/2020 Resolution Chapter No. 2020-23 [Effective Rule] CATEGORY: Miscellaneous
ACA 21	AUTHOR: Melendez [R] TITLE: Taxation: Voter Approval INTRODUCED: 02/12/2020 LOCATION: Assembly SUMMARY: Requires any change in state statute that increases the tax liability of any taxpayer to be submitted to the electors and, if approved by a majority of votes on the issue, to take effect the day after the election unless the act provides otherwise. STATUS: 02/12/2019 INTRODUCED. CATEGORY: Miscellaneous
► ACR 169	AUTHOR: Aguiar-Curry [D] TITLE: Women in Construction Week INTRODUCED: 02/20/2020 ENACTED: 06/25/2020 DISPOSITION: Adopted LOCATION: Chaptered CHAPTER: 2020-26 SUMMARY: <i>Proclaims a specified week as Women in Construction Week.</i> STATUS: 06/25/2020 Chaptered by Secretary of State. 06/25/2020 Resolution Chapter No. 2020-26 [Effective Rule] CATEGORY: Miscellaneous

SB 25	AUTHOR: Caballero [D] TITLE: CEQA: Projects Funded by Qualified Opportunity Zones INTRODUCED: 12/03/2018 ENACTED: 04/30/2019 LOCATION: Assembly Natural Resources Committee SUMMARY: Requires the Judicial Council to adopt rules of court applicable to an action or proceeding brought to attack, review, set aside, void, or annul the certification or adoption of an environmental review document. STATUS: 07/08/2019 In ASSEMBLY Committee on NATURAL RESOURCES: Heard, remains in Committee. CATEGORY: Environment
SB 43	AUTHOR: Allen [D] TITLE: Carbon Intensity and Pricing: Retail Products INTRODUCED: 12/03/2018 LAST AMEND: 07/01/2019 LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Requires the state board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified. STATUS: 07/08/2019 In ASSEMBLY Committee on REVENUE AND TAXATION: Failed passage. 07/08/2019 In ASSEMBLY Committee on REVENUE AND TAXATION: Reconsideration granted. CATEGORY: Funding
SB 45	AUTHOR: Allen [D] TITLE: Carbon Intensity and Pricing: Retail Products INTRODUCED: 12/03/2018 LAST AMEND: 01/23/2020 LOCATION: Assembly SUMMARY: Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act, which, if approved by the voters, would authorize the issuance of bonds to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program. STATUS: 01/29/2020 In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY. (29-6). CATEGORY: Funding

SB 59	AUTHOR: Allen [D] TITLE: Automated Vehicle Technology: Statewide Policy INTRODUCED: 12/19/2018 LAST AMEND: 07/03/2019 LOCATION: Assembly Appropriations Committee SUMMARY: Requires the chair of the commission to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that California continues to be the world leader in autonomous, driverless, and connected vehicle technology. STATUS: 08/30/2019 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee. CATEGORY: Miscellaneous
SB 146	AUTHOR: Beall [D] TITLE: Peninsula Rail Transit District INTRODUCED: 01/18/2019 LOCATION: Assembly Transportation Committee SUMMARY: Repeals provisions relating to the Peninsula Rail Transit District. STATUS: 05/02/2019 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Rail and Transit
SB 147	AUTHOR: Beall [D] TITLE: High-Speed Rail Authority INTRODUCED: 01/18/2019 LOCATION: Senate Appropriations Committee SUMMARY: Authorizes the High-Speed Rail Authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority's internet website. STATUS: 05/02/2019 To ASSEMBLY Committee on TRANSPORTATION. CATEGORY: Audits, Records, Reports, and Litigation
SB 162	AUTHOR: Galgiani [D] TITLE: State Board Of Equalization: Local Voter Approved Bond INTRODUCED: 01/24/2019 LAST AMEND: 06/19/2019 LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Requires, by January 1, 2022, and January 1 of each year thereafter, a local agency to transmit specified data related to the issuance of any bonds by that local agency pursuant to the authorization of any local bond act, as defined, to the State Board of Equalization, including the amount of debt authorized by the local bond act. STATUS: 06/19/2019 In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION. 06/19/2019 From ASSEMBLY Committee on REVENUE AND TAXATION with author's amendments. CATEGORY: Miscellaneous

SB 168	<p>AUTHOR: Wieckowski [D] TITLE: Climate Change: Chief Climate Resilience Officer INTRODUCED: 01/28/2019 LAST AMEND: 06/27/2019 COMMITTEE: Assembly Appropriations Committee SUMMARY: Establishes the Chief Officer of Climate Adaptation and Resilience in the Office of Planning and Research to serve as the statewide lead for planning and coordination of climate adaptation policy and implementation and would specify the duties of the chief officer. STATUS: 08/30/2019 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee. CATEGORY: Planning</p>
► SB 288	<p>AUTHOR: Weiner [D] TITLE: California Environmental Quality Act Exemptions INTRODUCED: 02/13/2019 LAST AMEND: 06/03/2019 LOCATION: Assembly Rules Committee SUMMARY: <i>Relates to California Environmental Quality Act. Requires a lead agency to prepare, certify and complete an environmental impact report on projects 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. Exempts certain projects from environmental review requirements.</i> STATUS: 06/15/2020 In ASSEMBLY. Suspend Assembly Rule 96. 06/15/2020 Re-referred to ASSEMBLY Committee on RULES. CATEGORY: Miscellaneous</p>
SB 336	<p>AUTHOR: Dodd [D] TITLE: Transportation: Fully-Automated Transit Vehicles INTRODUCED: 02/19/2019 LAST AMEND: 04/29/2019 LOCATION: Assembly Transportation Committee SUMMARY: Requires a transit operator, as defined, to ensure each of its fully-automated transit vehicles, as defined, is staffed by at least one of its employees, who has had specified training, while the vehicle is in service. Requires a transit operator that deploys a fully-automated transit vehicle to report the results of that deployment. STATUS: 05/24/2019 To ASSEMBLY Committees on TRANSPORTATION and COMMUNICATIONS AND CONVEYANCE. CATEGORY: Rail and Transit</p>

SB 405	<p>AUTHOR: Archuleta [D] TITLE: Reclaimed Asphalt Pavement: County of Los Angeles INTRODUCED: 02/20/2019 LAST AMEND: 07/01/2019 LOCATION: Assembly Inactive File SUMMARY: Authorizes the Department of Public Works of the County of Los Angeles to create a pilot project to demonstrate the viability of paving streets, roads and highways with hot mix asphalts composed as specified. Requires the pilot project to be conducted on streets, roads, and highways in the county and would require specific project sites in the county to be determined by the appropriate and usual process of the county. STATUS: 07/11/2019 In ASSEMBLY. To Inactive File. CATEGORY: Audits, Records, Reports, and Litigation</p>
► SB 662	<p>AUTHOR: Archuleta [D] TITLE: Green Electrolytic Hydrogen INTRODUCED: 02/22/2019 LAST AMEND: 06/25/2020 LOCATION: Assembly Utilities and Energy Committee SUMMARY: <i>Includes use of green electrolytic hydrogen as an alternative transportation fuel as another potential form of energy storage. Revises the definition of transportation electrification to include the use of renewable hydrogen when used directly as a transportation fuel in fuel cell electric vehicles, if the hydrogen meets specified renewal content requirements. Requires not less than a certain percentage of the hydrogen produced or dispensed in motor vehicles be renewable hydrogen.</i> STATUS: 06/25/2020 From ASSEMBLY Committee on UTILITIES AND ENERGY with 06/25/2020 author's amendments. In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY. CATEGORY: Environment</p>
SB 757	<p>AUTHOR: Allen [D] TITLE: State Highways: Relinquishment INTRODUCED: 02/22/2019 LAST AMEND: 01/23/2020 LOCATION: Assembly SUMMARY: Deletes the requirement that certain portions to be relinquished be deleted from the state highway system by legislative enactment, except to a specified segment of Route 710. Requires the Department of Transportation to biennially make a specified report to the Transportation Commission on which state highway routes or segments primarily serve regional travel and do not primarily facilitate interregional movement of people and goods. STATUS: 01/29/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (37-0) CATEGORY: Miscellaneous</p>

► SB 795	AUTHOR:	Beall [D]
	TITLE:	Affordable Housing and Community Development Investment
	INTRODUCED:	01/06/2020
	LAST AMEND:	06/18/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	<i>Makes funds available in each fiscal year for the purpose of providing emergency economic recovery and development, climate change, and disaster response. Requires the Controller to allocate a portion of those funds among various housing programs administered by the Department of Housing and Community Development, to the Climate, Sea Level, and Natural Disaster Program, and to the Community Economic Development Program.</i>
	STATUS:	06/25/2020 <i>In Senate. Read third time. Passed SENATE. *****To ASSEMBLY. (29-10)</i>
	CATEGORY:	Rail and Transit

► SB 895	AUTHOR:	Archuleta [D]
	TITLE:	Energy: Zero-Emission Fuel, Infrastructure
	INTRODUCED:	01/28/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	<i>Requires the State Energy Resources Conservation and Development Commission, within the limits of available funds, to provide technical assistance and support for the development of zero-emission fuels, zero-emission fueling infrastructure, and zero-emission fuel transportation technologies.</i>
	STATUS:	06/24/2020 <i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (39-0)</i>
	CATEGORY:	Environment

► SB 902	AUTHOR:	Wiener [D]
	TITLE:	Planning and Zoning: Use by Right: Density
	INTRODUCED:	01/30/2020
	LAST AMEND:	05/21/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	<i>Authorizes a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to ten units of residential density per parcel, with specified conditions. Requires the Department of Housing and Community Development to determine job rich areas and publish a map based on specified criteria.</i>
	STATUS:	06/22/2020 <i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (33-3)</i>
	CATEGORY:	Miscellaneous

SB 931 (Wieckowski), which pertained to electronic delivery of agendas and documents for local government meetings, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 937 (Hill), which pertained to state agencies and public documents, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► CA SB 943	AUTHOR:	Chang [R]
	TITLE:	Paid Family Leave: School Closures: Coronavirus
	INTRODUCED:	02/10/2020
	LAST AMEND:	05/19/2020
	LOCATION:	Senate Appropriations Committee
	SUMMARY:	Authorizes wage replacement benefits to workers who take time off work to care for a minor child whose school has been closed due to the coronavirus outbreak or <i>to care for a special needs child or adult, or both, due to the outbreak.</i>
	STATUS:	
	06/01/2020	In SENATE Committee on APPROPRIATIONS: Not heard.
	CATEGORY:	Labor and Employment

SB 986 (Allen), which pertained to the California Coastal Act of 1976, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 988 (McGuire), which pertained to requiring an aviation fuel retailer to provide quarterly information, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 990 (Moorlach), which pertained to repealing certain existing provisions to determine if workers are employees or independent contractors, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 992 (Beall), which pertained to requiring transportation project transparency, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 995	AUTHOR:	Atkins [D]
	TITLE:	Improvement Through Environmental Leadership Act
	INTRODUCED:	02/12/2020
	LAST AMEND:	06/18/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	Requires a lead agency to prepare a master environmental impact report for a plan for housing projects where the state has provided funding for such preparation. Extends the authority of the Governor to certify a project. Provides that the certification expires and is no longer valid if the lead agency fails to approve a certified project before a specified date.
	STATUS:	06/25/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (36-4)
	CATEGORY:	Environment

SB 1100 (Atkins), which pertained to the procedures the California Coastal Commission, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 1173	AUTHOR:	Durazo [D]
	TITLE:	Public Employment: Labor Relation: Employee Information
	INTRODUCED:	02/20/2020
	LAST AMEND:	06/02/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	Authorizes an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board alleging a violation of certain requirements. Conditions this authorization on the exclusive representative giving written notice to the public employer of the alleged violation and provides a public employer a limited opportunity to cure certain violations. Requires penalties to be paid to the Public Employment Relations Board.
	STATUS:	06/25/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (21-14)
	CATEGORY:	Labor and Employment

SB 1183 (Hertzberg), which pertained to an assessment of the technological development of electric vehicles and infrastructure, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 1227 (Skinner), which pertained to the use of advanced technologies and material recycling techniques, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 1238	AUTHOR:	Hueso [D]
	TITLE:	DOT: Recycled Plastics Study and Specifications
	INTRODUCED:	02/20/2020
	LAST AMEND:	06/18/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	<i>Authorizes the Department of Transportation to conduct a study to assess the feasibility, cost effectiveness, and life cycle environmental benefits of including recycled plastics in asphalt used as a paving material in the construction, maintenance, or rehabilitation of a highway or road. Authorizes the Department to establish specifications for the same.</i>
	STATUS:	
	06/26/2020	<i>In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (37-0)</i>
	CATEGORY:	Miscellaneous

SB 1258 (Stern), which pertained to a Climate Catalyst Revolving Fund, failed to meet appropriations committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 1273 (Pan), which pertained to commuter benefit policies, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 1283 (Beall), which pertained to a bus on shoulder pilot program, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 1297 (Moorlach), which pertained to public retirement systems, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 1320	AUTHOR:	Stern [D]
	TITLE:	Climate Change: California Climate Change Assessment
	INTRODUCED:	02/21/2020
	LAST AMEND:	06/18/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	<i>Requires the Office of Planning and Research to develop the California Climate Change Assessment. Requires the Office to conduct the assessment every five years.</i>
	STATUS:	
	06/26/2020	<i>In SENATE. Read third. Passed SENATE. *****To Assembly. (32-7)</i>
	CATEGORY:	Miscellaneous

CA SB 1330	AUTHOR:	Umberg [D]
	TITLE:	Sales and Use Tax Law: Zero Emissions Vehicle Exemption
	INTRODUCED:	02/21/2020
	LAST AMEND:	03/26/2020
	LOCATION:	Senate Natural Resources and Water Committee
	SUMMARY:	Provides an exemption from sales and use taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, an electric or a hybrid electric vehicle for which the final listing price is not greater than a certain amount.
	STATUS:	
	03/26/2020	From SENATE Committee on RULES with author's amendments.
	03/26/2020	In SENATE. Read second time and amended. Re-referred to Committee on RULES.
	CATEGORY:	Funding

► SB 1351	AUTHOR:	Beall [D]
	TITLE:	Transportation Planning
	INTRODUCED:	02/20/2020
	LAST AMEND:	03/25/2020
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Prohibits the Director of Transportation from approving an allocation of an amount greater than a certain percent of a transportation planning agency' s annual revenues. Requires rules and regulations to be updated regularly to reflect changes to transfer policies, payment methods, and any other relevant policy changes.
	STATUS:	
	06/18/2020	To ASSEMBLY Committee on TRANSPORTATION
	CATEGORY:	Funding

SB 1362 (Stern), which pertained to carbon neutrality, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 1366 (Archuleta), which pertained to the Los Angeles County Metropolitan Transportation Authority, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► CA SB 1373	AUTHOR:	Bates [R]
	TITLE:	San Clemente Road Construction
	INTRODUCED:	02/21/2020
	LAST AMEND:	05/19/2020
	LOCATION:	ASSEMBLY
	SUMMARY:	Deletes from the state highway system the portion of State Route 241 from State Route 5 south of the City of Clemente to Oso Parkway east of the City of Mission Viejo.
	STATUS:	
	06/26/2020	In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (24-6)
	CATEGORY:	Planning

SB 1383 (Jackson), which pertained to authorizing an employee to take off time due to an emergency declaration by a federal, state, or local government agency, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 1408 (Dodd), which pertained to tolling infrastructure, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

SB 1456 (Archuleta), which pertained to accelerating the project delivery timeline for specified transit projects, failed to meet policy committee deadlines and is now dead. Therefore, the bill has been removed from the matrix.

► SB 1459	AUTHOR:	Caballero [D]
	TITLE:	Transportation Development Act: Counties
	INTRODUCED:	02/21/2020
	LAST AMEND:	03/26/2020
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Extends the authorization for the Stanislaus Council of Governments, and authorizes the San Luis Obispo Council of Governments, to reduce applicable ratios of fare revenues to operating cost for specified transit operators but a certain amount.
	STATUS:	
	06/18/2020	To Assembly Committee on TRANSPORTATION
	CATEGORY:	Transit and Rail