



# **AGENDA**

## ***Legislative and Communications Committee Meeting***

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### **Committee Members**

Lisa A. Bartlett, Chairwoman  
Gene Hernandez, Vice Chairman  
Barbara Delgleize  
Michael Hennessey  
Mark A. Murphy  
Harry Sidhu  
Donald P. Wagner

Orange County Transportation Authority  
Headquarters  
Conference Room 07  
550 South Main Street  
Orange, California  
**Thursday, March 18, 2021 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 Orange County Transportation Authority (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](http://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 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 (Continued)**

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to [ClerkOffice@octa.net](mailto:ClerkOffice@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**

#### **1. Public Comments**

### **Pledge of Allegiance**

Director Hennessey

### **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 (Item 3)**

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 February 18, 2021.



## **Regular Calendar**

### **4. State Legislative Status Report**

Alexis Leicht/Lance M. Larson

#### **Overview**

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. Positions are recommended on two legislative proposals including one that will remove the sunset date on existing design-build authority for highway projects and another that seeks to require metropolitan planning organizations to meet vehicle miles traveled reduction targets as part of the regional transportation plan. An update is provided on an audit of the California Air Resources Board and its administration of transportation programs intended to reduce greenhouse gas emissions. As discussions related to post-pandemic recovery continue, an overview of the most recently passed legislative relief package and advocacy efforts regarding vaccine prioritization for public transit workers is given.

#### **Recommendations**

- A. Adopt a SUPPORT position on AB 1499 (Daly, D-Anaheim), which would remove the sunset date on existing design-build authority for highway projects.
- B. Adopt an OPPOSE UNLESS AMENDED position on SB 261 (Allen, D-Santa Monica), which would require metropolitan planning organizations to meet vehicle miles traveled reduction targets as part of the regional transportation plan.

### **5. Federal Legislative Status Report**

Dustin J. Sifford/Lance M. Larson

#### **Overview**

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy issues directly impacting its programs, projects, and operations. An update is provided on Congressional action to enact the President's \$1.9 trillion stimulus funding package. An overview is provided of two transportation-related hearings, one on the reauthorization of federal transportation programs and the other on maintaining equity in transportation safety enforcement.



**5. (Continued)**

**Recommendation**

Receive and file as an information item.

**6. Agreement for Public Communications and Community Outreach Consultant Services for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5**

Calina North/Maggie McJilton

**Overview**

On April 27, 2020, the Board of Directors approved the release of a request for proposals for public outreach consulting services during the pre-construction and construction phases of the State Route 55 Improvement Project between Interstate 405 and Interstate 5. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

**Recommendations**

- A. Approve the selection of Costin Public Outreach Group, as the firm to provide public outreach consulting services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2104 between the Orange County Transportation Authority and Costin Public Outreach Group, in the amount of \$1,684,990 for a five-year initial term, effective through September 30, 2025, with an option term of up to 36 months, to provide public outreach consulting services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.

**Discussion Items**

**7. Chief Executive Officer's Report**

**8. Committee Members' Reports**

**9. Closed Session**

There are no Closed Session items scheduled.



## **10. Adjournment**

The next regularly scheduled meeting of this Committee will be held at **9:00 a.m. on Thursday, April 15, 2021** at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.



**Committee Members Present**

**Via Teleconference**

Lisa A. Bartlett, Chairwoman  
Gene Hernandez, Vice Chairman  
Mark A. Murphy  
Harry Sidhu  
Donald P. Wagner

**Staff Present**

Jennifer L. Bergener, Deputy Chief Executive Officer  
Allison Cheshire, Interim Deputy Clerk of the Board  
Sahara Meisenheimer, Deputy Clerk of the Board

**Via Teleconference**

Darrell E. Johnson, Chief Executive Officer  
James Donich, General Counsel

**Committee Members Absent**

Barbara Delgleize  
Michael Hennessey

**Call to Order**

The February 18, 2021 regular meeting of the Legislative and Communications (L&C) Committee was called to order by Committee Chairwoman Bartlett at 9:00 a.m.

**Roll Call**

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

**Pledge of Allegiance**

Committee Vice Chairman 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:

- Bill introduction deadline is Friday, February 19, 2021.
  - Approximately 500 Senate and 1000 Assembly bills have been introduced so far.
- Many spot bills have been introduced for transportation.
- A cluster of bills in the climate arena have been introduced, addressing everything from automobile and truck requirements, changes to Senate Bill 375 (Chapter 728, Statutes of 2008), and sustainable communities strategy goals.



**2. (Continued)**

- Legislature has been engaged in budget discussions.
- Governor's budget items
  - Called on Legislature to act on immediate action items before June.
  - Golden State Stimulus Package
    - Includes \$600 for low income households.
    - Approximately \$2 billion for small business relief.
  - Reversal of cuts from the 2020 budget
- Senator Scott Wilk is the new Republican leader in the Senate

**3. Committee Meeting 2021 Calendar**

Darrell E. Johnson, Chief Executive Officer (CEO), presented the 2021 Committee schedule, and reported that the Committee meetings would meet on the first third Thursday of each month at 9:00 a.m.

A motion was made by Director Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to approve the 2021 Legislative and Communications Committee meetings calendar.

**4. Roles and Responsibilities of the Legislative and Communications Committee**

Darrell E. Johnson, CEO, reported that the roles and responsibilities are a tool to make sure items are being agenized correctly under the jurisdiction of each committee and that there are no proposed changes this year.

A motion was made by Director Wagner, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to approve the 2021 Legislative and Communications Committee Roles and Responsibilities.

**Consent Calendar (Items 5 and 6)**

**5. Approval of Minutes**

A motion was made by Director Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to approve the minutes of the Legislative and Communications Committee meeting of January 21, 2021.

**6. Agreement for On-Call Planning Studies Public Outreach Consultant Services**

A motion was made by Director Murphy, seconded by Director Hernandez, and following a roll call vote, declared passed 5-0, to

- A. Approve the selection of Arellano Associates, LLC as the firm to provide public outreach consulting services for upcoming planning studies.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2622 between the Orange County Transportation Authority and Arellano Associates, LLC, in the amount of \$275,000 for a two-year initial term with one, one-year option term, to provide public outreach consulting services for upcoming planning studies.

**Regular Calendar**

**7. State Legislative Status Report**

Kristin Jacinto, Manager of State and Federal Relations, reported on the following:

- Proposal related to seeking increased flexibility related to the Transportation Development Act requirements, which allow transit agencies to continue to operate during the coronavirus (COVID-19) pandemic.
- The Orange County Transportation Authority (OCTA) has been working with the California Transit Association (CTA) and statewide transit partners to seek several short-term reforms including:
  - Allowing more flexibility to use state funds for operations.
  - Temporary forgiveness for failure to meet farebox recovery requirements.
- Proposed trailer bill language that would target several reform areas:
  - Temporary forgiveness from farebox recovery requirements.
  - Reform how farebox recovery is calculated.
    - Exclusion of paratransit costs from the calculation.
- CTA continues to seek flexibilities in the use of capital dollars for operations and flexibility with certain cap and trade funds.

Ms. Jacinto also commented that staff is recommending that the Board of Directors adopt a support position supporting the intent of these proposals, but also continuing to work with transit partners on further revisions. This would include refining the definitions included and to make sure that they match what transit agencies actually do.



### **7. (Continued)**

Chairwoman Bartlett requested information on the current farebox recovery in relation to COVID-19 impacts.

Mr. Johnson, CEO, responded that OCTA is currently running and operating about 70 percent of pre-COVID-19 service and carrying about 50 percent of pre-COVID-19 riders, so the normal \$38 to \$40 million a year in farebox revenue is at less than half.

Andrew Oftelie, Chief Financial Officer (CFO), reported that the requirement in state law is that farebox recovery has to be 20 percent of the operating costs, which has been suspended for now. Recovery is approximately below ten percent, but actual numbers can be reported by the end of today's meeting.

A discussion ensued among the Committee Members and staff regarding decreased ridership, how service is being deployed, how the decreased ridership is affecting farebox recovery, and the introduction of an application to show real-time capacity on the buses.

Ms. Jacinto continued her report on the following:

- Vaccine distribution efforts such as:
  - A shift in direction;
  - Transit workers had been proposed to be included in the same tier as education workers, but focus shifted to age-based distribution;
  - Multi-agency letters sent to consider supporting transit as priority workers;
  - Essential workforce and transporting essential workforce;
  - Transit is part of the effort of vaccine distribution; and
  - Transit being critical to transporting students.

A motion was made by Director Hernandez, seconded by Director Murphy, and following a roll call vote, declared passed 5-0, to support the intent of the Governor's proposed budget trailer bill language to extend and expand regulatory relief measures related to the Transportation Development Act while continuing the work to improve the effectiveness of the proposal.

## **8. Federal Legislative Status Report**

Dustin J. Sifford, Senior Government Relations Representative, reported on the following:

- The President proposed a \$1.9 trillion stimulus package, and the House has already drafted legislation to enact such a proposal.
  - The House bill contains \$30 billion in transit funding.
  - Unemployment benefit set to expire in March; it is expected that Congress will act by then.
  - Staff is tracking funding rumors and working with CTA and the American Public Transportation Association.
- An overview of the President's Executive Orders, including:
  - An Executive Order on COVID-19 safety in domestic travel requires face coverings on public transportation, which OCTA is working to implement.
  - Executive Orders on Buy America policies and new environmental goals, both of which staff needs more to comprehensively analyze.
- New Administration personnel:
  - Pete Buttigieg has been confirmed as Secretary of Transportation.
  - Nuria Fernandez is the Acting Federal Transit Administrator.
- Representative Michelle Steel (R-Huntington Beach) will join Representative Alan S. Lowenthal (D-Garden Grove) on the House Transportation and Infrastructure Committee.

No action was taken on this receive and file item.

## **Discussion Items**

### **9. Chief Executive Officer's Report**

Darrell E. Johnson, CEO, reported that he will be participating in a meeting later in the day hosted by the Self-Help Counties where the California State Transportation Agency (CalSTA) will be providing a briefing on its Climate Action Plan for Transportation Infrastructure. The plan has been underway since early 2020 and it is intended to help implement Governor Newsom's 2019 Executive Order directing CalSTA to leverage more than \$5 billion of discretionary transportation infrastructure investments to meet California's climate goals.



**9. (Continued)**

Additionally, Mr. Johnson, CEO, reported that his meetings are continuing with local elected officials to update them on OCTA's projects and programs and noted the following:

- Met last week with newly appointed Chair of the Senate Transportation Committee, State Senator Lena Gonzalez (D-Long Beach)
- Met yesterday Chair of the California Transportation Commission, Hilary Norton
- Scheduled to meet next week with Senator Tom Umberg (D-Santa Ana)

In response to a previous question by Committee Chairwoman Bartlett during the discussion under Item 7, Mr. Oftelie, CFO, reported that the current farebox recovery is at approximately seven percent for fixed-route service and at approximately under four percent for paratransit service. The overall farebox recovery rate is slightly under seven percent through December 2020. The numbers do not include bus advertising or property tax revenues.

Mr. Johnson, CEO, also commented that a report on the bus system, specifically the June 2021 Service Change, is scheduled for the Board of Directors meeting on Monday, February 22, 2021, and ties into the budget development next month.

**10. Committee Members' Reports**

There were no Committee Members' reports.

**11. Closed Session**

There were no Closed Session items scheduled.



**12. Adjournment**

The meeting adjourned at 9:47 a.m.

The next regularly scheduled meeting on this Committee will be held at **9:00 a.m. on Thursday, March 18, 2021**, at the Orange County Transportation Authority Headquarters, Conference Room 07, 550 South Main Street, Orange, California.

ATTEST

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Lisa A. Bartlett  
Chairwoman

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Allison Cheshire  
Interim Deputy Clerk of the Board



**March 18, 2021**

**To:** Legislative and Communications Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** State Legislative Status Report

*For*

### **Overview**

The Orange County Transportation Authority provides regular updates to the Legislative and Communications Committee on policy issues directly impacting its overall programs, projects, and operations. Positions are recommended on two legislative proposals including one that will remove the sunset date on existing design-build authority for highway projects and another that seeks to require metropolitan planning organizations to meet vehicle miles traveled reduction targets as part of the regional transportation plan. An update is provided on an audit of the California Air Resources Board and its administration of transportation programs intended to reduce greenhouse gas emissions. As discussions related to post-pandemic recovery continue, an overview of the most recently passed legislative relief package and advocacy efforts regarding vaccine prioritization for public transit workers is given.

### **Recommendations**

- A. Adopt a SUPPORT position on AB 1499 (Daly, D-Anaheim), which would remove the sunset date on existing design-build authority for highway projects.
- B. Adopt an OPPOSE UNLESS AMENDED position on SB 261 (Allen, D-Santa Monica), which would require metropolitan planning organizations to meet vehicle miles traveled reduction targets as part of the regional transportation plan.

### **Discussion**

AB 1499 (Daly): Transportation: Design-Build: Highways

AB 1499 (Daly, D-Anaheim) would remove the sunset date, currently set to expire on January 1, 2024, to indefinitely extend the ability to utilize the design-build procurement method (design-build) on the state highway system. In 2013, Orange County Transportation Authority (OCTA) sponsored AB 401 (Chapter 586, Statutes of 2021), authored by Assembly Member Tom Daly

(D-Anaheim), to expand the use of design-build for highway projects after estimating that this method would create significant time and cost savings for the Interstate 405 (I-405) Improvement Project. Existing authority at the time was very limited and had sunset provisions that did not align with the I-405 Improvement Project timeline. Since the initial authorization, several other entities have used this statewide authority, including the Riverside County Transportation Commission and the California Department of Transportation to successfully implement projects.

Design-build provides for the delivery of public works projects from a single entity, streamlining the traditional design-bid-build process by combining project design, permit, and construction schedules. Utilizing design-build on the I-405 Improvement Project has expedited the project by two years and allowed for associated cost savings. Although at this time OCTA has not identified additional projects to use this authority, extending the design-build authority is imperative for the expedited and streamlined delivery of highway projects and provides a valuable project delivery option moving forward. This will be especially important as the State looks toward post-pandemic recovery and begins discussions regarding economic stimulus, particularly around infrastructure and job creation.

A comprehensive analysis of AB 1499, along with the text of the bill, is included as Attachment A. A SUPPORT position is consistent with OCTA's 2021-22 State Legislative Platform principle to "Support new and existing alternative project delivery methods, such as design-build, public-private partnership authority, and construction manager/general contractor authority, through expanding mode and funding eligibility while also allowing the appropriate balance of partnership between the State and local agencies." AB 1499 is co-sponsored by the Self-Help Counties Coalition and the Professional Engineers in California Government.

#### **SB 261 (Allen): Regional Transportation Plans: Sustainable Communities Strategies**

SB 261 (Allen, D-Santa Monica) is a continuation of the author's previous efforts to expand upon SB 375's (Chapter 728, Statutes of 2008) requirements for a metropolitan planning organization (MPO) to develop a sustainable communities strategy (SCS) as part of their regional transportation plan (RTP), demonstrating the ability to meet regional greenhouse gas (GHG) emission reduction targets. Specifically, SB 261 would extend the SB 375 framework beyond 2035 and require that the SCS meet GHG emission and vehicle miles traveled (VMT) reduction targets in 2045 and 2050. SB 261 is substantially similar to a bill introduced by the same author last year, SB 1363 (Allen, D-Santa Monica) that OCTA opposed unless amended. SB 1363 ultimately did not move forward due to the truncated legislative session in 2020.

Last year's bill, SB 1363, would have required that MPOs meet VMT reduction targets in conjunction with SB 375's GHG emission reduction targets in 2035, 2045, and 2050. Whereas the initial GHG targets for 2020 and 2035 were developed with public input, the new GHG and VMT reduction targets would be set by the California Air Resources Board (CARB), without input from the Regional Targets Advisory Committee established under SB 375. Under SB 1363, the VMT reduction targets could be expressed in miles per capita, percent reduction, or another metric set by CARB. Finally, the bill would have required that cities and counties report every other year to MPOs on housing production near transportation investments consistent with the SCS or applicable alternative planning strategy.

SB 261 contains many of the same provisions as SB 1363, including identical language on VMT targets and target years, the same VMT metric, and similar reporting requirements. There are, however, two important differences. First, SB 261 contains much more detailed language specifying the circumstances under which CARB may reject a draft SCS. SB 261 extends the deadline by which MPOs must submit the draft SCS to CARB from the 60-day timeframe in current law to 90 days, and CARB has the option to comment within 45 days of receiving the draft SCS. CARB may also explicitly reject the SCS if it utilizes a technical methodology that will not yield accurate GHG and VMT estimates, has insufficient data or documentation to support the GHG and VMT estimates, contains GHG and VMT calculations that do not demonstrate the region will meet the targets for all years, or does not include specific strategies that sufficiently demonstrate GHG and VMT reductions to achieve the targets. The second major change is that SB 261 expands the reporting requirements for localities, mandating that cities and counties also report on job growth near transportation investments.

Many of OCTA's concerns with SB 261 mirror issues raised last year, although there are additional concerns with the language new to this year's version of the bill. An overview of OCTA's four recommended changes to improve SB 261 and make it more consistent with the original intent of SB 375 include:

- Clarifying language to ensure that CARB does not prioritize its own reasoning and policy goals over that of the localized, bottoms-up planning approach envisioned by SB 375, resulting in CARB more frequently rejecting a region's SCS and thereby further delaying the transportation planning process.
- Regions would be required to meet new GHG emission and VMT reduction targets in both 2045 and 2050. Instead, the bill should be amended to focus solely on 2050 to allow for sufficient time to pass after the 2035 targets, and more fully see the results of measures implemented since that time.
- The bill fails to ensure adequate public input from MPOs and subregional agencies in the development of VMT targets. The bill should be amended to allow for greater public engagement from MPOs and subregional

agencies, including regional transportation planning agencies, county transportation commissions, and councils of governments, in the development of VMT reduction targets.

- The bill's definition of VMT should be clarified so that it only applies to passenger automobiles and light trucks, excluding electric vehicles, so that the metric more appropriately correlates with GHG emissions. An alternative to requiring specific VMT reduction targets would be to develop a suite of best practices that MPOs can choose from to adopt as part of the RTP, thereby maintaining SB 375's bottoms-up approach.

An analysis of SB 261 and the bill text are included as Attachment B. An OPPOSE UNLESS AMENDED position on SB 261 is consistent with OCTA's 2021-2022 State Legislative Platform principle to "Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs."

#### Audit of the California Air Resources Board Overview

At the request of the Joint Legislative Audit Committee, the Office of the California State Auditor conducted an audit of CARB's transportation programs intended to reduce GHG emissions. Overall, the audit found that CARB is not collecting sufficient data to evaluate the actual GHG reduction results as a part of these programs. Specifically, the audit found that CARB has not done enough to formally acknowledge the overlap of reduction benefits that occur between its regulatory and incentive programs. The audit gave the example that CARB does not isolate the benefits between regulatory programs, like the Innovative Clean Transit regulation, and incentive programs that provide financial support to consumers who purchase zero-emission vehicles. Although both of these programs are intended to reach CARB's goal of reducing GHG emissions, the audit concluded that CARB does not do enough to identify the GHG reductions each individual program achieves. The report goes on to say that if CARB was accurately collecting and measuring data, they may find that their incentive programs are augmenting the impact from its regulatory programs.

Another key finding from the audit is that CARB does not accurately measure the effects of their programs on consumer behavior. Of the five incentive programs CARB administers, only the Clean Vehicle Rebate Program collects data on behavioral impacts associated with the program. The audit states that having more information on how each of their programs affect a consumer's choice to purchase a lower emission vehicle, resulting in a reduction in GHG emissions, is crucial to measuring the success of the programs in terms of reaching the State's goals.

Overall, the audit concluded that because CARB does not accurately take into account the effects their regulations have on emissions, CARB overstates the incentive programs' GHG reductions although it is unclear to what degree. This



then impacts the Legislature's ability to make accurate assessments of the success of these programs and whether they should continue to be funded at higher or lower levels.

Other areas where the audit found that CARB fails to correctly measure are the socioeconomic benefits and number of jobs its programs achieve. In agreement with the audit, CARB has agreed to begin taking steps toward reconciling the issues outlined in the report and following its recommendations. Specifically, the audit recommends establishing a program to identify the overlap between incentive and regulatory programs and developing a process to define, collect, and evaluate data on the behavioral changes that result from each of its incentive programs. Staff will continue to monitor how this audit may impact funding programs and regulatory measures affecting OCTA's programs and projects.

#### Update on Vaccination Prioritization Efforts

OCTA has continued to partner with transit agencies across the state and the California Transit Association (CTA) to advocate for the prioritization of essential, frontline transit operators for the federally approved vaccines that prevent coronavirus (COVID-19). In the original vaccine distribution plan, transportation workers were prioritized following seniors over the age of 65 and workers in healthcare, education, emergency response services, childcare, and food and agriculture. In January, the State announced a shift in its vaccine prioritization framework from this blended industry-sector and age-based approach to one that is more focused on age, citing concerns that an approach that singles out industries was causing confusion and delays. Because of this transition, eligibility for transportation workers was eliminated.

However, the State's guidance following the transition detailed which jobs qualified within the education sector includes school bus drivers. On February 24, 2021, CTA submitted a letter to Governor Gavin Newsom arguing that the guidance should be amended to broaden school bus drivers to transit workers overall because they provide millions of trips a year to students across the state. The letter is included as Attachment C. Specifically, the letter references that in Orange County there are approximately 3.7 million student boardings every year. In light of these efforts, on March 11, 2021, the State amended its guidance to reinstate public transit workers in the vaccination prioritization framework. As of writing this staff report, public transit workers will be eligible to receive the vaccine on March 15, 2021, citing that they are at high risk for occupational exposure.

#### Summary of Recent State Stimulus Measures

On February 23, 2021, the Governor signed a legislative package to provide relief related to the COVID-19 pandemic. Included in the agreement is the Golden State Stimulus which will provide \$600 in one-time, direct payments to

households that qualified for the Earned Income Tax Credit in 2020. Additional relief is provided through fee waivers for bars and restaurants and individuals holding barbering or cosmetology license. This legislative package also includes more than \$2 billion in grants for small businesses, \$400 million in new federal funds that will provide stipends for all state-subsidized childcare and preschool providers, \$24 million for financial assistance and services through the Housing for Harvest program, \$100 million in emergency financial aid for qualifying low-income students, and \$6 million to support outreach and application assistance to University of California, California State University, and California Community College students made newly eligible under the CalFresh program.

### **Summary**

A support position is requested regarding a legislative proposal to indefinitely extend existing design-build authority for highway projects. An oppose unless amended position is recommended for a bill related to imposing vehicle miles traveled reduction requirements as a part of regional transportation plans. An overview is provided on a recent audit of the California Air Resources Board. An update is given on efforts related to prioritizing public transit workers for the coronavirus vaccine and recently enacted stimulus measures for post-pandemic recovery.

### **Attachments**

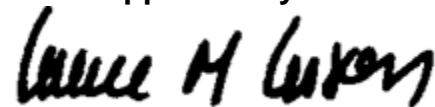
- A. AB 1499 (Daly, D-Anaheim) Bill Analysis with Bill Language
- B. SB 261 (Allen, D-Santa Monica) Bill Analysis with Bill Language
- C. Letter from Michael Pimentel, Executive Director, California Transit Association, to the Honorable Gavin Newsom, Governor, State of California, dated February 24, 2021, re: Transit is Essential to Reopening of Schools – Prioritize Frontline Transit Workers in Vaccine Distribution Plan
- D. Orange County Transportation Authority Legislative Matrix

### **Prepared by:**



Alexis Leicht  
Associate Government Relations Representative,  
Government Relations  
(714) 560-5475

### **Approved by:**



Lance M. Larson  
Executive Director,  
Government Relations  
(714) 560-5908

**BILL:** AB 1499 (Daly, D-Anaheim)  
Introduced February 19, 2021

**SUBJECT:** AB 1499 would remove the sunset date on existing design-build authority for highway projects.

**STATUS:** Pending in the Assembly  
Introduced February 19, 2021

**SUMMARY AS OF MARCH 3, 2021:**

In 2013, the Orange County Transportation Authority (OCTA) sponsored AB 401 (Chapter 586, Statutes of 2013) to expand the use of the design-build procurement method. Specifically, AB 401 authorized unlimited use of design-build authority for state highway projects done by regional transportation agencies, and authorized the California Department of Transportation (Caltrans) to utilize design-build for up to ten projects. The authority currently sunsets on January 1, 2024. AB 1499 (Daly, D-Anaheim) seeks to remove this sunset date.

**EFFECTS ON ORANGE COUNTY:**

Under the traditional design-bid-build approach, the owner or sponsor would first complete the design of the facility, and then offer it to qualified contractors for bid, awarding it to the lowest responsible and responsive bidder for construction. Design-build provides for the delivery of public works projects from a single entity, streamlining the traditional design-bid-build process by combining project design, permit, and construction schedules. Current law gives Caltrans the responsibilities associated with construction inspection services for the project, including those related to surveying and quality control, as well as public safety issues.

When OCTA sponsored AB 401, it was estimated that using the traditional design-bid-build method instead of the design-build method for the Interstate 405 (I-405) Improvement Project could have taken two or three additional years to complete and, consequently, potentially creating higher costs due to inflationary pressures. However, at that time, design-build was not broadly authorized in statute. Prior to the enactment of AB 401, OCTA had success using design-build to construct the State Route 22 Improvement Project using the limited authority from AB 958 (Chapter 541, Statutes of 2000). The provisions in AB 958 granting this authority were later amended by AB 372 (Chapter 262, Statutes of 2006) to limit the use of design-build to only transit projects, excluding future use for highway or local street and road projects.

In 2009, as part of the state budget process, the Legislature approved SBX2-4 (Chapter 2, Statutes of 2009) to create design-build and public-private partnership authority in the form of pilot programs aimed at transportation projects. More specifically, the design-build authority in SBX2-4 allowed for five local street, road, bridge, tunnel, or public transit projects, as well as ten state highway bridge or tunnel projects until

January 1, 2014. Because the request for proposals for the I-405 Improvement project was not anticipated to be released until mid-2014, the project did not qualify for existing design-build authority under SBX2-4 and, therefore, required additional legislative authority that was successfully secured by OCTA staff through AB 401 in 2013. Since the enactment of this legislation, several highway projects have been eligible to utilize the design-build authority, including the I-405 Improvement project, and projects undertaken by the Riverside County Transportation Commission and Caltrans.

Although OCTA does not have current projects lined up to utilize this procurement method, OCTA believes the design-build authority is imperative for the expedited and streamlined delivery of highway projects and provides a valuable option for future consideration. This will be especially important as the State looks toward post-pandemic recovery and begins discussions regarding economic stimulus, particularly around infrastructure and job creation.

Co-sponsors of this legislation include the Self-Help Counties Coalition and the Professional Engineers in California Government. A support position is consistent with OCTA's 2020-21 State Legislative Platform principle to "Support new and existing alternative project delivery methods, such as design-build, public-private partnership authority, and construction manager/general contractor authority, through expanding mode and funding eligibility while also allowing the appropriate balance of partnership between the State and local agencies."

**OCTA POSITION:**

Staff recommends: SUPPORT

**ASSEMBLY BILL**

**No. 1499**

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**Introduced by Assembly Member Daly**

February 19, 2021

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An act to amend Section 6829 of the Public Contract Code, and to amend Section 91.2 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1499, as introduced, Daly. Transportation: design-build: highways.

(1) Existing law authorizes the Department of Transportation to utilize design-build procurement for up to 10 projects on the state highway system, based on either best value or lowest responsible bid. Existing law authorizes regional transportation agencies, as defined, to utilize design-build procurement for projects on or adjacent to the state highway system. Existing law also authorizes those regional transportation agencies to utilize design-build procurement for projects on expressways that are not on the state highway system, as specified. Existing law repeals these provisions on January 1, 2024, or one year from the date that the Department of Transportation posts on its internet website that the provisions described below related to construction inspection services for these projects have been held by a court to be invalid.

This bill would delete the January 1, 2024, repeal date, thus extending the above provisions indefinitely.

(2) Existing law provides that these design-build authorizations do not include construction inspection services for projects on or interfacing with the state highway system. Existing law requires the Department

of Transportation to perform construction inspection services for projects on or interfacing with the state highway system, as specified. Existing law repeals these provisions on January 1, 2024.

This bill would delete the January 1, 2024, repeal date, thus extending the above provisions indefinitely.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

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

1 SECTION 1. Section 6829 of the Public Contract Code is  
2 amended to read:

3 ~~6829. (a) This chapter shall remain in effect only until January~~  
4 ~~1, 2024, and as of that date is repealed, unless a later enacted~~  
5 ~~statute, that is enacted before January 1, 2024, deletes or extends~~  
6 ~~that date.~~

7 ~~(b) Notwithstanding subdivision (a), if~~

8 6829. (a) If any provision or application of Section 91.2 of  
9 the Streets and Highways Code is held invalid by a court of  
10 competent jurisdiction, this chapter shall be repealed one year from  
11 the date in which the department posts on its ~~Internet Web site~~  
12 *internet website* that Section 91.2 of the Streets and Highways  
13 Code has been held invalid.

14 ~~(e)~~

15 (b) The repeal of this chapter shall not affect an executed  
16 design-build contract or cooperative agreement entered into  
17 pursuant to this chapter prior to the date of its repeal, regardless  
18 of the stage of the project at the time of repeal.

19 SEC. 2. Section 91.2 of the Streets and Highways Code is  
20 amended to read:

21 91.2. (a) The department shall perform construction inspection  
22 services for projects on or interfacing with the state highway system  
23 authorized pursuant to Chapter 6.5 (commencing with Section  
24 6820) of Part 1 of Division 2 of the Public Contract Code. The  
25 department shall use department employees or consultants under  
26 contract with the department to perform the services described in  
27 this subdivision and subdivision (b), consistent with Article XXII  
28 of the California Constitution. Construction inspection services  
29 performed by the department for those projects include, but are  
30 not limited to, material source testing, certification testing,

1 surveying, monitoring of environmental compliance, independent  
2 quality control testing and inspection, and quality assurance audits.  
3 The construction inspection duties and responsibilities of the  
4 department shall include a direct reporting relationship between  
5 the inspectors and senior department engineers responsible for all  
6 inspectors and construction inspection services. The senior  
7 department engineer responsible for construction inspection  
8 services shall be responsible for the acceptance or rejection of the  
9 work.

10 (b) Notwithstanding any other law, the department shall retain  
11 the authority to stop the contractor's operation wholly or in part  
12 and take appropriate action when public safety is jeopardized on  
13 a project on or interfacing with the state highway system authorized  
14 pursuant to Chapter 6.5 (commencing with Section 6820) of Part  
15 1 of Division 2 of the Public Contract Code. The department shall  
16 ensure that public safety and convenience is maintained whenever  
17 work is performed under an encroachment permit within the state  
18 highway right-of-way, including, but not limited to, work  
19 performed that includes lane closures, signing, work performed at  
20 night, detours, dust control, temporary pavement quality, crash  
21 cushions, temporary railings, pavement transitions, falsework,  
22 shoring, and delineation. The department shall regularly inspect  
23 the job sites for safety compliance and any possible deficiencies.  
24 If any deficiency is observed, a written notice shall be sent by the  
25 department to the regional transportation agency's designated  
26 resident engineer to correct the deficiency. Once the deficiency is  
27 corrected, a written notice describing the resolution of the  
28 deficiency shall be sent to the department and documented.

29 (c) The department shall use department employees or  
30 consultants under contract with the department to perform the  
31 services described in subdivisions (a) and (b), consistent with  
32 Article XXII of the California Constitution. Department employee  
33 and consultant resources necessary for the performance of those  
34 services, including personnel requirements, shall be included in  
35 the department's capital outlay support program for workload  
36 purposes in the annual Budget Act.

37 (d) "Construction inspection services" shall not include  
38 surveying work performed as part of a design-build contract.

- 1     ~~(e) This section shall remain in effect only until January 1, 2024,~~  
2     ~~and as of that date is repealed, unless a later enacted statute, that~~  
3     ~~is enacted before January 1, 2024, deletes or extends that date.~~  
4     ~~(f)~~  
5     (e) If any provision or application of this section is held invalid  
6     by a court of competent jurisdiction, the department shall post on  
7     its ~~Internet Web site~~ *internet website* within 10 business days of  
8     the decision of invalidity that this section has been held invalid.



**BILL:** SB 261 (Allen, D-Santa Monica)

**SUBJECT:** SB 261 would revise the SB 375 (Chapter 728, Statutes of 2008) regional greenhouse gas emission reduction process in several ways, including adding vehicle miles traveled reduction targets

**STATUS:** Pending in Senate Environmental Quality Committee  
Introduced January 27, 2021

**SUMMARY AS OF MARCH 2, 2021:**

SB 261 (Allen, D-Santa Monica) is a continuation of the author's previous efforts to expand upon SB 375's (Chapter 728, Statutes of 2008) requirements for a metropolitan planning organization (MPO) to develop a sustainable communities strategy (SCS) as part of their regional transportation plan (RTP), demonstrating the ability to meet regional greenhouse gas (GHG) emission reduction targets. Specifically, SB 261 would extend the SB 375 framework beyond 2035 and require that the SCS meet GHG emission and vehicle miles traveled (VMT) reduction targets in 2045 and 2050. SB 261 is substantially similar to a bill introduced by the same author last year, SB 1363 (Allen, D-Santa Monica), that the Orange County Transportation Authority (OCTA) opposed unless amended.

The author's initial bill on the subject, SB 150 (Chapter 646, Statutes of 2017), required the California Air Resources Board (CARB) to issue a report every four years assessing each MPOs' progress in meeting SB 375's GHG emission reduction goals. Based on the findings of the first SB 150 report, the author introduced legislation two years ago, SB 526 (Allen, D-Santa Monica), that would have required MPOs to report on VMT reductions achieved as part of the strategies implemented under the SCS. This bill would have also required CARB to complete progress reports to determine if each MPO was on track to meeting its respective GHG emission reduction targets. Finally, SB 526 would have established a state working group to develop strategies to further reduce regional GHG emissions, including the identification of an investment strategy. OCTA and the California Association of Councils of Government (CALCOG) opposed the bill. The author ultimately held SB 526, pledging to continue working on issues brought forward by the opposition.

Last year, the author introduced legislation, SB 1363, taking a slightly different approach than that of SB 526. SB 1363 would have required that MPOs meet VMT reduction targets in conjunction with SB 375's GHG emission reduction targets. SB 1363 would have required that MPOs meet GHG and VMT reduction targets in 2035, 2045, and 2050. Whereas the initial GHG targets for 2020 and 2035 were developed with public input, the new GHG and VMT reduction targets would be set by CARB, without input from the Regional Targets Advisory Committee established under SB 375. Under SB 1363, the VMT reduction targets could be expressed in miles per capita, percent reduction, or another metric set by CARB. Finally, the bill would have required that cities and counties report every other year to MPOs on housing production near transportation investments consistent with the SCS or applicable alternative planning strategy. Similar to SB 526 in

2019, OCTA and CALCOG both adopted oppose unless amended position on SB 1363. The bill, however, was ultimately held given the truncated legislative session in 2020.

This year's bill, SB 261, is substantially similar to SB 1363. In fact, SB 261 contains many of the provisions, almost word-for-word, from SB 1363, including identical language on VMT targets and target years, the same VMT metric, and similar reporting requirements. There are, however, two important differences. First, SB 261 contains much more detailed language specifying the circumstances under which CARB may reject a draft SCS. SB 261 extends the deadline by which MPOs must submit the draft SCS to CARB from the 60-day timeframe in current law to 90 days, and CARB has the option to comment within 45 days of receiving the draft SCS. CARB may also explicitly reject the SCS if it utilizes a technical methodology that will not yield accurate GHG and VMT estimates, has insufficient data or documentation to support the GHG and VMT estimates, contains GHG and VMT calculations do not demonstrate the region will meet the targets for all years, or does not include specific strategies that sufficiently demonstrate GHG and VMT reductions to achieve the targets. The second major change is that SB 261 expands the reporting requirements for localities, mandating that cities and counties also report on job growth near transportation investments.

#### **EFFECTS ON ORANGE COUNTY:**

The Southern California Association of Governments (SCAG) develops the RTP for a six-county area, which includes Orange County, every four years. The RTP outlines the region's transportation planning objectives for at least a 20-year period. OCTA develops a long-range transportation plan to detail transportation planning priorities in Orange County, which is then integrated into SCAG's RTP. In 2008, SB 375 required the development of the SCS as a new element of the RTP. The SCS serves as the region's plan for reducing regional GHG by better integrating transportation, land use, and planning decisions. The SCS must demonstrate the region's ability to meet GHG emission reduction targets, set by CARB, by 2020 and 2035. SB 375 provided a carve out for the SCAG region that recognizes the unique role of county transportation commissions in planning, programming, and selecting transportation projects for funding. In the SCAG region, county transportation commissions and subregional council of governments may jointly elect to do a subregional SCS, to be integrated into SCAG's regional SCS. In 2012, OCTA and the Orange County Council of Governments were one of two subregions within the SCAG region to elect to do a subregional SCS.

The intent behind SB 375 was to facilitate bottoms-up planning approach that maximized flexibility in the SCS development process in order to meet the region's specific needs, recognizing differences in geographic, demographic, and funding requirements while reflecting the fact that transportation agencies do not have control over land use decisions. SB 261, like SB 1363 last year, would add new VMT reduction requirements to the SCS, utilizing a process largely controlled by CARB without adequate input by MPOs and regional transportation agencies.

While many of OCTA's concerns with SB 261 mirror issues raised last year with regard to SB 1363, new language included in SB 261 creates further issues by outlining how and when CARB may reject a draft SCS. OCTA is concerned that this language will result in CARB prioritizing its own reasoning and policy goals over that of the localized, bottoms-up planning approach envisioned by SB 375, resulting in CARB more frequently rejecting a region's SCS and thereby further delaying the transportation planning process, and impacting the funding of transportation projects. SB 261 also increases the likelihood that CARB and MPOs disagree about modeling methodology. There is no way in which any entity, neither CARB nor any MPO, can perfectly forecast every outcome of every housing and transportation policy. If SB 261 is enacted, CARB could reject SCAG's RTP/SCS for failing to foresee the impacts of another global pandemic, natural disasters, other unforeseeable circumstances, or everchanging policy goals. Moreover, SB 261 gives CARB both more time to review a draft SCS and the option to comment on the MPO's draft SCS, making the language about rejecting a draft SCS unnecessary. If CARB has concerns about a draft SCS, SB 261 allows CARB to comment on such concerns. CARB should have little reason to reject a draft SCS on which an MPO has worked to address CARB's pre-submittal comments. Instead, SB 261 allows CARB to continue to move the goalposts on MPOs working to deliver housing and transportation improvements tailored to the needs of its communities.

Like SB 1363, SB 261 extends SB 375's GHG targets beyond the original dates, now requiring that both VMT and GHG reduction targets be met in 2035, 2045, and 2050. OCTA is specifically concerned that regions must meet the GHG and VMT targets in 2045 and 2050. Requiring targets this close together overburdens the SCS development process since there is not likely to be a measurable reduction in either metric in a period of just five years, especially since MPOs and subregions are forecasting the long-term impacts of GHG and VMT reduction strategies over the next two decades. Any differences over a five-year period that far into the forecast window are more likely to be a result of modeling variances and not meaningful GHG or VMT reduction. OCTA recommends that the bill be amended to set GHG and VMT targets for years 2030 and 2050, streamlining the effectiveness of the SCS in meeting SB 375's goals. This suggestion would also create a more regular target period of every 15 years after SB 375's enactment date.

Like SB 1363, SB 261 also fails to ensure adequate engagement from MPOs and subregional agencies in the development of the new GHG emission reduction or VMT targets. Under current law, the Regional Targets Advisory Committee, consisting of various stakeholders including SCAG and OCTA, was created to directly influence the creation of future targets. Unfortunately, SB 261 does not include a similar input mechanism in the development of VMT targets, instead giving CARB the authority to set VMT reduction targets that will go into each region's SCS without such input. OCTA recommends that the bill be amended to allow for greater public engagement from MPOs and subregional agencies, including regional transportation planning agencies, county transportation commissions, and councils of governments, in the development of VMT reduction targets to facilitate adequate input from the local leaders best-suited to speak to the needs of their communities.

Similar to last year's bill, OCTA is also concerned about the bill's definition of VMT, which does not specifically target a reduction in VMT that aligns with emission reduction requirements. Currently, the bill would include measurements of VMT associated with goods movement, transit service, and other vital sectors that often help reduce GHG emissions. The section of the bill that defines how VMT will be measured should explicitly clarify that the VMT targets only apply to passenger automobiles and light trucks, as is the case with the GHG reduction targets. The VMT metric should also account for significant changes in automobile markets, such as VMT by electric vehicles. The increase in zero-emission vehicles will only become more pronounced with the continued implementation of Executive Order N-79-20, which sets a goal that all new passenger vehicles sold in California be zero-emission starting in 2035. Another option, instead of requiring specific VMT reduction targets, would be to develop a suite of best practices that MPOs can choose from to adopt as part of the RTP, thereby maintaining a bottoms-up approach. The development of best practices should be done in the same manner as suggested for the setting of VMT targets, with involvement from transportation agencies, MPOs, and other responsible entities.

An OPPOSE UNLESS AMENDED position on SB 261 is consistent with OCTA's 2021-2022 State Legislative Platform principle to "Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs."

**OCTA POSITION:**

Staff recommends: OPPOSE UNLESS AMENDED

**Introduced by Senator Allen**

January 27, 2021

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An act to amend Section 65080 of the Government Code, relating to transportation.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 261, as introduced, Allen. Regional transportation plans: sustainable communities strategies.

Existing law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board.

This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Existing law requires each metropolitan planning organization to adopt a public participation plan for development of the sustainable communities strategy, and to submit to the state board a description of the technical methodology it intends to use to estimate the greenhouse gas emissions from its sustainable communities strategy. Existing law

encourages the metropolitan planning organization to work with the state board until the state board concludes that the technical methodology operates accurately.

This bill would require, rather than encourage, the metropolitan planning organization to work with the state board for that purpose. The bill would require the metropolitan planning organization to, at least 90 days before adopting a sustainable communities strategy, submit to the state board for review a draft sustainable communities strategy, and to respond to any comments on the draft it receives from the state board.

Existing law requires the metropolitan planning organization to submit its adopted sustainable communities strategy to the state board for review.

This bill would require that the sustainable communities strategy be submitted within 60 days of adoption. The bill would require the state board to reject the metropolitan planning organization's determination that the strategy submitted would achieve the greenhouse gas emission vehicle miles traveled reduction targets if it determines that certain criteria are met.

This bill would require each city, county, or city and county to biennially report to its metropolitan planning organization the number of housing and jobs, and transit supportive infrastructure, existing and planned, that demonstrates implementation of strategies included in the applicable sustainable communities strategy, as specified.

By imposing new requirements on local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

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

1     SECTION 1. Section 65080 of the Government Code, as  
2 amended by Section 1 of Chapter 177 of the Statutes of 2020, is  
3 amended to read:

4     65080. (a) Each transportation planning agency designated  
5 under Section 29532 or 29532.1 shall prepare and adopt a regional  
6 transportation plan directed at achieving a coordinated and balanced  
7 regional transportation system, including, but not limited to, mass  
8 transportation, highway, railroad, maritime, bicycle, pedestrian,  
9 goods movement, and aviation facilities and services. The plan  
10 shall be action-oriented and pragmatic, considering both the  
11 short-term and long-term future, and shall present clear, concise  
12 policy guidance to local and state officials. The regional  
13 transportation plan shall consider factors specified in Section 134  
14 of Title 23 of the United States Code. Each transportation planning  
15 agency shall consider and incorporate, as appropriate, the  
16 transportation plans of cities, counties, districts, private  
17 organizations, and state and federal agencies.

18     (b) The regional transportation plan shall be an internally  
19 consistent document and shall include all of the following:

20     (1) A policy element that describes the transportation issues in  
21 the region, identifies and quantifies regional needs, and describes  
22 the desired short-range and long-range transportation goals, and  
23 pragmatic objective and policy statements. The objective and policy  
24 statements shall be consistent with the funding estimates of the  
25 financial element. The policy element of transportation planning  
26 agencies with populations that exceed 200,000 persons may  
27 quantify a set of indicators including, but not limited to, all of the  
28 following:

29     (A) Measures of mobility and traffic congestion, including, but  
30 not limited to, daily vehicle hours of delay per capita and vehicle  
31 miles traveled per capita.

32     (B) Measures of road and bridge maintenance and rehabilitation  
33 needs, including, but not limited to, roadway pavement and bridge  
34 conditions.

35     (C) Measures of means of travel, including, but not limited to,  
36 percentage share of all trips (work and nonwork) made by all of  
37 the following:

38     (i) Single occupant vehicle.

1 (ii) Multiple occupant vehicle or carpool.

2 (iii) Public transit including commuter rail and intercity rail.

3 (iv) Walking.

4 (v) Bicycling.

5 (D) Measures of safety and security, including, but not limited  
6 to, total injuries and fatalities assigned to each of the modes set  
7 forth in subparagraph (C).

8 (E) Measures of equity and accessibility, including, but not  
9 limited to, percentage of the population served by frequent and  
10 reliable public transit, with a breakdown by income bracket, and  
11 percentage of all jobs accessible by frequent and reliable public  
12 transit service, with a breakdown by income bracket.

13 (F) The requirements of this section may be met using existing  
14 sources of information. No additional traffic counts, household  
15 surveys, or other sources of data shall be required.

16 (2) A sustainable communities strategy prepared by each  
17 metropolitan planning organization as follows:

18 (A) No later than September 30, 2010, the State Air Resources  
19 Board shall provide each affected region with greenhouse gas  
20 emission reduction targets for the automobile and light truck sector  
21 for 2020 and 2035, respectively. *No later than December 31, 2024,*  
22 *the state board shall provide each affected region with additional*  
23 *greenhouse gas emission reduction targets for the automobile and*  
24 *light truck sector for 2045 and 2050, respectively. No later than*  
25 *December 31, 2024, the state board, in furtherance of achieving*  
26 *the greenhouse gas emission reduction targets, shall provide each*  
27 *affected region with vehicle miles traveled reduction targets for*  
28 *2035, 2045, and 2050.*

29 (i) No later than January 31, 2009, the state board shall appoint  
30 a Regional Targets Advisory Committee to recommend factors to  
31 be considered and methodologies to be used for setting 2020 and  
32 2035 greenhouse gas emission reduction targets for the affected  
33 regions. The committee shall be composed of representatives of  
34 the metropolitan planning organizations, affected air districts, the  
35 League of California Cities, the California State Association of  
36 Counties, local transportation agencies, and members of the public,  
37 including homebuilders, environmental organizations, planning  
38 organizations, environmental justice organizations, affordable  
39 housing organizations, and others. The advisory committee shall  
40 transmit a report with its recommendations to the state board no



1 later than September 30, 2009. In recommending factors to be  
2 considered and methodologies to be used, the advisory committee  
3 may consider any relevant issues, including, but not limited to,  
4 data needs, modeling techniques, growth forecasts, the impacts of  
5 regional jobs-housing balance on interregional travel and  
6 greenhouse gas emissions, economic and demographic trends, the  
7 magnitude of greenhouse gas reduction benefits from a variety of  
8 land use and transportation strategies, and appropriate methods to  
9 describe regional targets and to monitor performance in attaining  
10 those targets. The state board shall consider the report before  
11 setting the targets.

12 (ii) Before setting the *greenhouse gas emissions and vehicle*  
13 *miles traveled reduction* targets for a region, the state board shall  
14 exchange technical information with the metropolitan planning  
15 organization and the affected air district. ~~The For purposes of~~  
16 ~~setting the greenhouse gas emission reduction targets for 2020~~  
17 ~~and 2035, the metropolitan planning organization may recommend~~  
18 ~~a target for the region. The metropolitan planning organization~~  
19 ~~shall hold at least one public workshop within the region after~~  
20 ~~receipt of the report from the advisory committee. The state board~~  
21 ~~shall release draft greenhouse gas emission targets for 2020 and~~  
22 ~~2035 for each region no later than June 30, 2010, and for~~  
23 ~~2045 and 2050, no later than September 30, 2024. The state board~~  
24 ~~shall release draft vehicle miles traveled reduction targets for~~  
25 ~~2035, 2045, and 2050 for each region no later than September 30,~~  
26 ~~2024.~~

27 (iii) In establishing these targets, the state board shall take into  
28 account greenhouse gas emission *and vehicle miles traveled*  
29 reductions that will be achieved by *measures approved or proposed*  
30 *by state agencies to reduce greenhouse gas emissions and vehicle*  
31 *miles traveled and achieved by* improved vehicle emission  
32 standards, changes in fuel composition, and other measures it has  
33 approved that will reduce greenhouse gas emissions *or vehicle*  
34 *miles traveled* in the affected regions, and prospective measures  
35 the state board plans to adopt to reduce greenhouse gas emissions  
36 from other greenhouse gas emission sources as that term is defined  
37 in subdivision (i) of Section 38505 of the Health and Safety Code  
38 and consistent with the regulations promulgated pursuant to the  
39 California Global Warming Solutions Act of 2006 (Division 25.5

(commencing with Section 38500) of the Health and Safety Code), including Section 38566 of the Health and Safety Code.

(iv) The state board shall update the regional greenhouse gas emission *and vehicle miles traveled* reduction targets every eight years consistent with each metropolitan planning organization's timeframe for updating its regional transportation plan under federal law until 2050. The state board may revise the targets every four years based on changes in the factors considered under clause (iii). The state board shall exchange technical information with the Department of Transportation, metropolitan planning organizations, local governments, and affected air districts and engage in a consultative process with public and private stakeholders, before updating these targets.

(v) The greenhouse gas emission reduction targets may be expressed in gross tons, tons per capita, tons per household, or in any other metric deemed appropriate by the state board.

(vi) *The vehicle miles traveled reduction targets may be expressed in miles per capita, percent reduction, or in any other metric deemed appropriate by the state board.*

(B) Each metropolitan planning organization shall prepare a sustainable communities strategy, subject to the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, including the requirement to use the most recent planning assumptions considering local general plans and other factors. The sustainable communities strategy shall—~~(i) identify do all of the following:~~

~~(i) Identify the general location of uses, residential densities, and building intensities within the region, (ii) identify region.~~

~~(ii) Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth, (iii) identify growth.~~

~~(iii) Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584, (iv) identify 65584.~~

~~(iv) Identify a transportation network to service the transportation needs of the region, (v) gather region.~~

(v) *Gather* and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section ~~65080.01, (vi) consider 65080.01.~~

(vi) *Consider* the state housing goals specified in Sections 65580 and ~~65581, (vii) set 65581.~~

(vii) *Set* forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions *and vehicle miles traveled* from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission *and vehicle miles traveled* reduction targets approved by the state ~~board, and (viii) allow board.~~

(viii) *Allow* the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

(C) (i) Within the jurisdiction of the Metropolitan Transportation Commission, as defined by Section 66502, the Association of Bay Area Governments shall be responsible for clauses (i), (ii), (iii), (v), and (vi) of subparagraph (B); the Metropolitan Transportation Commission shall be responsible for clauses (iv) and (viii) of subparagraph (B); and the Association of Bay Area Governments and the Metropolitan Transportation Commission shall jointly be responsible for clause (vii) of subparagraph (B).

(ii) Within the jurisdiction of the Tahoe Regional Planning Agency, as defined in Sections 66800 and 66801, the Tahoe Metropolitan Planning Organization shall use the Regional Plan for the Lake Tahoe Region as the sustainable communities strategy, provided that it complies with clauses (vii) and (viii) of subparagraph (B).

(D) In the region served by the Southern California Association of Governments, a subregional council of governments and the county transportation commission may work together to propose the sustainable communities strategy and an alternative planning strategy, if one is prepared pursuant to subparagraph (I), for that subregional area. The metropolitan planning organization may adopt a framework for a subregional sustainable communities strategy or a subregional alternative planning strategy to address the intraregional land use, transportation, economic, air quality, and climate policy relationships. The metropolitan planning

1 organization shall include the subregional sustainable communities  
2 strategy for that subregion in the regional sustainable communities  
3 strategy to the extent consistent with this section and federal law  
4 and approve the subregional alternative planning strategy, if one  
5 is prepared pursuant to subparagraph (I), for that subregional area  
6 to the extent consistent with this section. The metropolitan planning  
7 organization shall develop overall guidelines, create a public  
8 participation plan pursuant to subparagraph (F), ensure  
9 coordination, resolve conflicts, make sure that the overall plan  
10 complies with applicable legal requirements, and adopt the plan  
11 for the region.

12 (E) The metropolitan planning organization shall conduct at  
13 least two informational meetings in each county within the region  
14 for members of the board of supervisors and city councils on the  
15 sustainable communities strategy and alternative planning strategy,  
16 if any. The metropolitan planning organization may conduct only  
17 one informational meeting if it is attended by representatives of  
18 the county board of supervisors and city council members  
19 representing a majority of the cities representing a majority of the  
20 population in the incorporated areas of that county. Notice of the  
21 informational meeting or meetings shall be sent to the clerk of the  
22 board of supervisors and to each city clerk. The purpose of the  
23 meeting or meetings shall be to discuss the sustainable communities  
24 strategy and the alternative planning strategy, if any, including the  
25 key land use and planning assumptions with the members of the  
26 board of supervisors and the city council members in that county  
27 and to solicit and consider their input and recommendations. In  
28 order to maximize the opportunity for participation by members  
29 of the public throughout the region, these informational meetings  
30 may be conducted by electronic means if a call-in telephonic option  
31 is also provided and the informational meeting is not required to  
32 be conducted pursuant to the Ralph M. Brown Act (Chapter 9  
33 (commencing with Section 54950) of Part 1 of Division 2 of Title  
34 5).

35 (F) Each metropolitan planning organization shall adopt a public  
36 participation plan, for development of the sustainable communities  
37 strategy and an alternative planning strategy, if any, that includes  
38 all of the following:

39 (i) Outreach efforts to encourage the active participation of a  
40 broad range of stakeholder groups in the planning process,

1 consistent with the agency's adopted Federal Public Participation  
2 Plan, including, but not limited to, affordable housing advocates,  
3 transportation advocates, neighborhood and community groups,  
4 environmental advocates, home builder representatives,  
5 broad-based business organizations, landowners, commercial  
6 property interests, and homeowner associations.

7 (ii) Consultation with congestion management agencies,  
8 transportation agencies, and transportation commissions.

9 (iii) Public engagement gatherings throughout the region to  
10 provide the public with the information and tools necessary to  
11 provide a clear understanding of the issues and policy choices. At  
12 least one gathering shall be available to each county in the region  
13 with outreach to residents of that county. For counties with a  
14 population greater than 500,000, at least three public engagement  
15 gatherings shall be held. In order to maximize the opportunity for  
16 participation by members of the public throughout the region, these  
17 public engagement gatherings may be conducted by electronic  
18 means if a call-in telephonic option is also provided and the public  
19 engagement gathering is not required to be conducted pursuant to  
20 the Ralph M. Brown Act (Chapter 9 (commencing with Section  
21 54950) of Part 1 of Division 2 of Title 5).

22 (iv) Preparation and circulation of a draft sustainable  
23 communities strategy and an alternative planning strategy, if one  
24 is prepared, not less than 55 days before adoption of a final regional  
25 transportation plan.

26 (v) At least three public hearings on the draft sustainable  
27 communities strategy in the regional transportation plan and  
28 alternative planning strategy, if one is prepared. If the metropolitan  
29 ~~transportation~~ *planning* organization consists of a single county,  
30 at least two public hearings shall be held. To the maximum extent  
31 feasible, the hearings shall be in different parts of the region. In  
32 order to maximize the opportunity for participation by members  
33 of the public throughout the region, these public hearings may be  
34 conducted by electronic means if a call-in telephonic option is also  
35 provided and the public hearing is not required to be conducted  
36 pursuant to the Ralph M. Brown Act (Chapter 9 (commencing  
37 with Section 54950) of Part 1 of Division 2 of Title 5).

38 (vi) A process for enabling members of the public to provide a  
39 single request to receive notices, information, and updates.

1 (G) In preparing a sustainable communities strategy, the  
2 metropolitan planning organization shall consider spheres of  
3 influence that have been adopted by the local agency formation  
4 commissions within its region.

5 (H) Before adopting a sustainable communities strategy, the  
6 metropolitan planning organization shall quantify the ~~reduction~~  
7 *reductions* in greenhouse gas emissions *and vehicle miles traveled*  
8 projected to be achieved by the sustainable communities strategy  
9 and set forth the difference, if any, between the amount of ~~that~~  
10 ~~reduction~~ *those reductions* and the ~~target~~ *targets* for the region  
11 established by the state board.

12 (I) If the sustainable communities strategy, prepared in  
13 compliance with subparagraph (B) or (D), is unable to reduce  
14 greenhouse gas emissions *and vehicle miles traveled* to achieve  
15 the greenhouse gas emission *and vehicle miles traveled* reduction  
16 targets established by the state board, the metropolitan planning  
17 organization shall prepare an alternative planning strategy to the  
18 sustainable communities strategy showing how those greenhouse  
19 gas emission *and vehicle miles traveled* targets would be achieved  
20 through alternative development patterns, infrastructure, or  
21 additional transportation measures or policies. The alternative  
22 planning strategy shall be a separate document from the regional  
23 transportation plan, but it may be adopted concurrently with the  
24 regional transportation plan. In preparing the alternative planning  
25 strategy, the metropolitan planning organization:

26 (i) Shall identify the principal impediments to achieving the  
27 targets within the sustainable communities strategy.

28 (ii) May include an alternative development pattern for the  
29 region pursuant to subparagraphs (B) to (G), inclusive.

30 (iii) Shall describe how the greenhouse gas emission *and vehicle*  
31 *miles traveled* reduction targets would be achieved by the  
32 alternative planning strategy, and why the development pattern,  
33 measures, and policies in the alternative planning strategy are the  
34 most practicable choices for achievement of the greenhouse gas  
35 emission *and vehicle miles traveled* reduction targets.

36 (iv) An alternative development pattern set forth in the  
37 alternative planning strategy shall comply with Part 450 of Title  
38 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,  
39 except to the extent that compliance will prevent achievement of

1 the greenhouse gas emission *and vehicle miles traveled* reduction  
2 targets approved by the state board.

3 (v) For purposes of the California Environmental Quality Act  
4 (Division 13 (commencing with Section 21000) of the Public  
5 Resources Code), an alternative planning strategy shall not  
6 constitute a land use plan, policy, or regulation, and the  
7 inconsistency of a project with an alternative planning strategy  
8 shall not be a consideration in determining whether a project may  
9 have an environmental effect.

10 (J) (i) Before starting the public participation process adopted  
11 pursuant to subparagraph (F), the metropolitan planning  
12 organization shall submit a description to the state board of the  
13 technical methodology it intends to use to estimate the greenhouse  
14 gas emissions from its sustainable communities strategy and, if  
15 appropriate, its alternative planning strategy. The state board shall  
16 *review and* respond to the metropolitan planning organization in  
17 a timely manner with written comments about the technical  
18 methodology, including specifically describing any aspects of that  
19 methodology it concludes will not yield accurate estimates of  
20 greenhouse gas ~~emissions~~, *emissions and vehicle miles traveled*,  
21 and suggested remedies. The metropolitan planning organization  
22 ~~is encouraged to~~ *shall* work with the state board until the state  
23 board concludes that the technical methodology operates  
24 accurately.

25 ~~(ii) After~~

26 *(ii) At least 90 days before adopting a sustainable communities*  
27 *strategy, a metropolitan planning organization shall submit to the*  
28 *state board for review a draft sustainable communities strategy*  
29 *or, if one is prepared, a draft alternative planning strategy. The*  
30 *state board may within 45 days of receipt of the draft provide*  
31 *written comment to the metropolitan planning organization*  
32 *identifying issues affecting the strategy's ability to produce*  
33 *accurate estimates of greenhouse gas emissions and vehicle miles*  
34 *traveled before the state board's evaluation of the final sustainable*  
35 *communities strategy or, if one is prepared, the final alternative*  
36 *planning strategy. The draft sustainable communities strategy*  
37 *shall contain information consistent with subparagraph (B) and*  
38 *available modeling results and supporting policies that implement*  
39 *strategies to reduce greenhouse gas emissions and vehicle miles*  
40 *traveled. The metropolitan planning organization shall consider*

1 *comments it receives from the state board on the draft sustainable*  
2 *communities strategy or, if one has been prepared, draft alternative*  
3 *planning strategy, and provide the state board with a written*  
4 *response to comments in its final sustainable communities strategy*  
5 *or, if one is prepared, final alternative planning strategy. The*  
6 *responses should indicate and explain how the metropolitan*  
7 *planning organization incorporates or rejects particular state*  
8 *board comments. To provide more meaningful public disclosure,*  
9 *a copy of responses to the state board's comments shall be made*  
10 *available to the public on the metropolitan planning organization's*  
11 *internet website.*

12 *(iii) Within 60 days of adoption, a metropolitan planning*  
13 *organization shall submit a sustainable communities strategy or*  
14 *an alternative planning strategy, if one has been adopted, to the*  
15 *state board for review, including the quantification of the*  
16 *greenhouse gas emission and vehicle miles traveled reductions the*  
17 *strategy would achieve and a description of the technical*  
18 *methodology used to obtain that result. Review by the state board*  
19 *shall be limited to acceptance or rejection of the metropolitan*  
20 *planning organization's determination that the strategy submitted*  
21 *would, if implemented, would achieve the greenhouse gas emission*  
22 *and vehicle miles traveled reduction targets established by the state*  
23 *board. In reviewing that determination, the state board may*  
24 *consider the reasonable progress toward achieving the region's*  
25 *greenhouse gas emission and vehicle miles traveled reduction*  
26 *targets based on its review of data supported metrics for the*  
27 *strategies used to meet the targets. The state board shall complete*  
28 *its review within 60 120 business days.*

29 *(iv) The state board shall reject the metropolitan planning*  
30 *organization's determination that the strategy submitted would*  
31 *achieve the targets if, based on evidence, it determines that any*  
32 *of the following criteria are met: the technical methodology will*  
33 *not yield accurate estimates of greenhouse gas emissions and*  
34 *vehicle miles traveled; the data or documentation provided to*  
35 *support the estimates of greenhouse gas emissions and vehicle*  
36 *miles traveled is insufficient for the state board's review; the*  
37 *calculations to estimate greenhouse gas emissions and vehicle*  
38 *miles traveled do not demonstrate the region achieving greenhouse*  
39 *gas emissions and vehicle miles traveled reduction targets for all*  
40 *target years; or, the sustainable communities strategy does not*



1 *include strategies that sufficiently demonstrate reductions in*  
 2 *greenhouse gas emissions or vehicle miles traveled to achieve the*  
 3 *region's greenhouse gas emissions and vehicle miles traveled*  
 4 *targets.*

5 ~~(iii)~~

6 (v) If the state board determines that the strategy submitted  
 7 ~~would not, if implemented,~~ *not* achieve the greenhouse gas  
 8 emission *and vehicle miles traveled* reduction targets, the  
 9 metropolitan planning organization shall revise its strategy or adopt  
 10 an alternative planning strategy, if not previously adopted, and  
 11 submit the strategy for review pursuant to clause ~~(ii)~~ *(iii)*. At a  
 12 minimum, the metropolitan planning organization must obtain  
 13 state board acceptance that an alternative planning strategy would,  
 14 if implemented, achieve the greenhouse gas emission *and vehicle*  
 15 *miles traveled* reduction targets established for that region by the  
 16 state board.

17 ~~(iv)~~

18 (vi) On or before September 1, 2018, and every four years  
 19 thereafter to align with target setting, notwithstanding Section  
 20 10231.5, the state board shall prepare a report that assesses progress  
 21 made by each metropolitan planning organization in meeting the  
 22 regional greenhouse gas emission *and vehicle miles traveled*  
 23 reduction targets set by the state board. The report shall include  
 24 changes to greenhouse gas emissions in each region and  
 25 data-supported metrics for the strategies used to meet the targets.  
 26 The report shall also include a discussion of best practices and the  
 27 challenges faced by the metropolitan planning organizations in  
 28 meeting the targets, including the effect of state policies and  
 29 funding. The report shall be developed in consultation with the  
 30 metropolitan planning organizations and affected stakeholders.  
 31 The report shall be submitted to the Assembly Committee on  
 32 Transportation and the Assembly Committee on Natural Resources,  
 33 and to the Senate Committee on Transportation, the Senate  
 34 Committee on Housing, and the Senate Committee on  
 35 Environmental Quality.

36 (vii) *Each city, county, or city and county shall biennially report*  
 37 *to its metropolitan planning organization on the number of housing*  
 38 *and jobs, and transit supportive infrastructure, existing and*  
 39 *planned, that demonstrates implementation of strategies included*  
 40 *in the applicable sustainable communities strategy or, if one is*

1 *prepared, alternative planning strategy. The report should include*  
2 *both of the following metrics:*  
3 *(I) The number of existing and planned housing units and jobs*  
4 *within one-half mile of any of the following:*  
5 *(ia) A major transit stop, as defined in Section 21064.3 of the*  
6 *Public Resources Code.*  
7 *(ib) A planned major transit stop included in the applicable*  
8 *regional transportation plan, sustainable communities strategy,*  
9 *or alternative planning strategy, if any.*  
10 *(ic) A high-quality transit corridor, as defined in Section 21155*  
11 *of the Public Resources Code.*  
12 *(id) A planned high-quality transit corridor in the applicable*  
13 *regional transportation plan, sustainable communities strategy,*  
14 *or alternative planning strategy, if any.*  
15 *(II) The number of existing and planned housing units and jobs*  
16 *in areas of the city, county, or city and county that correspond*  
17 *with areas the sustainable communities strategy or alternative*  
18 *planning strategy identifies as priority geographies for*  
19 *accommodating new housing and jobs growth, if any, and identifies*  
20 *as having per capita vehicle miles traveled below the regional*  
21 *average and at least 15 percent below the regional average.*  
22 *(K) Neither a sustainable communities strategy nor an alternative*  
23 *planning strategy regulates the use of land, nor, except as provided*  
24 *by subparagraph (J), shall either one be subject to any state*  
25 *approval. Nothing in a sustainable communities strategy shall be*  
26 *interpreted as superseding the exercise of the land use authority*  
27 *of cities and counties within the region. Nothing in this section*  
28 *shall be interpreted to limit the state board's authority under any*  
29 *other law. Nothing in this section shall be interpreted to authorize*  
30 *the abrogation of any vested right whether created by statute or*  
31 *by common law. Nothing in this section shall require a city's or*  
32 *county's land use policies and regulations, including its general*  
33 *plan, to be consistent with the regional transportation plan or an*  
34 *alternative planning strategy. Nothing in this section requires a*  
35 *metropolitan planning organization to approve a sustainable*  
36 *communities strategy that would be inconsistent with Part 450 of*  
37 *Title 23 of, or Part 93 of Title 40 of, the Code of Federal*  
38 *Regulations and any administrative guidance under those*  
39 *regulations. Nothing in this section relieves a public or private*

1 entity or any person from compliance with any other local, state,  
2 or federal law.

3 (L) Nothing in this section requires projects programmed for  
4 funding on or before December 31, 2011, to be subject to the  
5 provisions of this paragraph if they (i) are contained in the 2007  
6 or 2009 Federal Statewide Transportation Improvement Program,  
7 (ii) are funded pursuant to the Highway Safety, Traffic Reduction,  
8 Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49  
9 (commencing with Section 8879.20) of Division 1 of Title 2), or  
10 (iii) were specifically listed in a ballot measure before December  
11 31, 2008, approving a sales tax increase for transportation projects.  
12 Nothing in this section shall require a transportation sales tax  
13 authority to change the funding allocations approved by the voters  
14 for categories of transportation projects in a sales tax measure  
15 adopted before December 31, 2010. For purposes of this  
16 subparagraph, a transportation sales tax authority is a district, as  
17 defined in Section 7252 of the Revenue and Taxation Code, that  
18 is authorized to impose a sales tax for transportation purposes.

19 (M) A metropolitan planning organization, or a regional  
20 transportation planning agency not within a metropolitan planning  
21 organization, that is required to adopt a regional transportation  
22 plan not less than every five years, may elect to adopt the plan not  
23 less than every four years. This election shall be made by the board  
24 of directors of the metropolitan planning organization or regional  
25 transportation planning agency no later than June 1, 2009, or  
26 thereafter 54 months before the statutory deadline for the adoption  
27 of housing elements for the local jurisdictions within the region,  
28 after a public hearing at which comments are accepted from  
29 members of the public and representatives of cities and counties  
30 within the region covered by the metropolitan planning  
31 organization or regional transportation planning agency. Notice  
32 of the public hearing shall be given to the general public and by  
33 mail to cities and counties within the region no later than 30 days  
34 before the date of the public hearing. Notice of election shall be  
35 promptly given to the Department of Housing and Community  
36 Development. The metropolitan planning organization or the  
37 regional transportation planning agency shall complete its next  
38 regional transportation plan within three years of the notice of  
39 election.

1 (N) Two or more of the metropolitan planning organizations  
2 for Fresno County, Kern County, Kings County, Madera County,  
3 Merced County, San Joaquin County, Stanislaus County, and  
4 Tulare County may work together to develop and adopt  
5 multiregional goals and policies that may address interregional  
6 land use, transportation, economic, air quality, and climate  
7 relationships. The participating metropolitan planning organizations  
8 may also develop a multiregional sustainable communities strategy,  
9 to the extent consistent with federal law, or an alternative planning  
10 strategy for adoption by the metropolitan planning organizations.  
11 Each participating metropolitan planning organization shall  
12 consider any adopted multiregional goals and policies in the  
13 development of a sustainable communities strategy and, if  
14 applicable, an alternative planning strategy for its region.

15 (3) An action element that describes the programs and actions  
16 necessary to implement the plan and assigns implementation  
17 responsibilities. The action element may describe all transportation  
18 projects proposed for development during the 20-year or greater  
19 life of the plan. The action element shall consider congestion  
20 management programming activities carried out within the region.

21 (4) (A) A financial element that summarizes the cost of plan  
22 implementation constrained by a realistic projection of available  
23 revenues. The financial element shall also contain  
24 recommendations for allocation of funds. A county transportation  
25 commission created pursuant to the County Transportation  
26 Commissions Act (Division 12 (commencing with Section 130000)  
27 of the Public Utilities Code) shall be responsible for recommending  
28 projects to be funded with regional improvement funds, if the  
29 project is consistent with the regional transportation plan. The first  
30 five years of the financial element shall be based on the five-year  
31 estimate of funds developed pursuant to Section 14524. The  
32 financial element may recommend the development of specified  
33 new sources of revenue, consistent with the policy element and  
34 action element.

35 (B) The financial element of transportation planning agencies  
36 with populations that exceed 200,000 persons may include a project  
37 cost breakdown for all projects proposed for development during  
38 the 20-year life of the plan that includes total expenditures and  
39 related percentages of total expenditures for all of the following:

40 (i) State highway expansion.

- 1 (ii) State highway rehabilitation, maintenance, and operations.
- 2 (iii) Local road and street expansion.
- 3 (iv) Local road and street rehabilitation, maintenance, and
- 4 operation.
- 5 (v) Mass transit, commuter rail, and intercity rail expansion.
- 6 (vi) Mass transit, commuter rail, and intercity rail rehabilitation,
- 7 maintenance, and operations.
- 8 (vii) Pedestrian and bicycle facilities.
- 9 (viii) Environmental enhancements and mitigation.
- 10 (ix) Research and planning.
- 11 (x) Other categories.

12 (C) The metropolitan planning organization or county  
13 transportation agency, whichever entity is appropriate, shall  
14 consider financial incentives for cities and counties that have  
15 resource areas or farmland, as defined in Section 65080.01, for  
16 the purposes of, for example, transportation investments for the  
17 preservation and safety of the city street or county road system  
18 and farm-to-market and interconnectivity transportation needs.  
19 The metropolitan planning organization or county transportation  
20 agency, whichever entity is appropriate, shall also consider  
21 financial assistance for counties to address countywide service  
22 responsibilities in counties that contribute toward the greenhouse  
23 gas emission *and vehicle miles traveled* reduction targets by  
24 implementing policies for growth to occur within their cities.

25 (c) Each transportation planning agency may also include other  
26 factors of local significance as an element of the regional  
27 transportation plan, including, but not limited to, issues of mobility  
28 for specific sectors of the community, including, but not limited  
29 to, senior citizens.

30 (d) (1) Except as otherwise provided in this subdivision, each  
31 transportation planning agency shall adopt and submit, every four  
32 years, an updated regional transportation plan to the California  
33 Transportation Commission and the Department of Transportation.  
34 A transportation planning agency located in a federally designated  
35 air quality attainment area or that does not contain an urbanized  
36 area may at its option adopt and submit a regional transportation  
37 plan every five years. When applicable, the plan shall be consistent  
38 with federal planning and programming requirements and shall  
39 conform to the regional transportation plan guidelines adopted by  
40 the California Transportation Commission. Before adoption of the

1 regional transportation plan, a public hearing shall be held after  
2 the giving of notice of the hearing by publication in the affected  
3 county or counties pursuant to Section 6061.

4 (2) (A) Notwithstanding subdivisions (b) and (c), and paragraph  
5 (1), inclusive, the regional transportation plan, sustainable  
6 communities strategy, and environmental impact report adopted  
7 by the San Diego Association of Governments on October 9, 2015,  
8 shall remain in effect for all purposes, including for purposes of  
9 consistency determinations and funding eligibility for the San  
10 Diego Association of Governments and all other agencies relying  
11 on those documents, until the San Diego Association of  
12 Governments adopts its next update to its regional transportation  
13 plan.

14 (B) The San Diego Association of Governments shall adopt and  
15 submit its update to the 2015 regional transportation plan on or  
16 before December 31, 2021.

17 (C) After the update described in subparagraph (B), the time  
18 period for San Diego Association of Governments' updates to its  
19 regional transportation plan shall be reset and shall be adopted and  
20 submitted every four years.

21 (D) Notwithstanding clause (iv) of subparagraph (A) of  
22 paragraph (2) of subdivision (b), the State Air Resources Board  
23 shall not update the greenhouse gas emission reduction targets for  
24 the region within the jurisdiction of the San Diego Association of  
25 Governments before the adoption of the update to the regional  
26 transportation plan pursuant to subparagraph (B).

27 (E) The update to the regional transportation plan adopted by  
28 the San Diego Association of Governments on October 9, 2015,  
29 which will be prepared and submitted to federal agencies for  
30 purposes of compliance with federal laws applicable to regional  
31 transportation plans and air quality conformity and which is due  
32 in October 2019, shall not be considered a regional transportation  
33 plan pursuant to this section and shall not constitute a project for  
34 purposes of the California Environmental Quality Act (Division  
35 13 (commencing with Section 21000) of the Public Resources  
36 Code).

37 (F) In addition to meeting the other requirements to nominate  
38 a project for funding through the Solutions for Congested Corridors  
39 Program (Chapter 8.5 (commencing with Section 2390) of Division  
40 3 of the Streets and Highways Code), the San Diego Association

1 of Governments, until December 31, 2021, shall only nominate  
2 projects for funding through the Solutions for Congested Corridors  
3 Program that are consistent with the eligibility requirements for  
4 projects under any of the following programs:

5 (i) The Transit and Intercity Rail Capital Program (Part 2  
6 (commencing with Section 75220) of Division 44 of the Public  
7 Resources Code).

8 (ii) The Low Carbon Transit Operations Program (Part 3  
9 (commencing with Section 75230) of Division 44 of the Public  
10 Resources Code).

11 (iii) The Active Transportation Program (Chapter 8  
12 (commencing with Section 2380) of Division 3 of the Streets and  
13 Highways Code).

14 (G) Commencing January 1, 2020, and every two years  
15 thereafter, the San Diego Association of Governments shall begin  
16 developing an implementation report that tracks the implementation  
17 of its most recently adopted sustainable communities strategy. The  
18 report shall discuss the status of the implementation of the strategy  
19 at the regional and local level, and any successes and barriers that  
20 have occurred since the last report. The San Diego Association of  
21 Governments shall submit the implementation report to the state  
22 board by including it in its sustainable communities strategy  
23 implementation review pursuant to clause (ii) of subparagraph (J)  
24 of paragraph (2) of subdivision (b).

25 (e) This section shall remain in effect only until January 1, 2023,  
26 and as of that date is repealed.

27 SEC. 2. Section 65080 of the Government Code, as added by  
28 Section 2 of Chapter 177 of the Statutes of 2020, is amended to  
29 read:

30 65080. (a) Each transportation planning agency designated  
31 under Section 29532 or 29532.1 shall prepare and adopt a regional  
32 transportation plan directed at achieving a coordinated and balanced  
33 regional transportation system, including, but not limited to, mass  
34 transportation, highway, railroad, maritime, bicycle, pedestrian,  
35 goods movement, and aviation facilities and services. The plan  
36 shall be action-oriented and pragmatic, considering both the  
37 short-term and long-term future, and shall present clear, concise  
38 policy guidance to local and state officials. The regional  
39 transportation plan shall consider factors specified in Section 134  
40 of Title 23 of the United States Code. Each transportation planning

1 agency shall consider and incorporate, as appropriate, the  
2 transportation plans of cities, counties, districts, private  
3 organizations, and state and federal agencies.

4 (b) The regional transportation plan shall be an internally  
5 consistent document and shall include all of the following:

6 (1) A policy element that describes the transportation issues in  
7 the region, identifies and quantifies regional needs, and describes  
8 the desired short-range and long-range transportation goals, and  
9 pragmatic objective and policy statements. The objective and policy  
10 statements shall be consistent with the funding estimates of the  
11 financial element. The policy element of transportation planning  
12 agencies with populations that exceed 200,000 persons may  
13 quantify a set of indicators including, but not limited to, all of the  
14 following:

15 (A) Measures of mobility and traffic congestion, including, but  
16 not limited to, daily vehicle hours of delay per capita and vehicle  
17 miles traveled per capita.

18 (B) Measures of road and bridge maintenance and rehabilitation  
19 needs, including, but not limited to, roadway pavement and bridge  
20 conditions.

21 (C) Measures of means of travel, including, but not limited to,  
22 percentage share of all trips (work and nonwork) made by all of  
23 the following:

24 (i) Single occupant vehicle.

25 (ii) Multiple occupant vehicle or carpool.

26 (iii) Public transit including commuter rail and intercity rail.

27 (iv) Walking.

28 (v) Bicycling.

29 (D) Measures of safety and security, including, but not limited  
30 to, total injuries and fatalities assigned to each of the modes set  
31 forth in subparagraph (C).

32 (E) Measures of equity and accessibility, including, but not  
33 limited to, percentage of the population served by frequent and  
34 reliable public transit, with a breakdown by income bracket, and  
35 percentage of all jobs accessible by frequent and reliable public  
36 transit service, with a breakdown by income bracket.

37 (F) The requirements of this section may be met using existing  
38 sources of information. No additional traffic counts, household  
39 surveys, or other sources of data shall be required.



1 (2) A sustainable communities strategy prepared by each  
2 metropolitan planning organization as follows:

3 (A) No later than September 30, 2010, the State Air Resources  
4 Board shall provide each affected region with greenhouse gas  
5 emission reduction targets for the automobile and light truck sector  
6 for 2020 and 2035, respectively. *No later than December 31, 2024,*  
7 *the state board shall provide each affected region with additional*  
8 *greenhouse gas emission reduction targets for the automobile and*  
9 *light truck sector for 2045 and 2050, respectively. No later than*  
10 *December 31, 2024, the state board, in furtherance of achieving*  
11 *the greenhouse gas emission reduction targets, shall provide each*  
12 *affected region with vehicle miles traveled reduction targets for*  
13 *2035, 2045, and 2050.*

14 (i) No later than January 31, 2009, the state board shall appoint  
15 a Regional Targets Advisory Committee to recommend factors to  
16 be considered and methodologies to be used for setting *2020 and*  
17 *2035* greenhouse gas emission reduction targets for the affected  
18 regions. The committee shall be composed of representatives of  
19 the metropolitan planning organizations, affected air districts, the  
20 League of California Cities, the California State Association of  
21 Counties, local transportation agencies, and members of the public,  
22 including homebuilders, environmental organizations, planning  
23 organizations, environmental justice organizations, affordable  
24 housing organizations, and others. The advisory committee shall  
25 transmit a report with its recommendations to the state board no  
26 later than September 30, 2009. In recommending factors to be  
27 considered and methodologies to be used, the advisory committee  
28 may consider any relevant issues, including, but not limited to,  
29 data needs, modeling techniques, growth forecasts, the impacts of  
30 regional jobs-housing balance on interregional travel and  
31 greenhouse gas emissions, economic and demographic trends, the  
32 magnitude of greenhouse gas reduction benefits from a variety of  
33 land use and transportation strategies, and appropriate methods to  
34 describe regional targets and to monitor performance in attaining  
35 those targets. The state board shall consider the report before  
36 setting the targets.

37 (ii) Before setting the *greenhouse gas emissions and vehicle*  
38 *miles traveled reduction* targets for a region, the state board shall  
39 exchange technical information with the metropolitan planning  
40 organization and the affected air district. ~~The~~ *For purposes of*

1 *setting the greenhouse gas emission reduction targets for 2020*  
2 *and 2035, the metropolitan planning organization may recommend*  
3 *a target for the region. The metropolitan planning organization*  
4 *shall hold at least one public workshop within the region after*  
5 *receipt of the report from the advisory committee. The state board*  
6 *shall release draft greenhouse gas emission targets for 2020 and*  
7 *2035 for each region no later than June 30, 2010, and for*  
8 *2045 and 2050, no later than September 30, 2024. The state board*  
9 *shall release draft vehicle miles traveled reduction targets for*  
10 *2035, 2045, and 2050 for each region no later than September 30,*  
11 *2024.*

12 (iii) In establishing these targets, the state board shall take into  
13 account greenhouse gas emission *and vehicle miles traveled*  
14 reductions that will be achieved by *measures approved or proposed*  
15 *by state agencies to reduce greenhouse gas emissions and vehicle*  
16 *miles traveled and achieved by* improved vehicle emission  
17 standards, changes in fuel composition, and other measures it has  
18 approved that will reduce greenhouse gas emissions *or vehicle*  
19 *miles traveled* in the affected regions, and prospective measures  
20 the state board plans to adopt to reduce greenhouse gas emissions  
21 from other greenhouse gas emission sources as that term is defined  
22 in subdivision (i) of Section 38505 of the Health and Safety Code  
23 and consistent with the regulations promulgated pursuant to the  
24 California Global Warming Solutions Act of 2006 (Division 25.5  
25 (commencing with Section 38500) of the Health and Safety Code),  
26 including Section 38566 of the Health and Safety Code.

27 (iv) The state board shall update the regional greenhouse gas  
28 emission *and vehicle miles traveled* reduction targets every eight  
29 years consistent with each metropolitan planning organization's  
30 timeframe for updating its regional transportation plan under  
31 federal law until 2050. The state board may revise the targets every  
32 four years based on changes in the factors considered under clause  
33 (iii). The state board shall exchange technical information with  
34 the Department of Transportation, metropolitan planning  
35 organizations, local governments, and affected air districts and  
36 engage in a consultative process with public and private  
37 stakeholders, before updating these targets.

38 (v) The greenhouse gas emission reduction targets may be  
39 expressed in gross tons, tons per capita, tons per household, or in  
40 any other metric deemed appropriate by the state board.

(vi) *The vehicle miles traveled reduction targets may be expressed in miles per capita, percent reduction, or in any other metric deemed appropriate by the state board.*

(B) Each metropolitan planning organization shall prepare a sustainable communities strategy, subject to the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, including the requirement to use the most recent planning assumptions considering local general plans and other factors. The sustainable communities strategy shall—~~(i) identify~~ *do all of the following:*

(i) *Identify the general location of uses, residential densities, and building intensities within the region,* ~~(ii) identify region.~~

(ii) *Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth,* ~~(iii) identify growth.~~

(iii) *Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584,* ~~(iv) identify 65584.~~

(iv) *Identify a transportation network to service the transportation needs of the region,* ~~(v) gather region.~~

(v) *Gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01,* ~~(vi) consider 65080.01.~~

(vi) *Consider the state housing goals specified in Sections 65580 and 65581,* ~~(vii) set 65581.~~

(vii) *Set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions and vehicle miles traveled from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission and vehicle miles traveled reduction targets approved by the state board, and* ~~(viii) allow board.~~

(viii) *Allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).*

(C) (i) Within the jurisdiction of the Metropolitan Transportation Commission, as defined by Section 66502, the

1 Association of Bay Area Governments shall be responsible for  
2 clauses (i), (ii), (iii), (v), and (vi) of subparagraph (B); the  
3 Metropolitan Transportation Commission shall be responsible for  
4 clauses (iv) and (viii) of subparagraph (B); and the Association of  
5 Bay Area Governments and the Metropolitan Transportation  
6 Commission shall jointly be responsible for clause (vii) of  
7 subparagraph (B).

8 (ii) Within the jurisdiction of the Tahoe Regional Planning  
9 Agency, as defined in Sections 66800 and 66801, the Tahoe  
10 Metropolitan Planning Organization shall use the Regional Plan  
11 for the Lake Tahoe Region as the sustainable communities strategy,  
12 provided that it complies with clauses (vii) and (viii) of  
13 subparagraph (B).

14 (D) In the region served by the Southern California Association  
15 of Governments, a subregional council of governments and the  
16 county transportation commission may work together to propose  
17 the sustainable communities strategy and an alternative planning  
18 strategy, if one is prepared pursuant to subparagraph (I), for that  
19 subregional area. The metropolitan planning organization may  
20 adopt a framework for a subregional sustainable communities  
21 strategy or a subregional alternative planning strategy to address  
22 the intraregional land use, transportation, economic, air quality,  
23 and climate policy relationships. The metropolitan planning  
24 organization shall include the subregional sustainable communities  
25 strategy for that subregion in the regional sustainable communities  
26 strategy to the extent consistent with this section and federal law  
27 and approve the subregional alternative planning strategy, if one  
28 is prepared pursuant to subparagraph (I), for that subregional area  
29 to the extent consistent with this section. The metropolitan planning  
30 organization shall develop overall guidelines, create a public  
31 participation plan pursuant to subparagraph (F), ensure  
32 coordination, resolve conflicts, make sure that the overall plan  
33 complies with applicable legal requirements, and adopt the plan  
34 for the region.

35 (E) The metropolitan planning organization shall conduct at  
36 least two informational meetings in each county within the region  
37 for members of the board of supervisors and city councils on the  
38 sustainable communities strategy and alternative planning strategy,  
39 if any. The metropolitan planning organization may conduct only  
40 one informational meeting if it is attended by representatives of

1 the county board of supervisors and city council members  
2 representing a majority of the cities representing a majority of the  
3 population in the incorporated areas of that county. Notice of the  
4 meeting or meetings shall be sent to the clerk of the board of  
5 supervisors and to each city clerk. The purpose of the meeting or  
6 meetings shall be to discuss the sustainable communities strategy  
7 and the alternative planning strategy, if any, including the key land  
8 use and planning assumptions with the members of the board of  
9 supervisors and the city council members in that county and to  
10 solicit and consider their input and recommendations.

11 (F) Each metropolitan planning organization shall adopt a public  
12 participation plan, for development of the sustainable communities  
13 strategy and an alternative planning strategy, if any, that includes  
14 all of the following:

15 (i) Outreach efforts to encourage the active participation of a  
16 broad range of stakeholder groups in the planning process,  
17 consistent with the agency's adopted Federal Public Participation  
18 Plan, including, but not limited to, affordable housing advocates,  
19 transportation advocates, neighborhood and community groups,  
20 environmental advocates, home builder representatives,  
21 broad-based business organizations, landowners, commercial  
22 property interests, and homeowner associations.

23 (ii) Consultation with congestion management agencies,  
24 transportation agencies, and transportation commissions.

25 (iii) Workshops throughout the region to provide the public with  
26 the information and tools necessary to provide a clear  
27 understanding of the issues and policy choices. At least one  
28 workshop shall be held in each county in the region. For counties  
29 with a population greater than 500,000, at least three workshops  
30 shall be held. Each workshop, to the extent practicable, shall  
31 include urban simulation computer modeling to create visual  
32 representations of the sustainable communities strategy and the  
33 alternative planning strategy.

34 (iv) Preparation and circulation of a draft sustainable  
35 communities strategy and an alternative planning strategy, if one  
36 is prepared, not less than 55 days before adoption of a final regional  
37 transportation plan.

38 (v) At least three public hearings on the draft sustainable  
39 communities strategy in the regional transportation plan and  
40 alternative planning strategy, if one is prepared. If the metropolitan

1 ~~transportation~~ *planning* organization consists of a single county,  
2 at least two public hearings shall be held. To the maximum extent  
3 feasible, the hearings shall be in different parts of the region to  
4 maximize the opportunity for participation by members of the  
5 public throughout the region.

6 (vi) A process for enabling members of the public to provide a  
7 single request to receive notices, information, and updates.

8 (G) In preparing a sustainable communities strategy, the  
9 metropolitan planning organization shall consider spheres of  
10 influence that have been adopted by the local agency formation  
11 commissions within its region.

12 (H) Before adopting a sustainable communities strategy, the  
13 metropolitan planning organization shall quantify the ~~reduction~~  
14 *reductions* in greenhouse gas emissions *and vehicle miles traveled*  
15 projected to be achieved by the sustainable communities strategy  
16 and set forth the difference, if any, between the amount of ~~that~~  
17 ~~reduction~~ *those reductions* and the ~~target~~ *targets* for the region  
18 established by the state board.

19 (I) If the sustainable communities strategy, prepared in  
20 compliance with subparagraph (B) or (D), is unable to reduce  
21 greenhouse gas emissions *and vehicle miles traveled* to achieve  
22 the greenhouse gas emission *and vehicle miles traveled* reduction  
23 targets established by the state board, the metropolitan planning  
24 organization shall prepare an alternative planning strategy to the  
25 sustainable communities strategy showing how those greenhouse  
26 gas emission *and vehicle miles traveled* targets would be achieved  
27 through alternative development patterns, infrastructure, or  
28 additional transportation measures or policies. The alternative  
29 planning strategy shall be a separate document from the regional  
30 transportation plan, but it may be adopted concurrently with the  
31 regional transportation plan. In preparing the alternative planning  
32 strategy, the metropolitan planning organization:

33 (i) Shall identify the principal impediments to achieving the  
34 targets within the sustainable communities strategy.

35 (ii) May include an alternative development pattern for the  
36 region pursuant to subparagraphs (B) to (G), inclusive.

37 (iii) Shall describe how the greenhouse gas emission *and vehicle*  
38 *miles traveled* reduction targets would be achieved by the  
39 alternative planning strategy, and why the development pattern,  
40 measures, and policies in the alternative planning strategy are the

1 most practicable choices for achievement of the greenhouse gas  
2 emission *and vehicle miles traveled* reduction targets.

3 (iv) An alternative development pattern set forth in the  
4 alternative planning strategy shall comply with Part 450 of Title  
5 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,  
6 except to the extent that compliance will prevent achievement of  
7 the greenhouse gas emission *and vehicle miles traveled* reduction  
8 targets approved by the state board.

9 (v) For purposes of the California Environmental Quality Act  
10 (Division 13 (commencing with Section 21000) of the Public  
11 Resources Code), an alternative planning strategy shall not  
12 constitute a land use plan, policy, or regulation, and the  
13 inconsistency of a project with an alternative planning strategy  
14 shall not be a consideration in determining whether a project may  
15 have an environmental effect.

16 (J) (i) Before starting the public participation process adopted  
17 pursuant to subparagraph (F), the metropolitan planning  
18 organization shall submit a description to the state board of the  
19 technical methodology it intends to use to estimate the greenhouse  
20 gas emissions from its sustainable communities strategy and, if  
21 appropriate, its alternative planning strategy. The state board shall  
22 *review and* respond to the metropolitan planning organization in  
23 a timely manner with written comments about the technical  
24 methodology, including specifically describing any aspects of that  
25 methodology it concludes will not yield accurate estimates of  
26 greenhouse gas ~~emissions~~, *emissions and vehicle miles traveled*,  
27 and suggested remedies. The metropolitan planning organization  
28 ~~is encouraged to~~ *shall* work with the state board until the state  
29 board concludes that the technical methodology operates  
30 accurately.

31 ~~(ii) After~~

32 *(ii) At least 90 days before adopting a sustainable communities*  
33 *strategy, a metropolitan planning organization shall submit to the*  
34 *state board for review a draft sustainable communities strategy*  
35 *or, if one is prepared, a draft alternative planning strategy. The*  
36 *state board may within 45 days of receipt of the draft provide*  
37 *written comment to the metropolitan planning organization*  
38 *identifying issues affecting the strategy's ability to produce*  
39 *accurate estimates of greenhouse gas emissions and vehicle miles*  
40 *traveled before the state board's evaluation of the final sustainable*

1 *communities strategy or, if one is prepared, the final alternative*  
2 *planning strategy. The draft sustainable communities strategy*  
3 *shall contain information consistent with subparagraph (B) and*  
4 *available modeling results and supporting policies that implement*  
5 *strategies to reduce greenhouse gas emissions and vehicle miles*  
6 *traveled. The metropolitan planning organization shall consider*  
7 *comments it receives from the state board on the draft sustainable*  
8 *communities strategy or, if one has been prepared, draft alternative*  
9 *planning strategy, and provide the state board with a written*  
10 *response to comments in its final sustainable communities strategy*  
11 *or, if one is prepared, final alternative planning strategy. The*  
12 *responses should indicate and explain how the metropolitan*  
13 *planning organization incorporates or rejects particular state*  
14 *board comments. To provide more meaningful public disclosure,*  
15 *a copy of responses to the state board's comments shall be made*  
16 *available to the public on the metropolitan planning organization's*  
17 *internet website.*

18 *(iii) Within 60 days of adoption, a metropolitan planning*  
19 *organization shall submit a sustainable communities strategy or*  
20 *an alternative planning strategy, if one has been adopted, to the*  
21 *state board for review, including the quantification of the*  
22 *greenhouse gas emission and vehicle miles traveled reductions the*  
23 *strategy would achieve and a description of the technical*  
24 *methodology used to obtain that result. Review by the state board*  
25 *shall be limited to acceptance or rejection of the metropolitan*  
26 *planning organization's determination that the strategy submitted*  
27 *would, if implemented, would achieve the greenhouse gas emission*  
28 *and vehicle miles traveled reduction targets established by the state*  
29 *board. In reviewing that determination, the state board may*  
30 *consider the reasonable progress toward achieving the region's*  
31 *greenhouse gas emission and vehicle miles traveled reduction*  
32 *targets based on its review of data supported metrics for the*  
33 *strategies used to meet the targets. The state board shall complete*  
34 *its review within 60 120 business days.*

35 *(iv) The state board shall reject the metropolitan planning*  
36 *organization's determination that the strategy submitted would*  
37 *achieve the targets if, based on evidence, it determines that any*  
38 *of the following criteria are met: the technical methodology will*  
39 *not yield accurate estimates of greenhouse gas emissions and*  
40 *vehicle miles traveled; the data or documentation provided to*



1 *support the estimates of greenhouse gas emissions and vehicle*  
2 *miles traveled is insufficient for the state board's review; the*  
3 *calculations to estimate greenhouse gas emissions and vehicle*  
4 *miles traveled do not demonstrate the region achieving greenhouse*  
5 *gas emissions and vehicle miles traveled reduction targets for all*  
6 *target years; or, the sustainable communities strategy does not*  
7 *include strategies that sufficiently demonstrate reductions in*  
8 *greenhouse gas emissions or vehicle miles traveled to achieve the*  
9 *region's greenhouse gas emissions and vehicle miles traveled*  
10 *targets.*

11 ~~(iii)~~

12 (v) If the state board determines that the strategy submitted  
13 ~~would not, if implemented,~~ *not* achieve the greenhouse gas  
14 *emission and vehicle miles traveled* reduction targets, the  
15 metropolitan planning organization shall revise its strategy or adopt  
16 an alternative planning strategy, if not previously adopted, and  
17 submit the strategy for review pursuant to clause ~~(ii)~~ *(iii)*. At a  
18 minimum, the metropolitan planning organization must obtain  
19 state board acceptance that an alternative planning strategy would,  
20 if implemented, achieve the greenhouse gas emission *and vehicle*  
21 *miles traveled* reduction targets established for that region by the  
22 state board.

23 ~~(iv)~~

24 (vi) On or before September 1, 2018, and every four years  
25 thereafter to align with target setting, notwithstanding Section  
26 10231.5, the state board shall prepare a report that assesses progress  
27 made by each metropolitan planning organization in meeting the  
28 regional greenhouse gas emission *and vehicle miles traveled*  
29 reduction targets set by the state board. The report shall include  
30 changes to greenhouse gas emissions in each region and  
31 data-supported metrics for the strategies used to meet the targets.  
32 The report shall also include a discussion of best practices and the  
33 challenges faced by the metropolitan planning organizations in  
34 meeting the targets, including the effect of state policies and  
35 funding. The report shall be developed in consultation with the  
36 metropolitan planning organizations and affected stakeholders.  
37 The report shall be submitted to the Assembly Committee on  
38 Transportation and the Assembly Committee on Natural Resources,  
39 and to the Senate Committee on Transportation, the Senate

1 Committee on Housing, and the Senate Committee on  
2 Environmental Quality.

3 (vii) *Each city, county, or city and county shall biennially report*  
4 *to its metropolitan planning organization on the number of housing*  
5 *and jobs, and transit supportive infrastructure, existing and*  
6 *planned, that demonstrates implementation of strategies included*  
7 *in the applicable sustainable communities strategy or, if one is*  
8 *prepared, alternative planning strategy. The report should include*  
9 *both of the following metrics:*

10 (I) *The number of existing and planned housing units and jobs*  
11 *within one-half mile of any of the following:*

12 (ia) *A major transit stop, as defined in Section 21064.3 of the*  
13 *Public Resources Code.*

14 (ib) *A planned major transit stop included in the applicable*  
15 *regional transportation plan, sustainable communities strategy,*  
16 *or alternative planning strategy, if any.*

17 (ic) *A high-quality transit corridor, as defined in Section 21155*  
18 *of the Public Resources Code.*

19 (id) *A planned high-quality transit corridor in the applicable*  
20 *regional transportation plan, sustainable communities strategy,*  
21 *or alternative planning strategy, if any.*

22 (II) *The number of existing and planned housing units and jobs*  
23 *in areas of the city, county, or city and county that correspond*  
24 *with areas the sustainable communities strategy or alternative*  
25 *planning strategy identifies as priority geographies for*  
26 *accommodating new housing and jobs growth, if any, and identifies*  
27 *as having per capita vehicle miles traveled below the regional*  
28 *average and at least 15 percent below the regional average.*

29 (K) Neither a sustainable communities strategy nor an alternative  
30 planning strategy regulates the use of land, nor, except as provided  
31 by subparagraph (J), shall either one be subject to any state  
32 approval. Nothing in a sustainable communities strategy shall be  
33 interpreted as superseding the exercise of the land use authority  
34 of cities and counties within the region. Nothing in this section  
35 shall be interpreted to limit the state board's authority under any  
36 other law. Nothing in this section shall be interpreted to authorize  
37 the abrogation of any vested right whether created by statute or  
38 by common law. Nothing in this section shall require a city's or  
39 county's land use policies and regulations, including its general  
40 plan, to be consistent with the regional transportation plan or an

1 alternative planning strategy. Nothing in this section requires a  
2 metropolitan planning organization to approve a sustainable  
3 communities strategy that would be inconsistent with Part 450 of  
4 Title 23 of, or Part 93 of Title 40 of, the Code of Federal  
5 Regulations and any administrative guidance under those  
6 regulations. Nothing in this section relieves a public or private  
7 entity or any person from compliance with any other local, state,  
8 or federal law.

9 (L) Nothing in this section requires projects programmed for  
10 funding on or before December 31, 2011, to be subject to the  
11 provisions of this paragraph if they (i) are contained in the 2007  
12 or 2009 Federal Statewide Transportation Improvement Program,  
13 (ii) are funded pursuant to the Highway Safety, Traffic Reduction,  
14 Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49  
15 (commencing with Section 8879.20) of Division 1 of Title 2), or  
16 (iii) were specifically listed in a ballot measure before December  
17 31, 2008, approving a sales tax increase for transportation projects.  
18 Nothing in this section shall require a transportation sales tax  
19 authority to change the funding allocations approved by the voters  
20 for categories of transportation projects in a sales tax measure  
21 adopted before December 31, 2010. For purposes of this  
22 subparagraph, a transportation sales tax authority is a district, as  
23 defined in Section 7252 of the Revenue and Taxation Code, that  
24 is authorized to impose a sales tax for transportation purposes.

25 (M) A metropolitan planning organization, or a regional  
26 transportation planning agency not within a metropolitan planning  
27 organization, that is required to adopt a regional transportation  
28 plan not less than every five years, may elect to adopt the plan not  
29 less than every four years. This election shall be made by the board  
30 of directors of the metropolitan planning organization or regional  
31 transportation planning agency no later than June 1, 2009, or  
32 thereafter 54 months before the statutory deadline for the adoption  
33 of housing elements for the local jurisdictions within the region,  
34 after a public hearing at which comments are accepted from  
35 members of the public and representatives of cities and counties  
36 within the region covered by the metropolitan planning  
37 organization or regional transportation planning agency. Notice  
38 of the public hearing shall be given to the general public and by  
39 mail to cities and counties within the region no later than 30 days  
40 before the date of the public hearing. Notice of election shall be

1 promptly given to the Department of Housing and Community  
2 Development. The metropolitan planning organization or the  
3 regional transportation planning agency shall complete its next  
4 regional transportation plan within three years of the notice of  
5 election.

6 (N) Two or more of the metropolitan planning organizations  
7 for Fresno County, Kern County, Kings County, Madera County,  
8 Merced County, San Joaquin County, Stanislaus County, and  
9 Tulare County may work together to develop and adopt  
10 multiregional goals and policies that may address interregional  
11 land use, transportation, economic, air quality, and climate  
12 relationships. The participating metropolitan planning organizations  
13 may also develop a multiregional sustainable communities strategy,  
14 to the extent consistent with federal law, or an alternative planning  
15 strategy for adoption by the metropolitan planning organizations.  
16 Each participating metropolitan planning organization shall  
17 consider any adopted multiregional goals and policies in the  
18 development of a sustainable communities strategy and, if  
19 applicable, an alternative planning strategy for its region.

20 (3) An action element that describes the programs and actions  
21 necessary to implement the plan and assigns implementation  
22 responsibilities. The action element may describe all transportation  
23 projects proposed for development during the 20-year or greater  
24 life of the plan. The action element shall consider congestion  
25 management programming activities carried out within the region.

26 (4) (A) A financial element that summarizes the cost of plan  
27 implementation constrained by a realistic projection of available  
28 revenues. The financial element shall also contain  
29 recommendations for allocation of funds. A county transportation  
30 commission created pursuant to the County Transportation  
31 Commissions Act (Division 12 (commencing with Section 130000)  
32 of the Public Utilities Code) shall be responsible for recommending  
33 projects to be funded with regional improvement funds, if the  
34 project is consistent with the regional transportation plan. The first  
35 five years of the financial element shall be based on the five-year  
36 estimate of funds developed pursuant to Section 14524. The  
37 financial element may recommend the development of specified  
38 new sources of revenue, consistent with the policy element and  
39 action element.

1 (B) The financial element of transportation planning agencies  
2 with populations that exceed 200,000 persons may include a project  
3 cost breakdown for all projects proposed for development during  
4 the 20-year life of the plan that includes total expenditures and  
5 related percentages of total expenditures for all of the following:

- 6 (i) State highway expansion.
- 7 (ii) State highway rehabilitation, maintenance, and operations.
- 8 (iii) Local road and street expansion.
- 9 (iv) Local road and street rehabilitation, maintenance, and  
10 operation.
- 11 (v) Mass transit, commuter rail, and intercity rail expansion.
- 12 (vi) Mass transit, commuter rail, and intercity rail rehabilitation,  
13 maintenance, and operations.
- 14 (vii) Pedestrian and bicycle facilities.
- 15 (viii) Environmental enhancements and mitigation.
- 16 (ix) Research and planning.
- 17 (x) Other categories.

18 (C) The metropolitan planning organization or county  
19 transportation agency, whichever entity is appropriate, shall  
20 consider financial incentives for cities and counties that have  
21 resource areas or farmland, as defined in Section 65080.01, for  
22 the purposes of, for example, transportation investments for the  
23 preservation and safety of the city street or county road system  
24 and farm-to-market and interconnectivity transportation needs.  
25 The metropolitan planning organization or county transportation  
26 agency, whichever entity is appropriate, shall also consider  
27 financial assistance for counties to address countywide service  
28 responsibilities in counties that contribute toward the greenhouse  
29 gas emission *and vehicle miles traveled* reduction targets by  
30 implementing policies for growth to occur within their cities.

31 (c) Each transportation planning agency may also include other  
32 factors of local significance as an element of the regional  
33 transportation plan, including, but not limited to, issues of mobility  
34 for specific sectors of the community, including, but not limited  
35 to, senior citizens.

36 (d) (1) Except as otherwise provided in this subdivision, each  
37 transportation planning agency shall adopt and submit, every four  
38 years, an updated regional transportation plan to the California  
39 Transportation Commission and the Department of Transportation.  
40 A transportation planning agency located in a federally designated

1 air quality attainment area or that does not contain an urbanized  
2 area may at its option adopt and submit a regional transportation  
3 plan every five years. When applicable, the plan shall be consistent  
4 with federal planning and programming requirements and shall  
5 conform to the regional transportation plan guidelines adopted by  
6 the California Transportation Commission. Before adoption of the  
7 regional transportation plan, a public hearing shall be held after  
8 the giving of notice of the hearing by publication in the affected  
9 county or counties pursuant to Section 6061.

10 (2) (A) Notwithstanding subdivisions (b) and (c), and paragraph  
11 (1), inclusive, the regional transportation plan, sustainable  
12 communities strategy, and environmental impact report adopted  
13 by the San Diego Association of Governments on October 9, 2015,  
14 shall remain in effect for all purposes, including for purposes of  
15 consistency determinations and funding eligibility for the San  
16 Diego Association of Governments and all other agencies relying  
17 on those documents, until the San Diego Association of  
18 Governments adopts its next update to its regional transportation  
19 plan.

20 (B) The San Diego Association of Governments shall adopt and  
21 submit its update to the 2015 regional transportation plan on or  
22 before December 31, 2021.

23 (C) After the update described in subparagraph (B), the time  
24 period for San Diego Association of Governments' updates to its  
25 regional transportation plan shall be reset and shall be adopted and  
26 submitted every four years.

27 (D) Notwithstanding clause (iv) of subparagraph (A) of  
28 paragraph (2) of subdivision (b), the State Air Resources Board  
29 shall not update the greenhouse gas emission reduction targets for  
30 the region within the jurisdiction of the San Diego Association of  
31 Governments before the adoption of the update to the regional  
32 transportation plan pursuant to subparagraph (B).

33 (E) The update to the regional transportation plan adopted by  
34 the San Diego Association of Governments on October 9, 2015,  
35 which will be prepared and submitted to federal agencies for  
36 purposes of compliance with federal laws applicable to regional  
37 transportation plans and air quality conformity and which is due  
38 in October 2019, shall not be considered a regional transportation  
39 plan pursuant to this section and shall not constitute a project for  
40 purposes of the California Environmental Quality Act (Division

1 13 (commencing with Section 21000) of the Public Resources  
2 Code).

3 (F) In addition to meeting the other requirements to nominate  
4 a project for funding through the Solutions for Congested Corridors  
5 Program (Chapter 8.5 (commencing with Section 2390) of Division  
6 3 of the Streets and Highways Code), the San Diego Association  
7 of Governments, until December 31, 2021, shall only nominate  
8 projects for funding through the Solutions for Congested Corridors  
9 Program that are consistent with the eligibility requirements for  
10 projects under any of the following programs:

11 (i) The Transit and Intercity Rail Capital Program (Part 2  
12 (commencing with Section 75220) of Division 44 of the Public  
13 Resources Code).

14 (ii) The Low Carbon Transit Operations Program (Part 3  
15 (commencing with Section 75230) of Division 44 of the Public  
16 Resources Code).

17 (iii) The Active Transportation Program (Chapter 8  
18 (commencing with Section 2380) of Division 3 of the Streets and  
19 Highways Code).

20 (G) Commencing January 1, 2020, and every two years  
21 thereafter, the San Diego Association of Governments shall begin  
22 developing an implementation report that tracks the implementation  
23 of its most recently adopted sustainable communities strategy. The  
24 report shall discuss the status of the implementation of the strategy  
25 at the regional and local level, and any successes and barriers that  
26 have occurred since the last report. The San Diego Association of  
27 Governments shall submit the implementation report to the state  
28 board by including it in its sustainable communities strategy  
29 implementation review pursuant to clause (ii) of subparagraph (J)  
30 of paragraph (2) of subdivision (b).

31 (e) This section shall become operative on January 1, 2023.

32 SEC. 3. If the Commission on State Mandates determines that  
33 this act contains costs mandated by the state, reimbursement to  
34 local agencies and school districts for those costs shall be made  
35 pursuant to Part 7 (commencing with Section 17500) of Division  
36 4 of Title 2 of the Government Code.



Connecting us.

February 24, 2021

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

**RE: Transit is Essential to Reopening of Schools – Prioritize Frontline Transit Workers in Vaccine Distribution Plan**

Governor Gavin Newsom:

On behalf of the California Transit Association, I write to you today to request that your administration amend [current guidance from the California Department of Public Health](#) to clarify that frontline transit workers are eligible for priority access to the COVID-19 vaccine alongside other transportation professionals in the education and childcare sector. The Association represents 85 transit and rail agencies statewide. Currently, the guidance includes for priority access to the vaccine “[a]ny other workers involved in child and/or student care, including school bus drivers and monitors, crosswalk guards, etc.” Without this amendment, frontline transit workers would continue to be ineligible for priority access to the vaccine under the state’s current vaccine distribution plan.

As we communicated to you in our letter dated January 25, since the start of the pandemic, California’s public transit agencies have transported essential workers to their jobs in health care, education, food service and hospitality. Survey data has found that these essential workers cannot work from home and are overwhelmingly people of color and/or low-income, tracking closely with the findings of the ridership surveys our members have throughout the pandemic, which also show that many of today’s riders lack access to a personal automobile. Additionally, public transit agencies have continued to provide critical services, like paratransit service, to seniors and people with disabilities across California, often serving as a lifeline to grocery stores, doctor’s appointments, pharmacies, and recreation. In recent weeks, California’s public transit agencies have also stepped up to provide mobility options to mass vaccination sites, ensuring that communities that have been hardest hit by the pandemic have physical access to these locations and directly advancing your focus on an equitable distribution of the vaccine.

We maintain that, due to their contributions to California during the pandemic and their risk of exposure to the virus, all frontline transit workers deserve priority access to the COVID-19 vaccine, like workers in the healthcare, food and agriculture, education and childcare, and emergency services sector. As we continue to pursue this larger goal with you, we ask that your administration take steps today to ensure that, at the very least, the frontline transit workers that



are called on to support the reopening of schools and the transportation of students are protected from avoidable illness by receiving priority access to the vaccine. We believe fully that there is pathway to achieve this goal – guidance from the California Department of Public Health already identifies “*school bus drivers*” in the list of professions related to the education and childcare sector that will receive priority access to the vaccine. We urge you to amend the guidance to include frontline transit workers in the list. In raising this request to you, I will again communicate that our workers, at public transit agencies statewide, provide millions of trips to students each year.

A snapshot of the number of trips provided and/or breadth of school service is below:

- **Alameda-Contra Costa Transit District** – 1.8 million boardings/year (K-12 students)
- **Long Beach Transit** – 400,000 boardings/year (K-12 students)
- **Omnitrans** – 1.02 million boardings/year (K-12 Students)
- **Orange County Transportation Authority** – 3.7 million boardings/year (K-12 students)
- **San Mateo County Transit District** – 2.4 million boardings/year (K-12 students)
- **San Diego Metropolitan Transit System** – 7.7 million boardings/year (K-12 students)
- **San Francisco Municipal Transportation Agency** – Every middle school and high school in the San Francisco Unified School District is served by at least one Muni route
- **Santa Clara Valley Transportation Authority** – 2.32 million boardings/year (K-12 students)
- **Santa Cruz Metropolitan Transit District** – 484,000 boardings/year (K-12 students)
- **Santa Monica’s Big Blue Bus** – 350,000 boardings/year (K-12 students)

Information, covering additional transit agencies as well as student ridership for college, university and community college students, can be provided to you at your request.

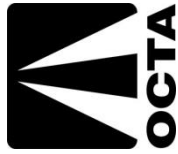
I thank you for your consideration. If you have any questions about this letter, please contact me directly at [michael@caltransit.org](mailto:michael@caltransit.org) or at 916-446-4656 x1034.

Sincerely,



Michael Pimentel  
Executive Director

cc: Members and Staff, California State Legislature  
Nadine Burke, MD, MPH, Surgeon General, State of California  
Erica S. Pan, MD, MPH, Acting State Public Health Officer, Department of Public Health  
David Kim, Secretary, California State Transportation Agency  
Members, Vaccine Drafting Guidelines Workgroup, California Department of Public Health  
Members, Community Advisory Vaccine Committee, California Department of Public Health



# Orange County Transportation Authority Legislative Matrix

2021 State Legislation Session  
March 18, 2021

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<b>BILLS WITH POSITIONS</b>			
<b>► AB 1499 (Daly – D)</b>  Transportation: Design-Build: Highways	Extends statewide design-build authority related to the state highway system indefinitely.	<b>INTRODUCED: 02/19/2021</b> <b>LOCATION: Assembly</b>  <b>STATUS: 02/19/2021</b> <b>INTRODUCED.</b>	Staff Recommends: Support  Support: Self-Help Counties Coalition (co- sponsor), Professional Engineers in California Government (co-sponsor)

BILL NO. / AUTHOR	COMMENTARY	STATUS	OCTA POSITION / OTHER AGENCY POSITIONS
<p>► <b>SB 261</b> <b>(Allen – D)</b> Regional Transportation Plans: Sustainable Communities</p>	<p>Requires that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the California Air Resources Board.</p>	<p><b>INTRODUCED:</b> 01/27/2021 <b>LAST AMEND:</b> 04/11/2019 <b>LOCATION:</b> Senate Environmental Quality Committee</p> <p><b>STATUS:</b> 02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with</p> <p>02/22/2021 In SENATE. Joint Rule 55 suspended.</p>	<p>Staff Recommends: OPPOSE UNLESS AMENDED</p>

## BILLS BEING MONITORED

AB 5	<p><b>AUTHOR:</b> Fong [R]  <b>TITLE:</b> Greenhouse Gas Reduction Fund: High Speed Rail  <b>INTRODUCED:</b> 12/07/2020  <b>LOCATION:</b> Assembly Transportation Committee  <b>SUMMARY:</b>  Suspends the appropriation to the High-Speed Rail Authority for the 2021-22 and 2022-23 fiscal years and requires the transfer of those amounts from moneys collected by the State Air Resources Board to the General Fund. Specifies that the transferred amounts shall be available to support K-12 education and to offset any funding reduction for K-12 education.  <b>STATUS:</b>  01/11/2021 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.  <b>CATEGORY:</b> Rail and Transit</p>
AB 11	<p><b>AUTHOR:</b> Ward [D]  <b>TITLE:</b> Climate Change: Regional Coordinating Groups  <b>INTRODUCED:</b> 12/07/2020  <b>LAST AMEND:</b> 01/21/2021  <b>LOCATION:</b> Assembly Natural Resources Committee  <b>SUMMARY:</b>  Requires the Strategic Growth Council to establish up to 12 regional climate change coordinating groups to develop and work on climate adaptation for their communities. Authorizes the regional climate change coordinating groups to engage in certain activities to address climate change. Requires the regional climate change authorities to annually submit to the council a report on their activities.  <b>STATUS:</b>  01/21/2021 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.  01/21/2021 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.  <b>CATEGORY:</b> Environment</p>
AB 29	<p><b>AUTHOR:</b> Cooper [D]  <b>TITLE:</b> State Bodies: Meetings  <b>INTRODUCED:</b> 12/07/2020  <b>LOCATION:</b> Assembly Governmental Organization Committee  <b>SUMMARY:</b>  Requires that the notice of a meeting of a state body include all writings or materials provided for the noticed meeting to a member of the state body by the staff of a state agency, board, or commission, or another member of the state body that are in connection with a matter subject of discussion or consideration at the meeting.  <b>STATUS:</b>  01/11/2021 To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.  <b>CATEGORY:</b> Miscellaneous</p>

AB 43	<p><b>AUTHOR:</b> Friedman [D]</p> <p><b>TITLE:</b> Traffic Safety</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LOCATION:</b> Assembly Transportation Committee</p> <p><b>SUMMARY:</b></p> <p>Requires the California Department of Transportation to convene a committee of external design experts to advise on revisions to the Highway Design Manual. Requires the California Traffic Safety Program to include a traffic safety monitoring program that identifies and addresses locations with pedestrian- and bicyclist-related crashes, upon appropriation of state funds for this purpose.</p> <p><b>STATUS:</b></p> <p>01/11/2021 To ASSEMBLY Committee on TRANSPORTATION.</p> <p><b>CATEGORY:</b> Planning</p>
AB 50	<p><b>AUTHOR:</b> Boerner Horvath [D]</p> <p><b>TITLE:</b> Climate Adaptation Center and Regional Support Network</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LOCATION:</b> Assembly Natural Resources Committee</p> <p><b>SUMMARY:</b></p> <p>Establishes the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.</p> <p><b>STATUS:</b></p> <p>01/11/2021 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p><b>CATEGORY:</b> Environment</p>
AB 51	<p><b>AUTHOR:</b> Quirk [D]</p> <p><b>TITLE:</b> Regional Climate Adaptation Planning Groups</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LOCATION:</b> Assembly Natural Resources Committee</p> <p><b>SUMMARY:</b></p> <p>Requires the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. Requires the council, by July 1, 2023, and in consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.</p> <p><b>STATUS:</b></p> <p>01/11/2021 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p><b>CATEGORY:</b> Planning</p>

AB 67	<b>AUTHOR:</b> Petrie-Norris [D] <b>TITLE:</b> Sea Level Rise: Working Group: Economic Analysis <b>INTRODUCED:</b> 12/07/2020 <b>LOCATION:</b> Assembly Natural Resources Committee <b>SUMMARY:</b> <p>Requires a state agency to take into account the current and future impacts of sea level rise when planning, designing, building, operating, maintaining, and investing in infrastructure located in the coastal zone or otherwise vulnerable to flooding from sea level rise or storm surges, or when otherwise approving the allocation of state funds for those purposes.</p> <b>STATUS:</b> 01/11/2021 To ASSEMBLY Committee on NATURAL RESOURCES.  <b>CATEGORY:</b> Environment
AB 72	<b>AUTHOR:</b> Petrie-Norris [D] <b>TITLE:</b> Environmental Protection: Coastal Adaptation Projects <b>INTRODUCED:</b> 12/07/2020 <b>LOCATION:</b> Assembly Natural Resources Committee <b>SUMMARY:</b> <p>Enacts the Coastal Adaptation Permitting Act of 2021. Requires the Natural Resources Agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects.</p> <b>STATUS:</b> 01/11/2021 To ASSEMBLY Committee on NATURAL RESOURCES.  <b>CATEGORY:</b> Environment
AB 95	<b>AUTHOR:</b> Low [D] <b>TITLE:</b> Employees: Bereavement Leave <b>INTRODUCED:</b> 12/07/2020 <b>LOCATION:</b> Assembly Labor and Employment Committee <b>SUMMARY:</b> <p>Enacts the Bereavement Leave Act of 2021. Requires an employer with 25 or more employees to grant an employee up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner, in accordance with certain procedures, and subject to certain exclusions. Requires an employer with fewer than 25 employees to grant up to 3 business days of leave.</p> <b>STATUS:</b> 01/11/2021 To ASSEMBLY Committee on LABOR AND EMPLOYMENT.  <b>CATEGORY:</b> Employment Terms & Conditions

AB 96	<p><b>AUTHOR:</b> O'Donnell [D]  <b>TITLE:</b> Clean Truck, Bus, and Off-Road Vehicle and Technology  <b>INTRODUCED:</b> 12/07/2020  <b>LOCATION:</b> Assembly Transportation Committee  <b>SUMMARY:</b>  Extends the requirement that 20 percent of funding be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology until December 31, 2026. The bill would further require at least 20 percent of that funding support early commercial deployment of existing near-zero-emission heavy-duty truck technology.  <b>STATUS:</b>  01/11/2021 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.  <b>CATEGORY:</b> Funding</p>
AB 108	<p><b>AUTHOR:</b> Cunningham [R]  <b>TITLE:</b> Governor's Emergency Orders and Regulations: Approval  <b>INTRODUCED:</b> 12/16/2020  <b>LOCATION:</b> Assembly Emergency Management Committee  <b>SUMMARY:</b>  Permits an order or regulation, or an amendment or rescission thereof, issued pursuant to specified California Emergency Services Act provisions 60 or more days after the proclamation, to take effect only if approved by a concurrent resolution of the Legislature.  <b>STATUS:</b>  01/11/2021 To ASSEMBLY Committee on EMERGENCY MANAGEMENT.  <b>CATEGORY:</b> Emergency Service Response</p>
AB 111	<p><b>AUTHOR:</b> Boerner Horvath [D]  <b>TITLE:</b> San Diego Association of Governments: LOSSAN Rail  <b>INTRODUCED:</b> 12/17/2020  <b>LOCATION:</b> Assembly Transportation Committee  <b>SUMMARY:</b>  Appropriates \$5 million from the General Fund to the San Diego Association of Governments to conduct a study of higher speed and safety alternatives for the Los Angeles-San Diego-San Luis Obispo passenger rail corridor in the County of San Diego. Requires the San Diego Association of Governments to conduct the study, and requires the San Diego Association of Governments to submit a report to the Legislature and specified committees of the Legislature summarizing the results of the study.  <b>STATUS:</b>  01/11/2021 To ASSEMBLY Committee on TRANSPORTATION.  <b>CATEGORY:</b> Rail and Transit</p>

AB 117	<b>AUTHOR:</b> Boerner Horvath [D] <b>TITLE:</b> Air Quality Improvement Program: Electric Bicycles <b>INTRODUCED:</b> 12/18/2020 <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b> <p>Specifies projects providing incentives for purchasing electric bicycles as projects eligible for funding under the Air Quality Improvement Program. Requires the State Air Resources Board, by July 1, 2022, to establish and implement and administer, until January 1, 2028, the Electric Bicycle Rebate Pilot Project to provide rebates for purchases of electric bicycles.</p> <b>STATUS:</b> 01/11/2021 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES. <b>CATEGORY:</b> Funding
AB 123	<b>AUTHOR:</b> Gonzalez [D] <b>TITLE:</b> Paid Family Leave: Weekly Benefit Amount <b>INTRODUCED:</b> 12/18/2020 <b>LOCATION:</b> Assembly Insurance Committee <b>SUMMARY:</b> <p>Revises the formula for determining benefits available pursuant to the family temporary disability insurance program, for periods of disability commencing after January 1, 2022, by redefining the weekly benefit amount to be equal to 90 percent of the wages paid to an individual for employment by employers during the quarter of the individual's disability base period in which these wages were highest, divided by 13, but not exceeding the maximum workers' compensation disability indemnity weekly benefit amount.</p> <b>STATUS:</b> 01/11/2021 To ASSEMBLY Committee on INSURANCE. <b>CATEGORY:</b> Employment Terms & Conditions
► AB 237	<b>AUTHOR:</b> Gray [D] <b>TITLE:</b> Public Employment: Unfair Practices: Health Protection <b>INTRODUCED:</b> 01/12/2021 <b>LAST AMEND:</b> 03/01/2021 <b>LOCATION:</b> Assembly Public Employment and Retirement Committee <b>SUMMARY:</b> <p>Makes it an unfair practice for a covered employer, as defined, to fail or refuse to maintain or pay for continued health care or other medical coverage for an enrolled employee or their enrolled dependents, for the duration of the enrolled employee's participation in the authorized strike, at the level and under the conditions that coverage would have been provided if the employee had continued to work in their position for the duration of the strike.</p> <b>STATUS:</b> 03/01/2021 <i>From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT With author's amendments.</i> 03/01/2021 <i>In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYMENT AND RETIREMENT.</i> <b>CATEGORY:</b> Employment Terms & Conditions



AB 261	<b>AUTHOR:</b> Seyarto [R] <b>TITLE:</b> Authorized Emergency Vehicles <b>INTRODUCED:</b> 01/15/2021 <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b> Permits an authorized emergency vehicle to operate on an HOV lane if specified conditions are met, including, among others, that the vehicle is being driven while responding to, or returning from, an urgent or emergency call and the driver of the vehicle determines that the use of the HOV lane will likely improve the arrival time of the authorized emergency vehicle and its delivery of essential public safety services. <b>STATUS:</b> 01/28/2021 To ASSEMBLY Committee on TRANSPORTATION. <b>CATEGORY:</b> Planning
AB 273	<b>AUTHOR:</b> Irwin [D] <b>TITLE:</b> Cannabis: Advertisements: Highways <b>INTRODUCED:</b> 01/19/2021 <b>LOCATION:</b> Assembly Business and Professions Committee <b>SUMMARY:</b> Relates to highway advertisements for cannabis. Prohibits a licensee from advertising or marketing on a billboard or similar advertising device visible from an interstate highway or on a State highway within California. <b>STATUS:</b> 01/28/2021 To ASSEMBLY Committee on BUSINESS AND PROFESSIONS. <b>CATEGORY:</b> Miscellaneous
AB 284	<b>AUTHOR:</b> Rivas, R. [D] <b>TITLE:</b> Global Warming Solutions Act of 2006: Climate Goal <b>INTRODUCED:</b> 01/21/2021 <b>LOCATION:</b> Assembly Natural Resources Committee <b>SUMMARY:</b> Requires the State Air Resources Board, when updating the scoping plan and in collaboration with the Natural Resources Agency and other relevant state agencies and departments, to take specified actions by a certain date, including, among others, identifying a 2045 climate goal, with interim milestones, for the state's natural and working lands. <b>STATUS:</b> 01/28/2021 To ASSEMBLY Committee on NATURAL RESOURCES. <b>CATEGORY:</b> Environment

AB 294	<b>AUTHOR:</b> Santiago [D] <b>TITLE:</b> Vehicle Tow and Storage Act <b>INTRODUCED:</b> 01/21/2021 <b>LOCATION:</b> Assembly Transportation Committee <b>SUMMARY:</b> Establishes the Vehicle Towing and Storage Board in the Department of Consumer Affairs and would empower the board to, among other things, regulate and resolve disputes involving vehicle towing businesses. Requires the board to maintain a public database on its internet website on vehicle towing businesses. Requires a business to obtain a Vehicle Tow and Storage Permit and pay an annual fee before operating a tow truck or tow vehicle in California. <b>STATUS:</b> 01/28/2021 To ASSEMBLY Committees on TRANSPORTATION and BUSINESS AND PROFESSIONS. <b>CATEGORY:</b> Miscellaneous
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► AB 302	<b>AUTHOR:</b> Ward [D] <b>TITLE:</b> San Diego Metropolitan Transit Development Board <b>INTRODUCED:</b> 01/25/2021 <b>LOCATION:</b> <i>Assembly Local Government Committee</i> <b>SUMMARY:</b> Expands to any city within the County of San Diego the authority of the San Diego Metropolitan Transit Development Board to enter into contracts to license or regulate transportation services and to regulate vehicle safety and driver qualifications for passenger jitney service. <b>STATUS:</b> 02/12/2021 To ASSEMBLY Committee on LOCAL GOVERNMENT. <b>CATEGORY:</b> Rail and Transit
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AB 339	<b>AUTHOR:</b> Lee [D] <b>TITLE:</b> State and Local Government: Open Meetings <b>INTRODUCED:</b> 01/28/2021 <b>LOCATION:</b> Assembly <b>SUMMARY:</b> Requires all meetings of the Legislature, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public. Requires all meetings to provide the public with an opportunity to comment on proposed legislation, and requires translation services to be provided, as specified. <b>STATUS:</b> 01/28/2021 INTRODUCED. <b>CATEGORY:</b> Audits, Records, Reports, and Litigation
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<p>► AB 343</p>	<p><b>AUTHOR:</b> Fong [R]  <b>TITLE:</b> California Public Records Act Ombudsperson  <b>INTRODUCED:</b> 01/28/2021  <b>LOCATION:</b> <i>Assembly Accountability and Administrative Review Committee</i>  <b>SUMMARY:</b>  Establishes, within the California State Auditor's Office, the California Public Records Act Ombudsperson. Requires the California State Auditor to appoint the Ombudsperson subject to certain requirements. Requires the Ombudsperson to receive and investigate requests for review, determine whether the denials of original requests complied with the California Public Records Act, and issue written opinions of its determination.  <b>STATUS:</b>  02/12/2021 <i>To ASSEMBLY Committees on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW and JUDICIARY.</i>  <b>CATEGORY:</b> Audits, Records, Reports, and Litigation</p>
<p>► AB 346</p>	<p><b>AUTHOR:</b> Seyarto [R]  <b>TITLE:</b> Privacy: Breach  <b>INTRODUCED:</b> 01/28/2021  <b>LOCATION:</b> <i>Assembly Privacy and Consumer Protection Committee</i>  <b>SUMMARY:</b>  Relates to the Information Practices Act which requires an agency, which includes a local agency, that owns or licenses computerized data that includes personal information to disclose expeditiously and without unreasonable delay a breach in the security of the data to a resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Makes this requirement applicable if the information is accessed by an unauthorized person.  <b>STATUS:</b>  02/12/2021 <i>To ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</i>  <b>CATEGORY:</b> Miscellaneous</p>
<p>► AB 349</p>	<p><b>AUTHOR:</b> Holden [D]  <b>TITLE:</b> Department of Transportation: Contracting  <b>INTRODUCED:</b> 01/28/2021  <b>LOCATION:</b> <i>Assembly Transportation Committee</i>  <b>SUMMARY:</b>  Clarifies that the Department of Transportation's requirement that it publish a notice of a project on its internet website does not affect the department's authority to use existing resources for outreach efforts for events to promote small business enterprises, including, but not limited to, those owned by women, minorities, disabled veterans, LGBT, and other disadvantaged groups, trainings to improve diversity, and resources for relationship development events.  <b>STATUS:</b>  02/12/2021 <i>To ASSEMBLY Committee on TRANSPORTATION.</i>  <b>CATEGORY:</b> Miscellaneous</p>

► AB 361	<p><b>AUTHOR:</b> Rivas, R. [D]  <b>TITLE:</b> Open Meetings: Local Agencies: Teleconferences  <b>INTRODUCED:</b> 02/01/2021  <b>LOCATION:</b> <i>Assembly Local Government Committee</i>  <b>SUMMARY:</b>          Authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency.  <b>STATUS:</b>  <i>02/12/2021 To ASSEMBLY Committee on LOCAL GOVERNMENT.</i>  <b>CATEGORY:</b> Audits, Records, Report, and Litigation</p>
► AB 363	<p><b>AUTHOR:</b> Medina [D]  <b>TITLE:</b> Carl Moyer Air Quality Standards Attainment Program  <b>INTRODUCED:</b> 02/01/2021  <b>LOCATION:</b> <i>Assembly Transportation Committee</i>  <b>SUMMARY:</b>          Relates to the Carl Moyer Memorial Air Quality Standards Attainment Program. Requires the Air Resources Board, by January 1, 2023, to adopt an online application process for the submission of grant applications under the program. Requires the Board and local air districts administering the program to use the online application process. Requires the state board, by January 1, 2023, to review the program and to submit to the Legislature a report on the review.  <b>STATUS:</b>  <i>02/12/2021 To ASSEMBLY Committee on TRANSPORTATION.</i>  <b>CATEGORY:</b> Environment</p>
► AB 371	<p><b>AUTHOR:</b> Jones-Sawyer [D]  <b>TITLE:</b> <i>Shared Mobility Devices: Insurance and Tracking</i>  <b>INTRODUCED:</b> 02/01/2021  <b>LOCATION:</b> <i>Assembly Privacy and Consumer Protection Committee</i>  <b>SUMMARY:</b>  <i>Requires a shared mobility service provider to affix to each shared mobility device a tactile sign containing raised characters and accompanying Braille to identify the device for the purpose of tracking and reporting. Specifies that the required insurance for shared mobility providers shall apply to any personal injury or property damage suffered by a pedestrian when the injury involves, in whole or in part, the negligent conduct of the shared mobility device owner or user.</i>  <b>STATUS:</b>  <i>02/12/2021 To ASSEMBLY Committees on PRIVACY AND CONSUMER PROTECTION and JUDICIARY.</i>  <b>CATEGORY:</b> <i>Miscellaneous</i></p>

► AB 455	<p><b>AUTHOR:</b> Bonta [D]  <b>TITLE:</b> Bay Bridge Fast Forward Program  <b>INTRODUCED:</b> 02/08/2021  <b>LOCATION:</b> Assembly Transportation Committee  <b>SUMMARY:</b>  <i>Requires the Bay Area Toll Authority, in consultation with the Metropolitan Transportation Commission, Department of Transportation, and certain transit entities, to identify, plan, and deliver a comprehensive set of operational, transit, and infrastructure investments for the San Francisco-Oakland Bay Bridge corridor, which would be known collectively as the Bay Bridge Fast Forward Program.</i>  <b>STATUS:</b>  02/18/2021 To ASSEMBLY Committees on TRANSPORTATION and LOCAL GOVERNMENT.  <b>CATEGORY:</b> Rail and Transit</p>
► AB 459	<p><b>AUTHOR:</b> Mathis [R]  <b>TITLE:</b> Vehicles: Registration Fees: Exceptions  <b>INTRODUCED:</b> 02/08/2021  <b>LOCATION:</b> Assembly Transportation Committee  <b>SUMMARY:</b>  <i>Extends a prorated discount on vehicle registration fees, as specified, to a partially disabled veteran, as defined.</i>  <b>STATUS:</b>  02/18/2021 To ASSEMBLY Committees on TRANSPORTATION and MILITARY AND VETERANS AFFAIRS.  <b>CATEGORY:</b> Funding</p>
► AB 512	<p><b>AUTHOR:</b> Holden [D]  <b>TITLE:</b> Surplus Unimproved Property: City of Los Angeles  <b>INTRODUCED:</b> 02/09/2021  <b>LOCATION:</b> Assembly Housing and Community Development Committee  <b>SUMMARY:</b>  <i>Requires the Department of Transportation to offer to sell specified unimproved properties in the City of Los Angeles, City of Pasadena, and City of South Pasadena at the original acquisition price paid by the department to a housing-related entity for affordable housing purposes.</i>  <b>STATUS:</b>  02/18/2021 To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.  <b>CATEGORY:</b> Surplus Land</p>
► AB 513	<p><b>AUTHOR:</b> Bigelow [R]  <b>TITLE:</b> Employment: Telecommuting Employees  <b>INTRODUCED:</b> 02/09/2021  <b>LOCATION:</b> Assembly Labor and Employment Committee  <b>SUMMARY:</b>  <i>Authorizes an employee working from home to receive legally required notices and postings electronically and sign certain documents electronically. The bill would also require that a working from home employee's wages due at the time of separation of employment be deemed to have been paid on the date that the wages are mailed to the employee.</i>  <b>STATUS:</b>  02/18/2021 To ASSEMBLY Committee on LABOR AND EMPLOYMENT.  <b>CATEGORY:</b> Employment Terms &amp; Conditions</p>

<p>► AB 585</p>	<p><b>AUTHOR:</b> Rivas [D]  <b>TITLE:</b> Climate Change: Extreme Heat and Community Resilience  <b>INTRODUCED:</b> 02/11/2021  <b>LOCATION:</b> Assembly Natural Resources Committee  <b>SUMMARY:</b>  <i>Establishes the Extreme Heat and Community Resilience Program to coordinate the state's efforts to address extreme heat and to facilitate the implementation of regional and state climate change planning into effective projects through the awarding of competitive grants to eligible entities for implementation of those projects. Requires the Office of Planning and Research to administer the program. Establishes the Extreme Heat and Community Resilience Fund in the State Treasury.</i>  <b>STATUS:</b>  02/18/2021 To ASSEMBLY Committee on NATURAL RESOURCES.  <b>CATEGORY:</b> Environment</p>
<p>► AB 604</p>	<p><b>AUTHOR:</b> Daly [D]  <b>TITLE:</b> Road Maintenance and Rehabilitation Account  <b>INTRODUCED:</b> 02/11/2021  <b>LOCATION:</b> Assembly Transportation Committee  <b>SUMMARY:</b>  <i>Continuously appropriates interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account to the Department of Transportation for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program.</i>  <b>STATUS:</b>  02/18/2021 To ASSEMBLY Committee on TRANSPORTATION.  <b>CATEGORY:</b> Funding</p>
<p>► AB 654</p>	<p><b>AUTHOR:</b> Reyes [D]  <b>TITLE:</b> COVID-19: Exposure: Notification  <b>INTRODUCED:</b> 02/12/2021  <b>LOCATION:</b> Assembly Labor and Employment Committee  <b>SUMMARY:</b>  <i>Requires the State Department of Public Health to make workplace and industry information received from local public health departments available on its internet website in a manner that, among other things, allows the public to track the number of COVID-19 cases and outbreaks by both workplace and industry.</i>  <b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on LABOR AND EMPLOYMENT.  <b>CATEGORY:</b> Employment Terms &amp; Conditions</p>

► AB 660	<p><b>AUTHOR:</b> Cooper [D]</p> <p><b>TITLE:</b> Dept. of Motor Vehicles: Records: Pull-Notice System</p> <p><b>INTRODUCED:</b> 02/12/2021</p> <p><b>LOCATION:</b> Assembly Communications and Conveyance Committee</p> <p><b>SUMMARY:</b>  <i>Relates to existing law which requires an employer of a driver of certain vehicles to obtain a report from DMV that shows the driver's current record. Expands the applicability of these provisions, including the pull-notice system, to include drivers of vehicles operated in the service of a delivery network company, a transportation network company, a charter-party carrier, as defined, or operated for compensation in fulfillment of deliveries.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committees on COMMUNICATIONS AND CONVEYANCE and TRANSPORTATION.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► AB 680	<p><b>AUTHOR:</b> Burke [D]</p> <p><b>TITLE:</b> Greenhouse Gas Reduction Fund: Just Transition Act</p> <p><b>INTRODUCED:</b> 02/12/2021</p> <p><b>LOCATION:</b> Assembly Labor and Employment Committee</p> <p><b>SUMMARY:</b>  <i>Enacts the California Just Transition Act, which would require the Labor and Workforce Development Agency to work with the State Air Resources Board to update, by July 1, 2023, the funding guidelines for administering agencies to ensure that all applicants to grant programs funded by the Greenhouse Gas Reduction Fund meet specified standards, including fair and responsible employer standards and inclusive procurement policies.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committees on LABOR AND EMPLOYMENT and NATURAL RESOURCES.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► AB 703	<p><b>AUTHOR:</b> Rubio [D]</p> <p><b>TITLE:</b> Open Meetings: Local Agencies: Teleconferences</p> <p><b>INTRODUCED:</b> 02/12/2021</p> <p><b>LOCATION:</b> Assembly Labor and Employment Committee</p> <p><b>SUMMARY:</b>  <i>Removes the requirements of the Ralph M. Brown Act particular to teleconferencing and allows for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on LOCAL GOVERNMENT.</p> <p><b>CATEGORY:</b> Public Meetings</p>
► AB 712	<p><b>AUTHOR:</b> Calderon [D]</p> <p><b>TITLE:</b> Local Agency Public Construction Act: Change Orders</p> <p><b>INTRODUCED:</b> 02/12/2021</p> <p><b>LOCATION:</b> Assembly Local Government Committee</p> <p><b>SUMMARY:</b>  <i>Relates to the Local Agency Public Construction Act change orders. Authorizes the board of supervisors and the board of directors of a district, as applicable, at the time the board delegates authority under a contract, to implement appropriate measures to prevent fraud and ensure accountability for that delegated authority.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on LOCAL GOVERNMENT.</p> <p><b>CATEGORY:</b> Public Works</p>

<p>► AB 761</p>	<p><b>AUTHOR:</b> Chen [R]  <b>TITLE:</b> County Employees' Retirement: Personnel: Orange County  <b>INTRODUCED:</b> 02/16/2021  <b>LOCATION:</b> Assembly Public Employment and Retirement Committee  <b>SUMMARY:</b>  <i>Authorizes the board of retirement for Orange County to appoint an administrator, assistant administrators, a chief investment officer, subordinate investment officers, senior management employees, legal counsel, and other specified employees. Provides that the personnel appointed pursuant to these provisions would not be county employees subject to county civil service and merit system rules, and instead would be employees of the retirement system.</i>  <b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT.  <b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
<p>► AB 786</p>	<p><b>AUTHOR:</b> Cervantes [D]  <b>TITLE:</b> California Transportation Commission: Director  <b>INTRODUCED:</b> 02/16/2021  <b>LOCATION:</b> Assembly Transportation Committee  <b>SUMMARY:</b>  <i>Requires the Executive Director of the California Transportation Commission to be appointed by the Governor, subject to confirmation by the Senate, and subject to removal at the discretion of the Governor.</i>  <b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on TRANSPORTATION.  <b>CATEGORY:</b> Miscellaneous</p>
<p>► AB 811</p>	<p><b>AUTHOR:</b> Rivas [D]  <b>TITLE:</b> LA County Metropolitan Transportation Authority  <b>INTRODUCED:</b> 02/16/2021  <b>LOCATION:</b> Assembly Local Government Committee  <b>SUMMARY:</b>  <i>Relates to existing law which authorizes the Los Angeles County Metropolitan Transportation Authority to award a contract after a finding, by a 2/3 vote of the members of the authority, that awarding the contract will achieve for the authority, among other things, certain private sector efficiencies in the integration of design, project work, and components. Eliminates the requirement to make the finding by a 2/3 vote of the members of the authority in order to award contracts under these provisions.</i>  <b>STATUS:</b>  02/25/2021 To ASSEMBLY Committees on LOCAL GOVERNMENT and TRANSPORTATION.  <b>CATEGORY:</b> Public Works</p>



► AB 819	<p><b>AUTHOR:</b> Levine [D]</p> <p><b>TITLE:</b> Environmental Quality Act: Notices and Documents</p> <p><b>INTRODUCED:</b> 02/16/2021</p> <p><b>LOCATION:</b> Assembly Natural Resources Committee</p> <p><b>SUMMARY:</b></p> <p><i>Requires the lead agency under CEQA and the project applicant to post notices to persons who have filed a written request for notices on their internet website. Requires a lead agency to submit to the State Clearinghouse, in electronic form, specified environmental review documents for all projects and would require the lead agency and project applicant to post those documents on their internet website.</i></p> <p><b>STATUS:</b></p> <p>02/25/2021 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 823	<p><b>AUTHOR:</b> Gray [D]</p> <p><b>TITLE:</b> High-Speed Rail Authority: Combustion Engines</p> <p><b>INTRODUCED:</b> 02/16/2021</p> <p><b>LOCATION:</b> Assembly Transportation Committee</p> <p><b>SUMMARY:</b></p> <p><i>Prohibits 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 or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority-owned rail infrastructure designed for speeds in excess of 125 miles per hour, except as specified.</i></p> <p><b>STATUS:</b></p> <p>02/25/2021 To ASSEMBLY Committee on TRANSPORTATION.</p> <p><b>CATEGORY:</b> Rail and Transit</p>
► AB 833	<p><b>AUTHOR:</b> Quirk-Silva [D]</p> <p><b>TITLE:</b> State Government: Grants: Administrative Costs</p> <p><b>INTRODUCED:</b> 02/16/2021</p> <p><b>LOCATION:</b> Assembly Accountability and Administrative Review Committee</p> <p><b>SUMMARY:</b></p> <p><i>Requires any state grants to a local government to include a maximum allocation of funds that may be expended for administrative costs, as defined, and would prohibit a local government from expending more than 5 percent of grant funds for administrative costs, except as provided. Specifies that it is not intended to affect federal funding.</i></p> <p><b>STATUS:</b></p> <p>02/25/2021 To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.</p> <p><b>CATEGORY:</b> Planning</p>

► AB 845	<p><b>AUTHOR:</b> Rodriguez [D]</p> <p><b>TITLE:</b> Disability Retirement: COVID-19: Presumption</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Public Employment and Retirement Committee</p> <p><b>SUMMARY:</b> Creates a presumption, applicable to the retirement systems that the Public Employees' Pension Reform Act of 2013 (PEPRA) regulates and to specified members in those systems, that would be applied to disability retirements on the basis, in whole or in part, of a Coronavirus 2019-related illness. Requires, in this circumstance, that it be presumed the disability arose out of, or in the course of, the member's employment.</p> <p><b>STATUS:</b> 02/25/2021 To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► AB 859	<p><b>AUTHOR:</b> Irwin [D]</p> <p><b>TITLE:</b> Mobility Devices: Personal Information</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Privacy and Consumer Protection Committee</p> <p><b>SUMMARY:</b> Authorizes a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator's mobility devices operating in the geographic area under the public agency's jurisdiction and provide specified notice of that requirement to the operator.</p> <p><b>STATUS:</b> 02/25/2021 To ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
► AB 878	<p><b>AUTHOR:</b> Dahle [R]</p> <p><b>TITLE:</b> Wildlife Resources: Natural Community Conservation Plan</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Water, Parks and Wildlife Committee</p> <p><b>SUMMARY:</b> Relates to Wildlife resources, natural community conservation plans and public review and comment. Expands the time for public review and comment on a proposed planning agreement from 21 calendar days to 21 business days.</p> <p><b>STATUS:</b> 02/25/2021 To ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.</p> <p><b>CATEGORY:</b> Planning</p>

► AB 885	<p><b>AUTHOR:</b> Quirk [D]</p> <p><b>TITLE:</b> Bagley-Keene Open Meeting Act: Teleconferencing</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Governmental Organization Committee</p> <p><b>SUMMARY:</b>  <i>Requires a state body that elects to conduct a meeting or proceeding by teleconference to make the portion that is required to be open to the public both audibly and visually observable. Extends the above requirements of meetings of multimember advisory bodies that are held by teleconference to meetings of all multimember state bodies.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.</p> <p><b>CATEGORY:</b> Public Meetings</p>
► AB 893	<p><b>AUTHOR:</b> Davies [R]</p> <p><b>TITLE:</b> Emergency Regulations: Department of Public Health</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Accountability and Administrative Review Committee</p> <p><b>SUMMARY:</b>  <i>Requires the Division of Occupational Safety and Health or the State Department of Public Health, within 14 calendar days of the release of a federal recommendation that conflicts with an emergency regulation related to Coronavirus issued by the division or the department, to review the conflicting emergency regulation and make a determination to either amend the regulation or submit a report to the Legislature on the decision not to amend the regulation, as specified.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.</p> <p><b>CATEGORY:</b> Emergency Response Services</p>
► AB 897	<p><b>AUTHOR:</b> Mullin [D]</p> <p><b>TITLE:</b> Office of Planning and Research: Regional Climate</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Natural Resources Committee</p> <p><b>SUMMARY:</b>  <i>Requires the Office of Planning and Research to provide technical assistance to eligible entities developing regional climate networks and plans. Requires, by July 1, 2022, the Office to make recommendations to certain policy committees of the Legislature on developing state support for the work of regional climate networks, as prescribed, and the potential sources of financial assistance and options for distributing state funds to support the creation and implementation of plans.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.</p> <p><b>CATEGORY:</b> Environment</p>

► AB 906	<p><b>AUTHOR:</b> Carrillo [D]</p> <p><b>TITLE:</b> Zero-Emission Trucks: Tax and Fee Exemptions</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Revenue and Taxation Committee</p> <p><b>SUMMARY:</b></p> <p><i>Exempts from sales and use taxes, on and after January 1, 2022, the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, fuel for the operation of a zero-emission medium- or heavy-duty truck that is the subject of a lease entered into after July 1, 2022, with specified characteristics.</i></p> <p><b>STATUS:</b></p> <p>02/25/2021 To ASSEMBLY Committees on REVENUE AND TAXATION and TRANSPORTATION.</p> <p><b>CATEGORY:</b> Funding</p>
► AB 908	<p><b>AUTHOR:</b> Frazier [D]</p> <p><b>TITLE:</b> Natural Resources Agency: Statewide Natural Resources</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Natural Resources Committee</p> <p><b>SUMMARY:</b></p> <p><i>Requires the Natural Resources Agency, to the extent a specified appropriation is made, to prepare a comprehensive, statewide inventory of the natural resources of the state and establish treatment measures necessary to protect those resources, and to post its initial inventory on its internet website on or before January 1, 2023, with annual updates on or before January 1 of each year thereafter.</i></p> <p><b>STATUS:</b></p> <p>02/25/2021 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 909	<p><b>AUTHOR:</b> Frazier [D]</p> <p><b>TITLE:</b> Wildfire Risk Assessment Map</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Natural Resources Committee</p> <p><b>SUMMARY:</b></p> <p><i>Requires the Department of Forestry and Fire Protection, in consultation with the California Fire Science Consortium and the Department of Insurance to develop a fire risk assessment map for the state that quantifies the risks of wildfire for a parcel of land for a time span of 50 years. Requires the department to annually update the wildfire risk assessment map.</i></p> <p><b>STATUS:</b></p> <p>02/25/2021 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p><b>CATEGORY:</b> Environment</p>

► AB 917	<p><b>AUTHOR:</b> Bloom [D]</p> <p><b>TITLE:</b> Vehicles: Video Imaging of Parking Violations</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Transportation Committee</p> <p><b>SUMMARY:</b>  <i>Extends the authorization to enforce parking violations in specified transit-only traffic lanes through the use of video imaging to any public transit operator in the state. Expands the authorization to enforce parking violations to include violations occurring at transit stops and stations.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committees on TRANSPORTATION and PRIVACY AND CONSUMER PROTECTION.</p> <p><b>CATEGORY:</b> Rail and Transit</p>
► AB 919	<p><b>AUTHOR:</b> Grayson [D]</p> <p><b>TITLE:</b> Construction Defects: Actions: Statute of Limitations</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Judiciary Committee</p> <p><b>SUMMARY:</b>  <i>Shortens the timeframe in which an action may be brought, for underlying construction projects using a skilled and trained workforce, to no more than 5 years after substantial completion of the improvement but no later than the date the notice of completion is recorded.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on JUDICIARY.</p> <p><b>CATEGORY:</b> Public Works</p>
► AB 926	<p><b>AUTHOR:</b> Mathis [R]</p> <p><b>TITLE:</b> Fire Prevention: Local Assistance Grant Program</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Natural Resources Committee</p> <p><b>SUMMARY:</b>  <i>Relates to existing law which requires the Department of Forestry and Fire Protection to establish a local assistance grant program for fire prevention activities in the state. Requires that the eligible activities include, among other things, fire prevention activities. Adds roadside vegetation management and projects to create and increase defensible space for critical infrastructure, as provided, to the eligible activities.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on NATURAL RESOURCES.</p> <p><b>CATEGORY:</b> Environment</p>

► AB 950	<p><b>AUTHOR:</b> Ward [D]</p> <p><b>TITLE:</b> Department of Transportation: Sales of Excess Property</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Assembly Housing and Community Development Committee</p> <p><b>SUMMARY:</b>  <i>Authorizes the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing affordable housing, as specified. Exempts these transfers and sales from the California Environmental Quality Act.</i></p> <p><b>STATUS:</b>  02/25/2021 To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.</p> <p><b>CATEGORY:</b> Surplus Land</p>
► AB 983	<p><b>AUTHOR:</b> Garcia [D]</p> <p><b>TITLE:</b> Public Contracts: Construction Projects: Community Work</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Authorizes a public entity to use, enter into, or require contractors to enter into, a community workforce agreement for specified construction projects, including projects related to renewable energy and installation of emission controls in refineries.</i></p> <p><b>STATUS:</b>  02/18/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Public Works</p>
► AB 984	<p><b>AUTHOR:</b> Rivas [D]</p> <p><b>TITLE:</b> Vehicle Identification and Registration</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Authorizes the use of alternative devices intended to serve in lieu of license plates authorized by the department pursuant to the pilot program, as specified. Requires the Department of Motor Vehicles to establish a program authorizing an entity to issue alternatives to stickers, tabs, license plates, and registration cards under specified conditions that include approval of the alternative devices by the Department of the California Highway Patrol.</i></p> <p><b>STATUS:</b>  02/18/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>

► AB 992	<p><b>AUTHOR:</b> Cooley [D]</p> <p><b>TITLE:</b> Hybrid/Zero-Emission Truck and Bus Voucher Incentive</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires the state board to ensure that a person or entity that purchases a hybrid or zero-emission truck or bus for purposes of placing that vehicle on a peer-to-peer truck sharing platform for use by various operators is eligible for financial assistance under the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project established as a part of the Air Quality Improvement Program.</i></p> <p><b>STATUS:</b>  02/18/2021      INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>
► AB 1028	<p><b>AUTHOR:</b> Seyarto [R]</p> <p><b>TITLE:</b> Telework Flexibility Act</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Concerns the Telework Flexibility Act. Authorizes any nonexempt employee working from home who is not under the physical control of the employer to choose when to take any meal or rest period during the workday, if the employer has not already scheduled a meal or rest period within the requirements of the law. Requires an employer to notify the employee of this right one time, when the employee begins working from home.</i></p> <p><b>STATUS:</b>  02/18/2021      INTRODUCED.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► AB 1035	<p><b>AUTHOR:</b> Salas [D]</p> <p><b>TITLE:</b> Transportation: Road Maintenance and Rehabilitation</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Deletes the condition in that requirement imposed on the department and those cities and counties to use advanced technologies and material recycling techniques to the extent possible. Requires those cities and counties to apply standard specifications that allow for the use of recycled materials at or above the level allowed in the Department of Transportations' most recently published standard specifications for recycled base and subbase materials.</i></p> <p><b>STATUS:</b>  02/18/2021      INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>

► AB 1037	<p><b>AUTHOR:</b> Grayson [D]</p> <p><b>TITLE:</b> Infrastructure Construction: Digital Construction</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires an infrastructure project that receives any state funding to deploy digital construction technologies, as defined, to reduce waste, inefficiency, rework, cost overruns, and embodied carbon, and to improve delivery times and project quality.</i></p> <p><b>STATUS:</b>  02/18/2021           INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>
► AB 1041	<p><b>AUTHOR:</b> Wicks [D]</p> <p><b>TITLE:</b> Leave Issues</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Expands the population that an employee can take leave to care for to include any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.</i></p> <p><b>STATUS:</b>  02/18/2021           INTRODUCED.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► AB 1047	<p><b>AUTHOR:</b> Daly [D]</p> <p><b>TITLE:</b> Road Repair and Accountability Act of 2017: Reporting</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires the Transportation Agency to oversee the development and implementation of a comprehensive one-stop reporting interface available to the public through an internet website maintained by the agency. Requires the interface to provide timely fiscal information regarding the development and implementation status of each transportation program or project funded, at least in part, by revenues from the Road Repair and Accountability Act of 2017.</i></p> <p><b>STATUS:</b>  02/18/2021           INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
► AB 1049	<p><b>AUTHOR:</b> Davies [R]</p> <p><b>TITLE:</b> Public Transportation Account: Loan Repayment</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Provides that the Budget Act of 2013 and the Budget Act of 2014 require the Controller, upon the order of the Director of Finance, to transfer specified amounts totaling up to a specific amount as loans from the Public Transportation Account to the High-Speed Passenger Train Bond Fund. Requires \$54 million from these loans to be repaid to the Public Transportation Account.</i></p> <p><b>STATUS:</b>  02/18/2021           INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>



► AB 1069	<p><b>AUTHOR:</b> Lackey [R]</p> <p><b>TITLE:</b> Zero-Emission Passenger Vehicles</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b></p> <p><i>Establishes a goal of the state for 60 percent of new zero-emission passenger vehicles sold in the state for noncommercial private use to be purchased by or on behalf of persons from an underrepresented community. Prohibits the State Air Resources Board from pursuing strategies to implement any goal for zero-emission passenger vehicle sales established by statute or executive order unless those strategies are also designed to achieve the goal established by this bill simultaneously.</i></p> <p><b>STATUS:</b></p> <p>02/18/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
► AB 1074	<p><b>AUTHOR:</b> Gonzalez [D]</p> <p><b>TITLE:</b> Employment: Rehiring and Retention: Displaced Workers</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b></p> <p><i>Requires an employer to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. Prohibits an employer from refusing to employ, terminating, reducing compensation, or taking other adverse action against any person for seeking to enforce their rights under these provisions.</i></p> <p><b>STATUS:</b></p> <p>02/18/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► AB 1091	<p><b>AUTHOR:</b> Berman [D]</p> <p><b>TITLE:</b> Santa Clara Valley Transportation Authority: Board</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b></p> <p><i>Reforms the governance structure of the Santa Clara Valley Transportation Authority. Reduces the size of the VTA board from 12 voting members to 9 voting members: 5 members appointed by the Santa Clara County Board of Supervisors, 2 members appointed by the City of San Jose, and 2 members appointed by the remaining cities in Santa Clara County.</i></p> <p><b>STATUS:</b></p> <p>02/18/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>

► AB 1110	<p><b>AUTHOR:</b> Rivas [D]</p> <p><b>TITLE:</b> Zero-Emission Vehicles: Clean Fleet Program</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Establishes the California Clean Fleet Accelerator Program, administered by the Department of General Services (DGS). Requires the Governor's Office of Business and Economic Development (GO-Biz), in consultation with specified state agencies and regional and local entities, to develop a nonmandatory master service agreement to solicit bids from eligible vendors for standardized, bulk purchase options for the acquisition of zero-emission fleet vehicles by a public agency.</i></p> <p><b>STATUS:</b>  02/18/2021                      <i>INTRODUCED.</i></p> <p><b>CATEGORY:</b> Funding</p>
► AB 1116	<p><b>AUTHOR:</b> Friedman [D]</p> <p><b>TITLE:</b> High-Speed Rail Authority: Oversight</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires the Legislative Analyst's Office, for the purpose of reviewing the planning, financing, expenditures, and other elements of the statewide high-speed rail system, to review any materials submitted to the High-Speed Rail Authority and documents the authority requests from contractors, consultants, or external parties, as specified, and to provide recommendations to the policy and budget committees of the Legislature regarding the statewide high-speed rail system.</i></p> <p><b>STATUS:</b>  02/18/2021                      <i>INTRODUCED.</i></p> <p><b>CATEGORY:</b> Rail and Transit</p>
► AB 1147	<p><b>AUTHOR:</b> Friedman [D]</p> <p><b>TITLE:</b> Regional Transportation Plan: Electric Bicycles</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Expressly authorizes transportation planning agencies with a population over 200,000 persons to also use as part of their policy element the percentage share of trips made by bicycling using an electric bicycle.</i></p> <p><b>STATUS:</b>  02/18/2021                      <i>INTRODUCED.</i></p> <p><b>CATEGORY:</b> Planning</p>

► AB 1154	<p><b>AUTHOR:</b> Patterson [R]</p> <p><b>TITLE:</b> Environmental Quality Act: Exemption: Egress Route</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Exempts from California Environmental Quality Act egress route projects undertaken by a public agency that are specifically recommended by the State Board of Forestry and Fire Protection that improve the fire safety of an existing subdivision if certain conditions are met. Requires the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt.</i></p> <p><b>STATUS:</b>  02/18/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 1157	<p><b>AUTHOR:</b> Lee [D]</p> <p><b>TITLE:</b> Local Transportation Funds: Transit Assistance Program</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Relates to existing law which requires local transportation agencies to report to the Controller by specified date of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. The bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year.</i></p> <p><b>STATUS:</b>  02/18/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>
► AB 1179	<p><b>AUTHOR:</b> Carrillo [D]</p> <p><b>TITLE:</b> Employer Provided Benefit: Backup Childcare</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires an employer to provide an employee who works in California for the same employer for 30 or more days within a year from the commencement of employment, with up to 60 hours of paid backup childcare benefits, to be accrued and used as provided. Defines backup childcare as childcare provided by a qualified backup childcare provider to the employee's child when the employee's regular childcare provider cannot be utilized.</i></p> <p><b>STATUS:</b>  02/18/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>

► AB 1189	<p><b>AUTHOR:</b> Bloom [D]</p> <p><b>TITLE:</b> Transportation: Indirect Cost of Recovery: Wildlife</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Prohibits the Department of Transportation from charging for administration indirect cost recovery, as outlined in the department's Indirect Cost Recovery Proposal, for any wildlife crossing project that receives private funding for more than 50 percent of the project cost, and would require the department to charge these projects for functional overhead.</i></p> <p><b>STATUS:</b>  02/18/2021      INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>
► AB 1209	<p><b>AUTHOR:</b> McCarty [D]</p> <p><b>TITLE:</b> Transportation Planning: Green Means Go Grant Program</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires the Sacramento Area Council Of Government, upon appropriation by the Legislature, to develop and administer the Green Means Go Grant and Loan Program to award competitive grants and revolving loans to cities, counties, and special districts within the Sacramento region for qualifying projects within and benefitting green zones, as defined.</i></p> <p><b>STATUS:</b>  02/19/2021      INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>
► AB 1218	<p><b>AUTHOR:</b> McCarty [D]</p> <p><b>TITLE:</b> Motor Vehicle Greenhouse Gas Emissions Standards</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Declares that, to help achieve the states climate and air quality goals and mandates, it is the goal of the state that 100 percent of new passenger and light-duty vehicle sales are zero-emission vehicles by 2035. Requires, on and after January 1, 2023, total passenger vehicles and light-duty vehicles sold by a manufacturer in the state in a calendar year to meet specified greenhouse gas emissions standards pursuant to a tiered plan.</i></p> <p><b>STATUS:</b>  02/19/2021      INTRODUCED.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 1226	<p><b>AUTHOR:</b> McCarty [D]</p> <p><b>TITLE:</b> Capitol Corridor Rail Line: Capital Improvements</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Appropriates an unspecified amount from the General Fund without regard to fiscal years to the Capitol Corridor Joint Powers Authority to invest in capital improvements for the Capitol Corridor.</i></p> <p><b>STATUS:</b>  02/19/2021      INTRODUCED.</p> <p><b>CATEGORY:</b> Rail and Transit</p>

► AB 1235	<p><b>AUTHOR:</b> Patterson [R]</p> <p><b>TITLE:</b> High-Speed Rail: Legislative Oversight</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b> Creates the Joint Legislative High-Speed Rail Oversight Committee consisting of 3 Members of the Senate and 3 Members of the Assembly to provide ongoing and independent oversight of the high-speed rail project by performing specified duties, and would require the committee to make recommendations to the appropriate standing policy and budget committees of both houses of the Legislature to guide decisions concerning the states programs, policies, and investments related to high-speed rail.</p> <p><b>STATUS:</b> 02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Rail and Transit</p>
► AB 1255	<p><b>AUTHOR:</b> Bloom [D]</p> <p><b>TITLE:</b> Fire prevention: Department of Forestry</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b> Relates to fire prevention. Concerns Department of Forestry and Fire Protection. Concerns grant programs. Requires the department, in coordination with the Secretary of the Natural Resources Agency, to facilitate regional, habitat specific, and area specific approaches to fire risk reduction, prevention, and restoration of projects that improve community safety, protect sites and structures, restore burned habitat, reduce catastrophic wildfires, and protect natural resources.</p> <p><b>STATUS:</b> 02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 1260	<p><b>AUTHOR:</b> Chen [R]</p> <p><b>TITLE:</b> California Environmental Quality Act: Exemptions</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b> Exempts further from the requirements of CEQA, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.</p> <p><b>STATUS:</b> 02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 1291	<p><b>AUTHOR:</b> Frazier [D]</p> <p><b>TITLE:</b> State Bodies: Open Meetings</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b> Requires a state body, when it limits time for public comment, to provide at least twice the allotted time to a member of the public who utilizes translating technology to address the state body.</p> <p><b>STATUS:</b> 02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Public Meetings</p>

▶ AB 1296	<p><b>AUTHOR:</b> Kamlager [D]  <b>TITLE:</b> South Coast Air Quality Management District  <b>INTRODUCED:</b> 02/19/2021  <b>LOCATION:</b> Assembly  <b>SUMMARY:</b>  <i>Increases the number of members of the South Coast Air Quality Management District board to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly.</i>  <b>STATUS:</b>  02/19/2021      INTRODUCED.  <b>CATEGORY:</b> Miscellaneous</p>
▶ AB 1312	<p><b>AUTHOR:</b> Rodriguez [D]  <b>TITLE:</b> Vehicular Fuels: Renewable and Clean Hydrogen  <b>INTRODUCED:</b> 02/19/2021  <b>LOCATION:</b> Assembly  <b>SUMMARY:</b>  <i>Allows a green hydrogen production facility and distribution credit against the personal income and corporate income taxes for each taxable year to a qualified taxpayer for qualified building or qualified distribution costs. Decreases the credit as the amount of green hydrogen produced on average per day in the state increases and would decrease the hydrogen infrastructure credit as the number of public hydrogen fueling stations in operation in the state increases.</i>  <b>STATUS:</b>  02/19/2021      INTRODUCED.  <b>CATEGORY:</b> Funding</p>
▶ AB 1337	<p><b>AUTHOR:</b> Lee [D]  <b>TITLE:</b> Transportation: Transit District Policing  <b>INTRODUCED:</b> 02/19/2021  <b>LOCATION:</b> Assembly  <b>SUMMARY:</b>  <i>Provides that a member of a transit district's police department whose primary duty is the enforcement of the law in or about properties, facilities, or vehicles upon which the district owes policing responsibilities to a local government is also a peace officer whose authority extends to any place in the state. Specifies that a person who enters or remains upon any property, facilities, or vehicles upon which the applicable transit entity owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement without permission, or whose entry, presence, or conduct upon that property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor.</i>  <b>STATUS:</b>  02/19/2021      INTRODUCED.  <b>CATEGORY:</b> Rail and Transit</p>

<p>► AB 1382</p>	<p><b>AUTHOR:</b> Patterson [R]  <b>TITLE:</b> Department of Motor Vehicles: Electronic Transactions  <b>INTRODUCED:</b> 02/19/2021  <b>LOCATION:</b> Assembly  <b>SUMMARY:</b>  <i>Requires the Department of Motor Vehicles to establish a virtual field office allowing the electronic completion of transactions that require manual review by the department. Permits the department to allow transactions to be conducted through the virtual field office. Makes conforming changes.</i>  <b>STATUS:</b>  02/19/2021 INTRODUCED.  <b>CATEGORY:</b> Miscellaneous</p>
<p>► AB 1384</p>	<p><b>AUTHOR:</b> Gabriel [D]  <b>TITLE:</b> Resiliency Through Adaptation, Economic Vitality  <b>INTRODUCED:</b> 02/19/2021  <b>LOCATION:</b> Assembly  <b>SUMMARY:</b>  <i>Requires the Strategic Growth Council to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts modeled for certain years. Requires agencies identified in the framework to coordinate with regional entities and engage vulnerable communities who have been impacted by climate change.</i>  <b>STATUS:</b>  02/19/2021 INTRODUCED.  <b>CATEGORY:</b> Environment</p>
<p>► AB 1395</p>	<p><b>AUTHOR:</b> Muratsuchi [D]  <b>TITLE:</b> Greenhouse Gases: Carbon Neutrality  <b>INTRODUCED:</b> 02/19/2021  <b>LOCATION:</b> Assembly  <b>SUMMARY:</b>  <i>Declares the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. Requires the State Air Resources Board to develop a framework for implementation and accounting that tracks progress toward achieving carbon neutrality.</i>  <b>STATUS:</b>  02/19/2021 INTRODUCED.  <b>CATEGORY:</b> Environment</p>
<p>► AB 1401</p>	<p><b>AUTHOR:</b> Friedman [D]  <b>TITLE:</b> Residential And Commercial Development: Parking  <b>INTRODUCED:</b> 02/19/2021  <b>LOCATION:</b> Assembly  <b>SUMMARY:</b>  <i>Relates to residential and commercial development. Relates to parking requirements. Prohibits a local government from imposing a minimum parking requirement, or enforcing a minimum parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit, as defined, or located within a low-vehicle miles traveled area, as defined.</i>  <b>STATUS:</b>  02/19/2021 INTRODUCED.  <b>CATEGORY:</b> Planning</p>

► AB 1408	<p><b>AUTHOR:</b> Petrie-Norris [D]</p> <p><b>TITLE:</b> Coastal Resources: Coastal Development Permits</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Authorizes a city or county, at the request of an applicant for a coastal development permit, to waive or reduce the permit fee for specified projects. Authorizes the applicant, if a city or county rejects a fee waiver or fee reduction request, to submit the coastal development permit application directly to the California Coastal Commission.</i></p> <p><b>STATUS:</b>  02/19/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 1447	<p><b>AUTHOR:</b> Cooley [D]</p> <p><b>TITLE:</b> Rural California Infrastructure Act</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Establishes the Rural California Infrastructure Act to award grants to specified local agencies to fund rural infrastructure projects, as defined. Creates the Rural California Infrastructure Committee, consisting of 7 appointed members, to establish, by July 1, 2022, an application process for the grants and to award the grants, beginning on January 1, 2023, and every 2 years thereafter, in accordance with specified priorities.</i></p> <p><b>STATUS:</b>  02/19/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
► AB 1453	<p><b>AUTHOR:</b> Muratsuchi [D]</p> <p><b>TITLE:</b> Environmental Justice: Just Transition Commission</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Establishes the Just Transition Advisory Commission, consisting of specified members, in the Labor and Workforce Development Agency and would require the commission, through a public process, to develop and adopt, on or before January 1, 2024, the Just Transition Plan that contains recommendations to transition the state's economy to a climate-resilient and low-carbon economy.</i></p> <p><b>STATUS:</b>  02/19/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>



► AB 1463	<p><b>AUTHOR:</b> O'Donnell [D]</p> <p><b>TITLE:</b> California Global Warming Solutions Act of 2006</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires the State Air Resources Board to recognize as a method to generate credits under the Low Carbon Fuel Standard regulations the use of renewable natural gas or biogas that both displaces the existing use of natural gas and reduces the carbon intensity of fuels.</i></p> <p><b>STATUS:</b>  02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Environment</p>
► AB 1471	<p><b>AUTHOR:</b> Villapudua [D]</p> <p><b>TITLE:</b> Public Utilities Commission</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>States that when selecting and confirming members of the Public Utilities Commission, the Governor and the Senate should consider achieving regional diversity by selecting candidates with a permanent residence in northern California, the central valley, and southern California.</i></p> <p><b>STATUS:</b>  02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
► AB 1510	<p><b>AUTHOR:</b> Garcia [D]</p> <p><b>TITLE:</b> Unauthorized Workers: Essential Worker</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Relates to unauthorized workers. Requires the Employment Development Department to determine the extent of labor shortages in the state's essential critical infrastructure workforce sectors and provide that information to specified federal government entities. Requires the department to convene a working group to address the issues relating to a work permit program for unauthorized persons who are essential critical infrastructure workforce employees to work and live in the state.</i></p> <p><b>STATUS:</b>  02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► AB 1523	<p><b>AUTHOR:</b> Gallagher [D]</p> <p><b>TITLE:</b> Greenhouse Gases</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Revises the California Global Warming Solutions Act of 2006 by designating the State Air Resources Board with the responsibility of regulating vehicular sources of emissions of greenhouse gases and each district with the responsibility of regulating all sources, other than vehicular sources, of emissions of greenhouse gases within its jurisdiction.</i></p> <p><b>STATUS:</b>  02/19/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Environment</p>

▶ AB 1539	<p><b>AUTHOR:</b> Levine [D]</p> <p><b>TITLE:</b> Transportation Electrification: Electric Vehicle</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Requires that the Electric Vehicle Infrastructure Training Program courses remain available in an online format indefinitely. Requires not later than March 1, 2022, that the Electric Vehicle Infrastructure Training Program offer certification testing in an online format. Requires the Energy Commission to periodically review the reasonableness of the fees or charges assessed by the Electric Vehicle Infrastructure Training Program and set the fees or charges accordingly.</i></p> <p><b>STATUS:</b>  02/19/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
ACA 1	<p><b>AUTHOR:</b> Aguiar-Curry [D]</p> <p><b>TITLE:</b> Local Government Financing: Affordable Housing</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  Creates an additional exception to the 1 percent ad valorem tax rate limit on real property that would authorize a city, county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing the tax is approved by 55 percent of the voters of the city or county, and the proposition includes accountability requirements.</p> <p><b>STATUS:</b>  12/07/2020                      INTRODUCED.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
▶ ACA 5	<p><b>AUTHOR:</b> Voepel [D]</p> <p><b>TITLE:</b> Motor Vehicles: Fuel Taxes, Sales and Use Taxes</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Assembly</p> <p><b>SUMMARY:</b>  <i>Relates to motor vehicle fuel taxes. Restricts the expenditure of all interest earned and other increment derived from the investment of those tax revenues and any proceeds from the lease or sale of real property acquired. Require the transfer and restrict the expenditure of revenues from taxes imposed by the state on motor fuels that are attributable.</i></p> <p><b>STATUS:</b>  02/19/2021                      INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>

► SB 10	<p><b>AUTHOR:</b> Wiener [D]</p> <p><b>TITLE:</b> Planning and Zoning: Housing Development: Density</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LAST AMEND:</b> 02/24/2021</p> <p><b>LOCATION:</b> Senate Housing Committee</p> <p><b>SUMMARY:</b>  Authorizes a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. Requires the Department of Housing and Community Development to determine jobs-rich areas and publish a map of those areas on a certain frequency.</p> <p><b>STATUS:</b>  02/24/2021 <i>From SENATE Committee on HOUSING with author's amendments.</i>  02/24/2021 <i>In SENATE. Read second time and amended. Re-referred Committee on HOUSING.</i></p> <p><b>CATEGORY:</b> Housing</p>
SB 30	<p><b>AUTHOR:</b> Cortese [D]</p> <p><b>TITLE:</b> Building Decarbonization</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LOCATION:</b> Senate Governmental Organization Committee</p> <p><b>SUMMARY:</b>  Prohibits a state agency from designing or constructing a state facility that is connected to the natural gas grid. Requires the State Energy Resources Conservation and Development Commission to develop the California State Building Decarbonization Plan that will lead to the operational carbon-neutrality of all state-owned buildings by January 1, 2035.</p> <p><b>STATUS:</b>  01/28/2021 <i>To SENATE Committee on GOVERNMENTAL ORGANIZATION.</i></p> <p><b>CATEGORY:</b> Environment</p>
► SB 44	<p><b>AUTHOR:</b> Allen [D]</p> <p><b>TITLE:</b> California Environmental Quality Act: Judicial Review</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LAST AMEND:</b> 03/01/2021</p> <p><b>LOCATION:</b> Senate Environmental Quality Committee</p> <p><b>SUMMARY:</b>  Establishes specified procedures for the administrative and judicial review of the environmental review and approvals granted for environmental leadership transit project, as defined, undertaken by a public agency.</p> <p><b>STATUS:</b>  03/01/2021 <i>From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.</i>  03/01/2021 <i>In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.</i></p> <p><b>CATEGORY:</b> Environment</p>

► SB 66	<p><b>AUTHOR:</b> Allen [D]</p> <p><b>TITLE:</b> California Council on the Future of Transportation</p> <p><b>INTRODUCED:</b> 12/07/2020</p> <p><b>LOCATION:</b> Senate Transportation Committee</p> <p><b>SUMMARY:</b> Requires the Secretary of Transportation 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 as autonomous vehicles are deployed, they enhance the state's efforts to increase road safety, promote equity, and meet public health and environmental objectives.</p> <p><b>STATUS:</b> 02/25/2021 Re-referred to SENATE Committee on TRANSPORTATION.</p> <p><b>CATEGORY:</b> Miscellaneous</p>
SB 83	<p><b>AUTHOR:</b> Allen [D]</p> <p><b>TITLE:</b> California Infrastructure and Economic Development Bank</p> <p><b>INTRODUCED:</b> 12/15/2020</p> <p><b>LOCATION:</b> Senate Natural Resources and Water Committee</p> <p><b>SUMMARY:</b> Creates the Sea Level Rise Revolving Loan Program within the I-Bank to provide low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property. Requires the California Coastal Commission in consultation with the State Lands Commission, and any other applicable state, federal, and local entities, as specified to determine criteria and guidelines for the identification of eligible vulnerable coastal properties.</p> <p><b>STATUS:</b> 01/28/2021 To SENATE Committees on NATURAL RESOURCES AND WATER and GOVERNANCE AND FINANCE.</p> <p><b>CATEGORY:</b> Funding</p>
SB 214	<p><b>AUTHOR:</b> Bates [R]</p> <p><b>TITLE:</b> Neighborhood Electric Vehicles: County of Orange</p> <p><b>INTRODUCED:</b> 01/12/2021</p> <p><b>LOCATION:</b> Senate Transportation Committee</p> <p><b>SUMMARY:</b> Repeals the sunset date, thereby indefinitely extending the County of Orange's authority to establish an NEV (Neighborhood Electric Vehicle) transportation plan for the Ranch Plan Planned Community.</p> <p><b>STATUS:</b> 01/28/2021 To SENATE Committee on TRANSPORTATION.</p> <p><b>CATEGORY:</b> Planning</p>

SB 216	<b>AUTHOR:</b> <b>TITLE:</b> <b>INTRODUCED:</b> <b>LOCATION:</b>  <b>SUMMARY:</b> Requires concrete contractors holding a C-8 license, warm-air heating, ventilation and air-conditioning (HVAC) contractors holding a C-20 license, or tree service contractors holding a D-49 license to also obtain and maintain workers' compensation insurance even if that contractor has no employees. <b>STATUS:</b> 01/28/2021  <b>CATEGORY:</b>	Dodd [D] Contractors: Workers' Compensation Insurance: Coverage 01/12/2021 Senate Business, Professions & Economic Development Committee  To SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT. Employment Terms & Conditions
SB 231	<b>AUTHOR:</b> <b>TITLE:</b> <b>INTRODUCED:</b> <b>LOCATION:</b> <b>SUMMARY:</b> Authorizes the Department of Transportation, upon terms, standards, and conditions approved by the California Transportation Commission, to transfer the Blues Beach property located in the unincorporated community of Westport in the County of Mendocino to a qualified nonprofit corporation, which the bill would define as a nonprofit corporation that is organized by one or more California Native American tribes for the purpose of environmental protection. <b>STATUS:</b> 01/28/2021  <b>CATEGORY:</b>	McGuire [D] Department of Transportation: Transfer of Property 01/19/2021 Senate Transportation Committee  To SENATE Committee on TRANSPORTATION. Miscellaneous
► SB 266	<b>AUTHOR:</b> <b>TITLE:</b> <b>INTRODUCED:</b> <b>LOCATION:</b> <b>SUMMARY:</b> Requires the Department of Parks and Recreations to provide assistance acquiring and accepting land immediately adjacent to, and that expands, Chino Hills State Park, by transferring 3 specified properties into the state park system. <b>STATUS:</b> 02/22/2021 02/22/2021 <b>CATEGORY:</b>	Newman [D] State Park System: Chino Hills State Park: Expansion 01/28/2021 <i>Senate Natural Resources and Water Committee</i>  <i>In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.</i> <i>In SENATE. Joint Rule 55 suspended.</i> Miscellaneous

► SB 270	<p><b>AUTHOR:</b> Durazo [D]  <b>TITLE:</b> Public Employment: Labor Relations: Employee Data  <b>INTRODUCED:</b> 01/28/2021  <b>LOCATION:</b> Senate Labor, Public Employment and Retirement Committee  <b>SUMMARY:</b>          Authorizes an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the specified requirements only if specified conditions are met, including that the exclusive representative gives written notice of the alleged violation and that the public employer fails to cure the violation, as specified.  <b>STATUS:</b>          02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.          02/22/2021 In SENATE. Joint Rule 55 suspended.  <b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► SB 304	<p><b>AUTHOR:</b> Archuleta [D]  <b>TITLE:</b> Contractors: Exemptions  <b>INTRODUCED:</b> 02/03/2021  <b>LOCATION:</b> Senate Business, Professions &amp; Economic Development Committee  <b>SUMMARY:</b>          Increases the maximum aggregate contract price eligible for a specified exemption from the Contractors State License Law to a specified amount, and makes other nonsubstantive changes.  <b>STATUS:</b>          02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.          02/22/2021 In SENATE. Joint Rule 55 suspended.  <b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► SB 336	<p><b>AUTHOR:</b> Ochoa Bogh [R]  <b>TITLE:</b> Public Health: COVID-19  <b>INTRODUCED:</b> 02/08/2021  <b>LOCATION:</b> Senate Health Committee  <b>SUMMARY:</b>          Provides that before the State Department of Public Health or a local health official takes measures to prevent the spread of COVID-19, as defined, they publish the measures for 72 hours on their internet website and reach out to local organizations representing local business interests.  <b>STATUS:</b>          02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.          02/22/2021 In SENATE. Joint Rule 55 suspended.          02/22/2021 To SENATE Committee on HEALTH.  <b>CATEGORY:</b> Emergency Response Services</p>

<p>► SB 339</p>	<p><b>AUTHOR:</b> Wiener [D]  <b>TITLE:</b> Vehicles: Road Usage Charge Pilot Program  <b>INTRODUCED:</b> 02/08/2021  <b>LOCATION:</b> Senate Transportation Committee  <b>SUMMARY:</b>  <i>Extends the operation of specified provisions until a specified date concerning a requirement of the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation. Implements a pilot program to identify and evaluate issues related to the collection of revenue for a road charge program, as specified.</i>  <b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.  02/22/2021 To SENATE Committee on TRANSPORTATION.  <b>CATEGORY:</b> Funding</p>
<p>► SB 372</p>	<p><b>AUTHOR:</b> Leyva [D]  <b>TITLE:</b> Medium- and Heavy-Duty Fleet Purchasing Program  <b>INTRODUCED:</b> 02/10/2021  <b>LOCATION:</b> Senate Rules Committee  <b>SUMMARY:</b>  <i>Requires an unspecified agency to establish a program to make financing tools and nonfinancial supports available to the operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles.</i>  <b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.  02/22/2021 To SENATE Committee on RULES.  <b>CATEGORY:</b> Funding</p>
<p>► SB 378</p>	<p><b>AUTHOR:</b> Gonzalez [D]  <b>TITLE:</b> Local Government: Broadband Infrastructure Development  <b>INTRODUCED:</b> 02/10/2021  <b>LOCATION:</b> Senate Governance and Finance Committee  <b>SUMMARY:</b>  <i>Authorizes a provider of fiber facilities to determine the method of the installation of fiber. Prohibits a local agency from prohibiting, or unreasonably discriminating in favor of or against the use of, aerial installations, open trenching or boring, or microtrenching, but would authorize a local agency to prohibit aerial deployment of fiber where no aboveground utilities exist due to Electric Tariff Rule 20 or other existing underground requirements.</i>  <b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.  02/22/2021 To SENATE Committees on GOVERNANCE AND FINANCE and ENERGY, UTILITIES AND COMMERCE.  <b>CATEGORY:</b> Broadband</p>

► SB 415	<p><b>AUTHOR:</b> Melendez [R]</p> <p><b>TITLE:</b> Transportation Finance: Motor Vehicle Fuel Tax</p> <p><b>INTRODUCED:</b> 02/12/2021</p> <p><b>LOCATION:</b> Senate Transportation Committee</p> <p><b>SUMMARY:</b>  <i>Relates to existing law which requires a portion of the net revenues from the tax on motor vehicle fuel to be apportioned monthly among counties and cities pursuant to a specified formula, which includes a requirement that the base sum be computed using a specified metric. Requires the base sum to be calculated, rather than computed, using that metric and that the calculation of the apportionment be disclosed and made available to the public.</i></p> <p><b>STATUS:</b>  02/25/2021 To SENATE Committee on TRANSPORTATION.</p> <p><b>CATEGORY:</b> Funding</p>
► SB 439	<p><b>AUTHOR:</b> Archuleta [D]</p> <p><b>TITLE:</b> Renewable Hydrogen</p> <p><b>INTRODUCED:</b> 02/16/2021</p> <p><b>LOCATION:</b> Senate Energy, Utilities and Communications Committee</p> <p><b>SUMMARY:</b>  <i>Authorizes gas corporation that serves an area that will host the 2028 Olympics to identify and propose a renewable hydrogen project, as defined, or multiple projects, in cooperation with the United States Olympic Paralympic Committee, the City of Los Angeles, or the County of Los Angeles to achieve described purposes.</i></p> <p><b>STATUS:</b>  02/25/2021 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.</p> <p><b>CATEGORY:</b> Environment</p>
► SB 499	<p><b>AUTHOR:</b> Leyva [D]</p> <p><b>TITLE:</b> General Plan: Land Use Element: Adverse Health Impact</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Senate Governance and Finance Committee</p> <p><b>SUMMARY:</b>  <i>Prohibits the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty.</i></p> <p><b>STATUS:</b>  02/25/2021 To SENATE Committees on GOVERNANCE AND FINANCE and ENVIRONMENTAL QUALITY.</p> <p><b>CATEGORY:</b> Planning</p>



► SB 500	<p><b>AUTHOR:</b> Min [D]</p> <p><b>TITLE:</b> Autonomous Vehicles: Zero Emissions</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Senate Transportation Committee</p> <p><b>SUMMARY:</b>  <i>Requires an autonomous vehicle operating on a public road to be a zero-emission vehicle. Defines zero-emission vehicle to mean a vehicle that produces no emissions of criteria pollutants, toxic air contaminants, and greenhouse gases when stationary or operating, as determined by the State Air Resources Board.</i></p> <p><b>STATUS:</b>  02/25/2021 To SENATE Committee on TRANSPORTATION.</p> <p><b>CATEGORY:</b> Environment</p>
► SB 527	<p><b>AUTHOR:</b> Melendez [R]</p> <p><b>TITLE:</b> Greenhouse Gas Reduction Fund: High-Speed Rail</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Senate Environmental Quality Committee</p> <p><b>SUMMARY:</b>  <i>Eliminates the continuous appropriation of 25 percent of the annual proceeds of Greenhouse Gas Reduction Fund to the High-Speed Rail Authority on a specified date. Transfers 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund to the Salton Sea Restoration Fund.</i></p> <p><b>STATUS:</b>  02/25/2021 To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION and NATURAL RESOURCES AND WATER.</p> <p><b>CATEGORY:</b> Funding</p>
► SB 548	<p><b>AUTHOR:</b> Eggman [D]</p> <p><b>TITLE:</b> Tri-Valley-San Joaquin Valley Regional Rail Authority</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Gives to the Tri-Valley-San Joaquin Valley Regional Rail Authority the power to enter into design-build contracts, as specified, and would exempt the authority from provisions that preclude the inclusion of long-term maintenance and operations obligations in a design-build contract.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Rail and Transit</p>

► SB 551	<p><b>AUTHOR:</b> Stern [D]</p> <p><b>TITLE:</b> California Electric Vehicle Authority</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Establishes the California Electric Vehicle Authority within the Governor's office. Requires the authority to coordinate activities among state agencies to advance electric vehicle and zero-emission charging infrastructure deployment as well as ensure related equity, workforce development, economic development, and other needs are addressed, as specified.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Planning</p>
► SB 563	<p><b>AUTHOR:</b> Allen [D]</p> <p><b>TITLE:</b> Second Neighborhood Infill Finance and Transit Improve</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Makes the enhanced infrastructure financing plan adoption process dependent on the percentage of the combined number of registered voters in the area and landowners who file a protest and on the vote of that population.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Planning</p>
► SB 580	<p><b>AUTHOR:</b> Hueso [D]</p> <p><b>TITLE:</b> Department of Transportation: Highways and Roads</p> <p><b>INTRODUCED:</b> 02/18/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <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.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Environment</p>

► SB 589	<b>AUTHOR:</b>	<i>Hueso [D]</i>
	<b>TITLE:</b>	<i>Air Pollution: Alternative Vehicles and Infrastructure</i>
	<b>INTRODUCED:</b>	<i>02/18/2021</i>
	<b>LOCATION:</b>	<i>Senate</i>
	<b>SUMMARY:</b>	<i>Requires the State Energy Resources Conservation and Development Commission to identify workforce development and training resources needed to meet specified goals concerning reducing emissions of greenhouse gases.</i>
	<b>STATUS:</b>	
	<i>02/22/2021</i>	<i>In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.</i>
	<i>02/22/2021</i>	<i>In SENATE. Joint Rule 55 suspended.</i>
	<b>CATEGORY:</b>	<i>Environment</i>

► SB 598	<b>AUTHOR:</b>	<i>Pan [D]</i>
	<b>TITLE:</b>	<i>Sacramento Regional Transit District: Employee Relation</i>
	<b>INTRODUCED:</b>	<i>02/18/2021</i>
	<b>LOCATION:</b>	<i>Senate</i>
	<b>SUMMARY:</b>	<i>Grants Public Employment Relations Board jurisdiction to enforce these labor provisions applicable to the Sacramento Regional Transit District and would require employers and employees to adjudicate complaints of specified labor violations before PERB as an unfair labor practice.</i>
	<b>STATUS:</b>	
	<i>02/22/2021</i>	<i>In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.</i>
	<i>02/22/2021</i>	<i>In SENATE. Joint Rule 55 suspended.</i>
	<b>CATEGORY:</b>	<i>Employment Terms &amp; Conditions</i>

► SB 604	<b>AUTHOR:</b>	<i>Hueso [D]</i>
	<b>TITLE:</b>	<i>Natural Resources: The Nature and Parks Career Pathway</i>
	<b>INTRODUCED:</b>	<i>02/18/2021</i>
	<b>LOCATION:</b>	<i>Senate</i>
	<b>SUMMARY:</b>	<i>Establishes the Nature and Parks Career Pathway and Community Resiliency Act of 2021, which would require state conservancies and the Wildlife Conservation Board to establish independent grant programs to fund climate mitigation, adaptation, or resilience, natural disaster, and other climate emergency projects, as specified.</i>
	<b>STATUS:</b>	
	<i>02/22/2021</i>	<i>In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.</i>
	<i>02/22/2021</i>	<i>In SENATE. Joint Rule 55 suspended.</i>
	<b>CATEGORY:</b>	<i>Employment Terms &amp; Conditions</i>

► SB 606	<b>AUTHOR:</b>	Gonzalez [D]
	<b>TITLE:</b>	Workplace Safety: Citations: Employer Retaliation
	<b>INTRODUCED:</b>	02/18/2021
	<b>LOCATION:</b>	Senate
	<b>SUMMARY:</b>	<i>Requires the Division of Occupational Safety and Health to issue a citation to an egregious employer, as defined, for each willful violation concerning employer retaliations for reporting a workplace safety incident and each employee exposed to that violation would be required to be considered a separate violation for purposes of the issuance of fines and penalties, as provided.</i>
	<b>STATUS:</b>	
	02/22/2021	In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.
	02/22/2021	In SENATE. Joint Rule 55 suspended.
	<b>CATEGORY:</b>	Employment Terms & Conditions

► SB 623	<b>AUTHOR:</b>	Newman [D]
	<b>TITLE:</b>	Electronic Toll and Transit Fare Collection Systems
	<b>INTRODUCED:</b>	02/18/2021
	<b>LOCATION:</b>	Senate
	<b>SUMMARY:</b>	<i>Authorizes those operators to provide instead only the information specified in functional specifications and standards adopted by the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and operators of toll facilities in this state on federal-aid highways for purposes of interstate interoperability.</i>
	<b>STATUS:</b>	
	02/22/2021	In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.
	02/22/2021	In SENATE. Joint Rule 55 suspended.
	<b>CATEGORY:</b>	Miscellaneous

► SB 624	<b>AUTHOR:</b>	Hueso [D]
	<b>TITLE:</b>	Environmental Equity and Outdoor Access Act
	<b>INTRODUCED:</b>	02/18/2021
	<b>LOCATION:</b>	Senate
	<b>SUMMARY:</b>	<i>Establishes the Environmental Equity and Outdoor Access Act, which sets forth the State's commitment to ensuring all Californians can benefit from, and have meaningful access to, the State's rich cultural and natural resources.</i>
	<b>STATUS:</b>	
	02/22/2021	In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.
	02/22/2021	In SENATE. Joint Rule 55 suspended.
	<b>CATEGORY:</b>	Environment

► SB 640	<b>AUTHOR:</b>	<i>Becker [D]</i>
	<b>TITLE:</b>	<i>Transportation Financing: Jointly Proposed Projects</i>
	<b>INTRODUCED:</b>	<i>02/19/2021</i>
	<b>LOCATION:</b>	<i>Senate</i>
	<b>SUMMARY:</b>	<i>Authorizes cities and counties to jointly submit to the Transportation Commission a list of proposed projects to be funded by the cities and counties' apportionments of funds in the Road Maintenance and Rehabilitation Account. Requires that funds apportioned jointly to cities and counties for this purpose be available for expenditure for 3 full fiscal years after the apportionment.</i>
	<b>STATUS:</b>	
	<i>02/22/2021</i>	<i>In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.</i>
	<i>02/22/2021</i>	<i>In SENATE. Joint Rule 55 suspended.</i>
	<b>CATEGORY:</b>	<i>Funding</i>

► SB 643	<b>AUTHOR:</b>	<i>Archuleta [D]</i>
	<b>TITLE:</b>	<i>Fuel Cell Electric Vehicle Fueling Infrastructure</i>
	<b>INTRODUCED:</b>	<i>02/19/2021</i>
	<b>LOCATION:</b>	<i>Senate</i>
	<b>SUMMARY:</b>	<i>Requires the State Air Resources Board, in consultation with the Energy Commission and the Public Utilities Commission, to prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at levels necessary for the state to meet specified goals and requirements relating to vehicular air pollution.</i>
	<b>STATUS:</b>	
	<i>02/22/2021</i>	<i>In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.</i>
	<i>02/22/2021</i>	<i>In SENATE. Joint Rule 55 suspended.</i>
	<b>CATEGORY:</b>	<i>Planning</i>

► SB 662	<b>AUTHOR:</b>	<i>Archuleta [D]</i>
	<b>TITLE:</b>	<i>Energy: Transportation Sector: Green Hydrogen</i>
	<b>INTRODUCED:</b>	<i>02/19/2021</i>
	<b>LOCATION:</b>	<i>Senate</i>
	<b>SUMMARY:</b>	<i>Requires the State Air Resources Board to develop and implement regulations to require that, by December 31, 2024, on a statewide basis, not less than 44 percent of the hydrogen produced or dispensed in California for motor vehicles be green hydrogen, as defined.</i>
	<b>STATUS:</b>	
	<i>02/22/2021</i>	<i>In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.</i>
	<i>02/22/2021</i>	<i>In SENATE. Joint Rule 55 suspended.</i>
	<b>CATEGORY:</b>	<i>Environment</i>

► SB 704	<p><b>AUTHOR:</b> Gonzalez [D]</p> <p><b>TITLE:</b> Occupational Safety and Health</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Requires every employer to furnish and use safety devices and safeguards, and to adopt and use practices that are reasonably adequate to render the employment and place of employment safe and healthful.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Employment Terms &amp; Conditions</p>
► SB 760	<p><b>AUTHOR:</b> Bates [R]</p> <p><b>TITLE:</b> State Highways: State Route 241: Reduction</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Deletes from the state highway system the 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.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Planning</p>
► SB 761	<p><b>AUTHOR:</b> Bates [R]</p> <p><b>TITLE:</b> Public Resources: City of San Clemente</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Prohibits certain governmental entities from constructing, funding, or operating, or from taking property to construct, fund, or operate, a new major thoroughfare in the City of San Clemente in an area that is subject to a conservation easement or that is protected as open space under a local initiative. Provides that these provisions do not apply to State Route 5 and lands immediately adjacent to State Route 5 or the extension of Los Patrones.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Planning</p>

► SB 771	<p><b>AUTHOR:</b> Becker [D]</p> <p><b>TITLE:</b> Sales And Use Tax Law: Zero Emissions Vehicle Exemption</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Provides an exemption from taxes imposed on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Funding</p>
► SB 779	<p><b>AUTHOR:</b> Stern [D]</p> <p><b>TITLE:</b> Advance Mitigation Program</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Authorizes funds in the Advance Mitigation Account to be used to modify or remove wildlife connectivity barriers not covered by existing regulatory programs. Expands purposes for which a continuously appropriated account may be used. Makes an appropriation.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Funding</p>
► SB 792	<p><b>AUTHOR:</b> Glazer [D]</p> <p><b>TITLE:</b> Sales and Use Tax: Retailers: Reporting</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Requires a retailer whose annual sales of tangible personal property transacted online exceeded a certain dollar amount for the previous calendar year to track and report to the department the city or ZIP code where the purchaser resides for each sale within the state that is transacted online, as specified.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Funding</p>

► SB 793	<p><b>AUTHOR:</b> Wiener [D]</p> <p><b>TITLE:</b> Vehicles: Road Usage Charge Pilot Program</p> <p><b>INTRODUCED:</b> 02/19/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Extends the operation of provisions requiring the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation until January 1, 2024.</i></p> <p><b>STATUS:</b>  02/22/2021 In SENATE. Article IV. Section 8(a) of the Constitution dispensed with.  02/22/2021 In SENATE. Joint Rule 55 suspended.</p> <p><b>CATEGORY:</b> Funding</p>
► SCA 4	<p><b>AUTHOR:</b> Wilk [R]</p> <p><b>TITLE:</b> Legislature: 2-year Budget</p> <p><b>INTRODUCED:</b> 02/17/2021</p> <p><b>LOCATION:</b> Senate</p> <p><b>SUMMARY:</b>  <i>Limits the Legislature, in the first year of the regular session, to considering or acting upon only the Budget Bill and related bills, and up to 5 bills introduced by each of the standing committees of the Legislature, as specified. Requires the Governor to submit to the Legislature a budget for the ensuing 2 fiscal years within the first 10 days of the first calendar year of the biennium of the legislative session.</i></p> <p><b>STATUS:</b>  02/17/2021 INTRODUCED.</p> <p><b>CATEGORY:</b> Funding</p>





**March 18, 2021**

**To:** Legislative and Communications Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Federal Legislative Status Report

*For*

### **Overview**

The Orange County Transportation Authority regularly updates the Legislative and Communications Committee on policy issues directly impacting its programs, projects, and operations. An update is provided on Congressional action to enact the President's \$1.9 trillion stimulus funding package. An overview is provided of two transportation-related hearings, one on the reauthorization of federal transportation programs and the other on maintaining equity in transportation safety enforcement.

### **Recommendation**

Receive and file as an information item.

### **Discussion**

#### **Economic Stimulus Negotiations**

As an update on information previously reported to the Legislative and Communications Committee last month, Congress and the Administration have continued to work on the President's \$1.9 trillion economic stimulus package to facilitate a robust federal response to the ongoing coronavirus (COVID-19) pandemic. On February 26, 2021, the House passed legislation mirroring many of the President's proposals, including supplemental unemployment insurance, direct stimulus payments, assistance for state and local governments, and funding for a national vaccination program, testing, and contact tracing. On March 6, 2021, the Senate passed by a vote of 50 to 49 a version of the House bill with minor amendments. On March 10, 2021, the House voted on the stimulus package again in order to concur to the Senate's amendments, approving the final bill language by a vote of 220 to 211. The President signed the economic relief package into law on March 11, 2021.

Of note to the Orange County Transportation Authority (OCTA), the latest stimulus legislation includes approximately \$30.5 billion in emergency transit funding. Similar to previous stimulus proposals, the bill provides a large majority of emergency transit funding through Federal Transit Administration (FTA) formula programs. Within the \$30.5 billion in FTA funding, approximately \$26 billion would flow through the Urbanized Area Formula Grants program (Section 5307). The bill makes this funding available for operating expenses for public transit agencies to prevent, prepare for, and respond to the COVID-19 pandemic. The bill language provides direction that funding shall be used for payroll reimbursement, including for private providers of public transportation, operating costs to maintain service due to lost revenue, and administrative leave of operations or contractor personnel.

This stimulus bill does include three notable differences from previous stimulus legislation. First, the transit funding is only available until September 30, 2024, whereas the previous stimulus bills had not put an obligation deadline on FTA funds. Second, the bill only appropriates funding through Urbanized Area Formula Grants program (Section 5307) without making any reference to the FTA State of Good Repair Grants program (Section 5337). This stimulus bill marks the first time that emergency transit funding has been appropriated through just one FTA program. Third, the bill language attempts to direct funding to agencies with the greatest need. The bill also contains language limiting any urbanized area from receiving more than 132 percent of their 2018 operating costs, when combining this funding “otherwise made available to such urbanized area for similar activities to prevent, prepare for, and respond to” COVID-19. This language differs from previous stimulus legislation in that it does not tie the operating cost limitation to any specific legislation, instead using the broader reference to previously-enacted funding. The complexity of this language makes it difficult to estimate exactly how much funding OCTA will receive from this funding formula, but OCTA will continue to work with FTA and the Southern California Association of Governments to determine how this funding will benefit Orange County.

Included as part of the \$30.5 billion in transit funding, the bill provides \$1.675 billion in supplemental funding for the Capital Investment Grants (CIG) program, notably \$1.425 billion for CIG New Starts projects. The bill language directs this funding to all CIG projects with full funding grant agreements not yet open for revenue service as part of the federal response to COVID-19. While the bill language does not specifically call out the OC Streetcar project, the project is expected to receive an additional funding allocation. Per estimates prepared by transportation stakeholders, OCTA is expected to receive approximately \$9.4 million. Additionally, the bill language states that this additional CIG funding “shall be provided notwithstanding any calculation of the maximum amount of Federal financial assistance for the project.” Given the complexities of the bill language, staff is working with stakeholders and other

CIG project sponsors to ensure that this additional funding expediently benefits all CIG projects facing the ongoing challenges of the COVID-19 pandemic.

Also included as part of the \$30.5 billion in transit funding, the bill provides \$50 million for the FTA Enhanced Mobility of Seniors and Individuals with Disabilities program (Section 5310). The bill also calls for the creation of a \$2.2 billion competitive program awarding additional transit funding specifically to maintain operations and avoid layoffs and furloughs. This new competitive program would be based on financial need, requiring that applicants have expended 90 percent of the funds available for COVID-19 response made available last year.

As with previous stimulus discussions, staff continues its work with transportation agency partners and stakeholders to advocate for the interests of transit agencies as Congress drafts economic recovery legislation. The American Public Transit Association sent a letter, included as Attachment A, supporting the \$30.5 billion in emergency transit funding as a critical part of the COVID-19 response. Similarly, the California Transit Association (CTA) worked with stakeholders from across the State to send a letter, included as Attachment B, similarly supporting this additional funding. As was the case with previous advocacy efforts, the CTA correspondence reiterated that California should receive its equitable share of this funding so that transit agencies of all sizes across the State can benefit from the additional operational support.

### Transportation Hearings

On February 24, 2021, the Senate Environment and Public Works Committee held a hearing entitled, "Building Back Better: Investing in Transportation While Addressing Climate Change, Improving Equity, and Fostering Economic Growth and Innovation." As the title of this hearing suggests, much of the conversation focused on efforts to reauthorize surface transportation programs expiring on September 30, 2021, given the Administration's ambitious policy agenda, specifically when it comes to equity and climate change. After this hearing, both House and Senate leaders indicated a desire to introduce surface transportation reauthorization legislation in the coming months, with both chambers aiming to prepare such legislation for floor consideration by Memorial Day.

At the hearing, Senators and witnesses spent a majority of time discussing the different ways in which federal transportation programs can be implemented to achieve the new Administration's wide-ranging policy goals. One of the most important themes in the questioning was whether federal funding should be delivered via existing formula programs, set-asides within formula programs, or competitive grant programs. The Senators and witnesses discussed whether flexibility in formula programs or putting conditions on competitive grant awards would be the best way to achieve the new Administration's policy goals, with no real consensus emerging from the discussion. Many of the Senators and

witnesses also brought up the need to streamline the environmental approval process, including calls to codify the One Federal Decision policy aimed at reducing the number of federal agencies issuing environmental approvals and limiting the timeframe for federal agencies to make such approvals. Senator Alex Padilla (D-California) asked the witnesses how federal funding can be used to make infrastructure more resilient from the impacts of severe weather events and how highway investments have displaced residents of certain low-income neighborhoods.

Also on February 24, 2021, the House Transportation and Infrastructure Committee's Subcommittee on Highways and Transit held a hearing entitled, "Examining Equity in Transportation Safety Enforcement." With equity becoming an increasingly important issue to the Administration, this hearing focused on the equity implications of the most prevalent methods utilized to enforce traffic safety laws, specifically interactions between law enforcement and users of publicly-funded roads and highways. Witnesses discussed how the National Highway Traffic Safety Administration (NHTSA) traffic fatality estimates facilitate the need to combat risky driving behavior without exacerbating discrimination and racial profiling.

One theme from this hearing was the use of NHTSA's Racial Profiling Prohibition Grants program, specifically the effectiveness of this program funding in ensuring the equitable enforcement of traffic laws. While NHTSA awards grants when Congress appropriates funding for the program, Congress does not provide funding for the Racial Profiling Prohibition Grants program every year. Moreover, the witnesses noted that grant awards are usually not very significant, allowing for only certain states and localities to make use of this funding in their communities. Representative Julia Brownley's (D-Thousand Oaks) questioning highlighted that California does not pursue these grants funds because the award amounts are so nominal. There were also questions focusing on the insufficient data available to assess equity disparities, including the role that funding uncertainty plays in exacerbating gaps in traffic enforcement efforts. Finally, there were also discussions about the implications of new technologies and trends, such as virtual reality simulations, bus-only lanes, and micro-mobility, in keeping road and highway users safe.

***Summary***

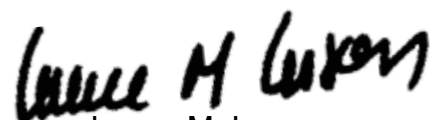
An update is provided regarding an additional round of federal funding in response to the economic impacts of the ongoing COVID-19 pandemic. Summaries are also provided for two transportation hearings, one on surface transportation reauthorization legislation and another on maintaining equity in the transportation enforcement efforts.

***Attachments***

- A. Letter from Paul P. Skoutelas, President and CEO, American Public Transit Association, to The Honorable Richard C. Shelby, United States Senate, dated March 2, 2021
- B. Letter from CTA and Stakeholders to the President and Congressional Leaders, dated February 26, 2021
- C. Potomac Partners DC, Monthly Legislative Report – February 2021

**Prepared by:**

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**Approved by:**

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AMERICAN  
PUBLIC  
TRANSPORTATION  
ASSOCIATION

March 2, 2021

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APTA.COM

The Honorable Richard C. Shelby  
United States Senate  
304 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Shelby,

On behalf of America's public transportation industry, which directly employs more than 435,000 workers and supports millions of private-sector jobs, **we write to strongly support H.R. 1319, the "American Rescue Plan Act of 2021". This bill, as passed by the U.S. House of Representatives, provides \$30.5 billion in critical COVID-19 emergency funding to help public transit agencies continue to provide a lifeline to essential workers, ensure Americans can get to vaccine distribution sites, and advance communities' efforts across the country to rebuild our nation's economy.**

The COVID-19 pandemic has driven home the essential role that public transit plays every day, bringing healthcare professionals to the frontlines, delivering groceries and medicine to at-risk populations, and connecting essential workers to their places of work. To help the national effort to vaccinate Americans, many agencies are providing free rides to vaccination sites and, in some cases, transit facilities have become vaccination clinics.<sup>1</sup> Transit workers are truly performing heroic services for their communities during this precarious and uncertain time.

All the while, the pandemic has significantly increased public transit operating costs and slashed principal sources of transit operations funding, including agency farebox, state and local tax revenues, state and local funding, and other revenues.

We greatly appreciate your work to enact the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116-136) and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act) (P.L. 116-260). This COVID-19 emergency funding provided critical, immediate relief and helped to prevent some of the most drastic outcomes,

The Honorable Richard C. Shelby

March 2, 2021

Page 2

such as layoffs, furloughs, and cuts to service. However, public transit agencies need additional funding to continue to provide essential services throughout the ongoing crisis.

Based on an independent economic analysis<sup>2</sup> of COVID-19 impacts on public transit funding needs, APTA estimates that public transit agencies face \$39.3 billion of additional costs and revenue losses, in addition to the emergency public transit funding provided in 2020.

If Congress and the Administration do not provide significant additional COVID-19 emergency transit funding, many public transit agencies will be forced to cut service and lay off or furlough employees. According to a January 2021 APTA survey of public transit agencies, four in 10 agencies will have to consider additional service cuts to close their budget gaps.<sup>3</sup> Similarly, 22 percent of agencies will be forced to consider implementing additional layoffs.<sup>4</sup>

These funds are also critical to maintain the manufacturing and supply chain for public transportation agencies and limit the enormous economic damage to these businesses caused by the pandemic. According to a January 2021 APTA survey of public transit industry businesses, 76 percent of businesses have seen a reduction in their transit industry business because of COVID-19, and nearly four in 10 businesses (38 percent) will be forced to consider additional layoffs.<sup>5</sup> Moreover, one of every five businesses (22 percent) are concerned that they may go out of business due to the pandemic.<sup>6</sup>

**We strongly support the \$30.5 billion of emergency public transit funding provided in the American Rescue Plan Act of 2021.** We also greatly appreciate that the bill distributes these funds in a manner that ensures that all public transit agencies can continue to be a lifeline for our essential workers, ensure Americans can get to vaccine distribution sites, and advance our communities' efforts to rebuild from the economic fallout of the pandemic.

Thank you for your consideration.

Sincerely,



Paul P. Skoutelas  
President and CEO

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<sup>1</sup> <https://www.apta.com/news-publications/press-releases/releases/public-transit-connecting-the-nation-to-covid-19-vaccines/>

<sup>2</sup> EBP US, Inc., *The Impact of the COVID-19 Pandemic on Public Transit Funding Needs in the U.S.*, January 27, 2021, <https://www.apta.com/wp-content/uploads/APTA-COVID-19-Funding-Impact-2021-01-27.pdf>.

<sup>3</sup> American Public Transportation Association, *COVID-19 Pandemic Threatens Public Transit Jobs and Service*, January 2021, at <https://www.apta.com/wp-content/uploads/APTA-Survey-Brief-Agency-Jan-2021.pdf>.

<sup>4</sup> *Id.*

<sup>5</sup> American Public Transportation Association, *COVID-19 Pandemic Threatens Public Transit Businesses*, January 2021, at <https://www.apta.com/wp-content/uploads/APTA-Survey-Brief-Business-Jan-2021.pdf>.

<sup>6</sup> *Id.*





February 26, 2021

President Joseph R. Biden Jr.  
United States of America  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

The Honorable Nancy Pelosi  
Speaker of the House  
United States House of Representatives  
H-232, U.S. Capitol  
Washington, DC 20515

The Honorable Kevin McCarthy  
Republican Leader  
United States House of Representatives  
H-204, U.S. Capitol  
Washington, DC 20515

The Honorable Charles E. Schumer  
Majority Leader  
United States Senate  
S-221, U.S. Capitol  
Washington, DC 20510

The Honorable Mitch McConnell  
Republican Leader  
United States Senate  
S-230, U.S. Capitol  
Washington, DC 20510

President Biden, Speaker Pelosi, Leader Schumer, Leader McCarthy and Leader McConnell:

Our coalition of transportation, labor, business, infrastructure, environmental and social justice leaders thank you for your strong support for transit agencies nationwide throughout the COVID-19 pandemic. The emergency funding provided to transit agencies by Congress last year has helped stave off the most severe service reductions and workforce layoffs, which would have devastated the communities that have continued to rely on transit service during today's public health crisis.

We strongly support H.R. 1319, the "American Rescue Plan Act of 2021," which provides more than \$30 billion in new operational funding to transit agencies nationwide. **This funding level will address the operating needs faced by the industry into 2023. Moreover, as you finalize the next round of emergency relief, we urge you to continue to ensure that California receives its fair share of total funding so that transit agencies of all sizes throughout our state can benefit from the additional operational support.**



This funding is vital to transit agencies operating in rural, urban and suburban settings as they continue to grapple with steep declines in ridership and revenues due to the pandemic-induced economic downturn.

A viable public transit network is necessary to help support essential and frontline workers as well as communities disproportionately hurt by the pandemic, to protect strong and healthy communities, avoid the loss of thousands of good-paying local jobs, and to support a balanced economic recovery.

Surveys have found that the majority of Californians who continue to rely on transit during the pandemic, are using the service to get to work, are overwhelmingly low-income and/people of color, and lack access to a personal vehicle. Reduced transit service disproportionately harms these communities, making it more difficult for them to provide for their families and threatening the health of local economies.

Transit agencies themselves have significant impacts on local economies. The California Transit Association estimates that more than 35,000 Californians are directly employed by transit agencies, but many agencies are considering or have already made cuts to personnel due to the severe budget shortfalls.

Without additional funding for transit operations, service and workforce cuts that were avoided last year will proceed this year. Moreover, transit agencies will delay capital improvement projects and transit vehicle procurements, and defer payments to contractors. These cuts will compromise the condition of transit assets, undermine the role of California's transit agencies in meeting our state's environmental goals, slow the deployment of zero-emission buses, and result in job losses in construction as well as domestic and California-based manufacturing.

The emergency funding we request today would establish funding certainty to better allow transit agencies to navigate the crisis.

Ensuring California's public transit agencies can continue to provide essential service and invest in capital projects is critical to a balanced economic recovery, our quality of life, and to achieving our state's ambitious environmental goals.

Please help us save local public transit.

Sincerely,

Michael Pimentel, Executive Director  
**California Transit Association**

Tim Elder, President  
**National Federation of the Blind California**

Michael Quigley, Executive Director  
**California Alliance for Jobs**

Shane Gusman, Director  
**California Teamsters Public Affairs Council**

Bill Higgins, Executive Director  
**California Association of Councils of Government (CALCOG)**

Shane Gusman, Legislative Advocate  
**California Conference Board of the Amalgamated Transit Union**

Kiana Valentine, Executive Director  
**Transportation California**

Rick L. Callender, President  
**California – Hawaii State Conference NAACP**

Louie Costa, Director  
**California State Legislative Board  
SMART-Transportation Division**

Denny Zane, Executive Director  
**MoveLA**

Eileen Wenger Tutt, Executive Director  
**California Electric Transportation Coalition**

Colin Fiske, Executive Director  
**Coalition for Responsible Transportation Priorities**

Jason Baker, Vice President, Transportation, Housing & Community Development  
**Silicon Valley Leadership Group**

Ruben Guerra, President and Chair  
**Latin Business Association**

Gwen Litvak, Senior Vice President  
**Bay Area Council**

Jonathon Kass, Interim Transportation Policy Director  
**SPUR**

Jessica Lall, President & CEO  
**Central City Association – Los Angeles**

John Hakel, Executive Director  
**Rebuild SoCal Partnership**

Dr. Tecoy Porter, President  
**National Action Network Sacramento**

Barbara Leslie, Chamber President/CEO  
**Oakland Chamber of Commerce**

Jack Swearengen, Chair  
**Friends of SMART**

Darnell Grisby, Executive Director  
**TransForm**

Glenda Marsh, Steering Committee  
**Sacramento Metro Advocates for Rail and Transportation**

Rev. Jonathan Moseley, Western Regional Director  
**National Action Network – Los Angeles**

Jacklyn Montgomery, Executive Director  
**California Association for Coordinated Transportation (CalACT)**

Richard Marcantonio, Managing Attorney  
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Adrian Martinez, Staff Attorney, Right to Zero  
**Earthjustice**

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Colin Parent, Executive Director & General Counsel  
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Stuart Waldman, President  
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Brandon Black, Director of Public Policy  
**Sacramento Metro Chamber of Commerce**

Laura Raymond, Director  
**Alliance for Community Transit Los Angeles**

Barry Broome, President & CEO  
**Greater Sacramento Economic Council**

Brian Ling, Executive Director  
**Sonoma County Alliance**

Pat Fong Kushida, President & CEO  
**Sacramento Asian Pacific Chamber of Commerce**

Bill Manis, President & CEO  
**San Gabriel Valley Economic Partnership**

Dave Campbell, Advocacy Director  
**Bike East Bay**

**CC:** California Congressional Delegation  
The Honorable Peter DeFazio, Chair, Committee on Transportation and Infrastructure, United States House of Representatives  
The Honorable Sherrod Brown, Chair, Committee on Banking, Housing, and Urban Affairs, United States Senate  
Pete Buttigieg, Secretary, United States Department of Transportation  
Nuria Fernandez, Acting Administrator, Federal Transit Administration  
The Honorable Gavin Newsom, Governor, State of California  
The Honorable Lena Gonzalez, Chair, Senate Transportation Committee, California State Senate  
The Honorable Laura Friedman, Chair, Assembly Transportation Committee, California State Assembly  
David Kim, Secretary, California State Transportation Agency, State of California  
Members, Executive Committee, California Transit Association  
Members, Federal Legislative Committee, California Transit Association  
Members, COVID-19 Transit Crisis Relief Task Force, California Transit Association



## Monthly Legislative Report – February 2021

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### **February Advocacy Meeting Summary**

**Congressman Alan Lowenthal (D-CA)** – We have been in contact with Congressman Lowenthal’s senior staff to discuss FY22 appropriations, including request submission procedures, and key deadlines. We also discussed the process for providing Surface Transportation Reauthorization and/or Infrastructure bill input and the role of community project funding in any T&I Committee authorizing legislation. We also discussed funding in the American Rescue Plan for the CIG program and language that would include extra funding for projects with FFGAs and funding allocations prior to 2019.

**Congressman Lou Correa (D-CA)** – We have been in communication with Congressman Correa’s senior staff to discuss FY22 appropriations, funding requests, priority projects, and the limited return to earmarks. We discussed providing input on the Surface Transportation Reauthorization and the possibility for a larger infrastructure package this summer. We also discussed additional funding for the OC Streetcar in the American Rescue Plan.

**Congresswoman Katie Porter (D-CA)** – We have been communicating with senior staff in Congresswoman Porter’s office this month to discuss support for language that would provide additional funding for transit in the American Rescue Plan. We also discussed the FY22 appropriations process, request deadlines, and submission procedures.

**Congressman Mike Levin (D-CA)** – We have been in communication with Congressman Levin’s office regarding the American Rescue Plan and opportunities to include additional funding for transit. We also discussed deadlines for FY22 appropriations requests and the procedures for Community Project Funding (earmarks).

**Congresswoman Michelle Steel (R-CA)** – We have been in communication with Congresswoman Steel’s senior staff to discuss amendment language for the House Transportation and Infrastructure Committee markup of the American Rescue Plan to include additional funding for CIG projects with FFGAs before FY2019.

**Congresswoman Young Kim (R-CA)** – We have been in communication with Congresswoman Kim’s senior staff to discuss FY22 appropriations and deadlines for requests. We also discussed her letter with Congressman Correa requesting FEMA’s coordination with the City of Anaheim to establish a vaccination site.

**Senator Alex Padilla (D-CA)** – We have been in communication with Senator Padilla’s transportation staff to discuss the surface transportation reauthorization bill. We also discussed the cost and time benefits of streamlining specific process and permitting

procedures. Senator Padilla's office has also asked for programmatic input and requests for the upcoming surface transportation reauthorization through their office's web portal.

**Congressman Pete Aguilar (D-CA)** – We met with Congressman Aguilar and his staff to discuss FY22 appropriations and request procedures. We discussed support for increasing funding for transit and the potential for earmarks.

**Congresswoman Norma Torres (D-CA)** – We communicated with Congresswoman Torres' office to discuss the Rules Committee meeting to consider the American Rescue Plan and opportunities for members to submit amendments.

**House Appropriations: Transportation, Housing and Urban Development** – We have been in contact with professional staff in the Majority and Minority regarding FY22 appropriations, and the process for submitting funding and language requests at the committee level. We also discussed new funding for transit in the regular appropriations process.

**House Transportation and Infrastructure Committee** – We have been in communication with Chairman DeFazio and his senior staff to discuss the upcoming surface transportation authorization process. We discussed conversations between the White House and Committee leaders regarding the outlook for a large infrastructure bill this summer and financing mechanisms being considered. We also discussed the timeline for hearings and a full committee markup of the Highway Bill.

**Senate Banking Committee** – We continue to communicate with senior staff to discuss possible timeline for a Surface Transportation Reauthorization bill, and the Chairman's priorities.

### **Community Project Funding (Earmarks)**

On Friday night, February 26<sup>th</sup>, House Appropriations Chairwoman Rosa DeLauro (D-CT) announced that her Committee will be accepting member requests for specific projects in the appropriations bills for the upcoming fiscal year. The Committee has released a Fact Sheet on the reforms and parameters of the new process (available [HERE](#)), and key highlights are included below:

- Earmarks will only be allowed for state or local governmental grantees and eligible non-profits
- Overall earmark spending will be limited to 1 percent of overall discretionary spending, or \$15 billion, or whichever is lower
- Earmarks will be capped at 1 percent of each bill, and each subcommittee will decide and must comply with the full committee cap
- Each member will be allowed a maximum of ten requests across all appropriations bills per fiscal year, and there is no guarantee that they will get any/all of those requests

- The Senate will not have a cap
- The House will only make six programs available for earmarking, which will be the accounts that have historically carried the greatest number of earmarks
- Members will have to provide evidence of a community support and certify that neither they, nor their family members, have a financial interest in the project.
- There will be increased transparency, including an online submission process, public database of all requests, and increased vetting by Subcommittees as well as auditing of a sample of enacted projects conducted by the Government Accountability Office.

According to the House Appropriations Committee staff, the requests will adhere to strict transparency standards, which will require members to post their requests online and verify that they have no personal financial stake, as well as provide evidence of a community support. There will also be a public database of all requests, and increased vetting by subcommittees as well as auditing of a sample of enacted projects conducted by the Government Accountability Office to ensure they comply with Senate Rule 44 and committee standards.

Senate Appropriations Ranking Member Richard Shelby (R-AL) and House Rules Ranking Member Tom Cole (R-OK) have both informally backed a controlled return to a transparent process. However, Minority Leader Mitch McConnell (R-KY) suggested last week that an overwhelming majority of the Republican conference is opposed to earmarking, and they will not plan on submitting requests even as Democrats' plan to reinstate them is becoming increasingly likely.

Additional guidelines are expected to be released in the coming months, including submission deadlines, standardized request process/forms, the accounts and program eligibility, as well as project eligibility requirements. In the interim, the following descriptors will be helpful in defining priorities within the community:

- General project description
- Demonstration of community engagement and need
- Rough estimate of project's total cost
- State or local match
- Identified stakeholders and support within the community

### **American Rescue Plan & Budget Reconciliation**

In the early morning hours of Saturday, February 27<sup>th</sup>, the House passed the coronavirus relief budget reconciliation bill in a party-line vote of [219-212](#). The only Democrats who joined all Republicans voting "Nay" were Reps. Golden (ME) and Schrader (OR). Earlier that week, the House Budget Committee held a markup of the full relief bill (the *American Rescue Plan Act*; [H.R. 1319](#)) comprised of the various sections drafted by House Committees. Following the markup, Budget Committee Chairman John Yarmuth (D-KY) released a Manager's Amendment (available [here](#)) making changes to the bill. The

manager's amendment was approved and includes sections from the House Foreign Affairs, Science, and Natural Resources Committees to the bill, adding approximately \$11.8 billion in new spending to the measure. While most of the other modifications included in the Manager's package make technical and administrative changes, more substantial changes to the bill include the following:

- Redirects \$1.8 billion reserved for testing and mitigation activities in "congregate settings" to the general testing, tracing, and mitigation fund.
- Provides an additional \$1.2 billion in direct assistance to low-income renters.
- Provides an additional \$425 million to transit agencies for capital investment grants.

The Manager's Amendment makes changes to SEC. 7006 – Federal Transit Administration Grants to strike and replace the original language. The manager's amendment language adds a little over \$400 million in funding for FTA grants and programs.

Most notably, the manager's amendment also includes the following language which will qualify the OC Streetcar for an additional \$9.4 million:

*(ii) ALLOCATION.*

*Of the amounts made available in subparagraph (A)(i), \$175,000,000 shall be provided to each recipient for all projects with existing full funding grant agreements that received an allocation only prior to fiscal year 2019, except that projects open for revenue service are not eligible to receive a grant under this subparagraph and no project may receive more than 40 percent of the amounts provided under this clause. The Administrator of the Federal Transit Administration shall proportionally distribute funds in excess of such percent to recipients for which the percent of funds does not exceed 40 percent. Funds shall be provided proportionally based on the non-capital investment grant share of the amount allocated.*

On Thursday, Senate Parliamentarian Elizabeth MacDonough ruled that the minimum wage increase was in violation of the Senate's "Byrd Rule" as its effect on the federal budget is "merely incidental" to the underlying intent of the provision. The ruling came after Senators from both parties met MacDonough to argue their case for whether or not the proposed minimum wage increase qualified for inclusion in the reconciliation package.

Following MacDonough's ruling on Thursday, both Senate Finance Committee Chairman Ron Wyden (D-OR) and Senate Budget Committee Chairman Bernie Sanders (D-VT) both indicated they would pursue alternative plans to increase the minimum wage in the reconciliation bill. Chairman Wyden indicated his plan would involve imposing a five percent penalty "on a big corporations' total payroll if any workers earn less than a certain amount," while incentivizing small businesses to raise wages by providing them with an "income tax credit equal to 25 percent of wages, up to \$10,000 per year per employer."

With moderate Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) publicly opposing a \$15 minimum wage, and with a lack of Republican support, the path forward for the minimum wage increase faces an uphill battle in the evenly divided Senate.

The Orange County House Delegation submitted a letter to House Speaker Pelosi (D-CA) and Minority Leader McCarthy (R-CA) on February 10<sup>th</sup> requesting direct aid to localities regardless of population size. The letter highlighted how no cities within Orange County qualified for CARES Act's 500,000 population threshold for direct aid. The full letter can be found [HERE](#).

### **INFRA Grant Opportunity**

The Department of Transportation opened the application process for the Infrastructure for Rebuilding America (INFRA) grant program this month. Applications are due on Friday, March 19<sup>th</sup>. The funding for this year's grants totals approximately \$889 million. For the first time, the USDOT seeks INFRA projects that address climate change and environmental justice. Projects will be evaluated on whether they were planned as part of a comprehensive strategy to address climate change, or whether they support strategies to reduce greenhouse gas emissions such as deploying zero-emission-vehicle infrastructure or encouraging modal shift and a reduction in vehicle-miles-traveled. Racial equity will also be considered as a selection criterion, to the extent that project sponsors have completed equity-focused community outreach, and projects are designed to benefit underserved communities. The Department will also consider whether the project is located in a federally designated community development zone, including:

- Qualified Opportunity Zones
- Empowerment Zones
- Promise Zones
- Choice Neighborhoods.

According to information in the grant notice, USDOT seeks projects that apply innovative technology, delivery, or financing methods with proven outcomes to deliver projects in a cost-effective manner. The Department will make awards under the INFRA program to both large and small projects. For a large project, the INFRA grant must be at least \$25 million. For a small project, the grant must be at least \$5 million. Additional resources can be found [HERE](#).

### **Senate Power Sharing Agreement**

After nearly a month of negotiations between Senate Majority Leader Chuck Schumer (D-NY) and Minority Leader Mitch McConnell (R-KY), the full Senate adopted a power sharing resolution (S. Res. 28) outlining the rules and procedures for the evenly split Senate. As anticipated, the final power-sharing agreement is almost identical to the power-sharing agreement made in 2001, the last time there was an even split in the Senate, with Democrats chairing Senate committees with equal party representation amongst committee members. The final agreement also provides for equal committee



budgets, committee staff, and office space between the parties. It also includes procedures where both parties can seek to discharge bills and nominations that deadlock in committee. Additionally, the power-sharing resolution as adopted limits Majority Leader Schumer's ability to "fill the amendment tree," a procedural tool used to prevent the offering of amendments.

### **Pete Buttigieg Confirmed as DOT Secretary**

On February 2<sup>nd</sup>, Pete Buttigieg was confirmed by the full Senate as Secretary of Transportation by a vote of 86-13. On the same day, the Department of Transportation announced a new list of key staff:

- **Priyal Amin**, Deputy White House Liaison
- **Dalia Batuuka**, Special Assistant for Advance
- **Tristan Brown**, Deputy Administrator, Pipeline and Hazardous Materials Safety Administration
- **Alexis Gonzaludo**, Special Assistant to the Secretary
- **Nick Hornedo**, Digital Communications Manager
- **Chris Meagher**, Deputy Director of Public Affairs
- **Arlando Teller**, Deputy Assistant Secretary for Tribal Affairs
- **Andrew Wishnia**, Deputy Assistant Secretary for Climate Policy

### **Emergency Order Requiring Face Mask Use in Railroad Operations**

On March 1<sup>st</sup>, the Federal Railroad Administration (FRA) published an emergency order requiring face mask use on all freight and passenger rail operations. The order is pursuant to [Executive Order 13998](#). The FRA has authority under the FRA's safety jurisdiction under the Federal railroad safety laws. [49 U.S.C. 20101](#), 20103. Any violation of this E.O. may subject the person (a railroad carrier) committing the violation to a civil penalty of up to \$118,826 for each day the violation continues. [49 U.S.C. 21301](#) and [86 FR 1751](#) (Jan. 11, 2021). Any individual (railroad personnel) who willfully violates a provision stated in this order is subject to civil penalties under [49 U.S.C. 21301](#). In addition, any individual (railroad personnel) whose violation of this order demonstrates the individual's unfitness for safety-sensitive service may be removed from safety-sensitive service on the railroad under [49 U.S.C. 20111](#). FRA may, through the Attorney General, also seek injunctive relief to enforce this Order. [49 U.S.C. 20112](#). This EO will remain in effect until the CDC modifies or rescinds the national state of emergency. The full order can be found [HERE](#).

### **High Speed Rail Corridor Development Act of 2021**

On February 5<sup>th</sup>, Rep. Costa (D-CA) introduced [H.R. 867](#) – *High Speed Rail Corridor Development Act of 2021*. The bill would prioritize high speed rail grant applicants that provide a greater non-federal share of cost compared to other project applications. The bill would also set aside half of the authorized funds for projects with less than a 50 percent federal share. The bill would authorize \$8 billion for each year FY22-FY25.



The bill has four Democratic cosponsors and has been referred to the House Transportation and Infrastructure Subcommittee on Railroads.

### **Passenger Rail Liability Cap Increase**

On February 25<sup>th</sup>, the Department of Transportation released a notice that the Rail Passenger Transportation Liability Cap has been adjusted (raised) from \$294,278,983 to \$322,864,228. More information from the notice is included below:

Docket Number: [DOT-OST-2009-0092](#)

The Department of Transportation is publishing the inflation adjusted index factors for the rail passenger transportation liability cap under [49 U.S.C. 28103](#)(a)(2), as directed by section 11415 of the FAST Act. The index methodology ensures that the aggregate allowable awards to all rail passengers, against all defendants, for all claims, including claims for punitive damages, arising from a single accident or incident is based on current dollars and is adjusted for inflation from the \$200,000,000 cap that went into effect on December 2, 1997.

Under the FAST Act, the index is adjusted to the date of enactment of the FAST Act using the Bureau of Labor Statistics Consumer Price Index—All Urban Consumers.

The index was based on the liability cap established on December 2, 1997, and the last full month prior to the enactment of the FAST Act on December 4, 2015. The FAST Act also directs the Secretary to update the liability cap every fifth year after the date of enactment. The table below shows the Index and inflator the Federal Railroad Administration used to calculate an inflation adjusted amount of \$322,864,228.

Month	Index	Inflator	Liability cap
December 1997	161.30	1.00	\$200,000,000
October 2020	260.39	1.61	322,864,228

Passenger Liability Cap Inflation Adjusted Index and Inflation Factor

The adjustment of the rail passenger transportation liability cap to \$322,864,228 shall be effective 30 days after February 22, 2021.

### **LOCAL Infrastructure Act**

On February 25<sup>th</sup>, Senators Roger Wicker (R-MS) introduced S. 479 – *Lifting Our Communities through Advance Liquidity for Infrastructure Act* ([LOCAL Infrastructure Act](#)). This legislation would repeal the amendments made by Sec. 13532 of OL 115-97, reinstating Advance Refunding Bonds. A brief summary as prepared by the office of Senator Wicker is included below:

- State and local governments issue their debt as municipal bonds to fund education, health care, infrastructure, and other capital improvement projects important to the overall economic well-being of local communities.
- Typically, municipal bonds are federally tax-exempt.
- When interest rates fall, municipalities may seek to refinance their outstanding bonds at a lower rate.
- Advance refunding allows state and local governments the one-time option to refinance outstanding municipal bonds to more favorable borrowing rates or terms. This tool provides state and local governments greater flexibility to generate savings.
- The advance refunding of bonds saved state and local governments billions of dollars over previous decades, which in turn saved money for local taxpayers.
- Since the repeal of advance refunding, there has been a significant drop in the refinancing of municipal bonds even though interest rates continue to trend downward.
- The elimination of advance refunding has imposed substantial financial costs on states and local governments.
- Reinstatement of advance refunding does not require any direct appropriation of federal dollars.

The federal tax-exempt debt could be refinanced only once, but local communities would be able to take advantage of the lower interest rates to generate additional savings on existing bonds. Local governments could reinvest these savings to fund infrastructure, education, health care, or other capital improvement projects. Senator Dianne Feinstein (D-CA) is a cosponsor of the legislation.

### **Senate EPW Hearing: Building Back Better: Investing in Transportation while Addressing Climate Change, Improving Equity, and Fostering Economic Growth and Innovation**

On February 24<sup>th</sup>, the Senate Environment and Public Works Committee held a hearing on infrastructure and climate change. During his opening statements, Chairman Tom Carper (D-DE) discussed his goal to improve the nation's highways and create new jobs, lift up our communities, build a more sustainable economy, and improve the nation's air quality. Maryland Governor Larry Hogan endorsed permitting and process streamlining as well as a two-year goal for the completion of environmental reviews. Michigan Governor Gretchen Whitmer discussed the need for a federal approach to infrastructure that prioritized equity and climate action. Both Governors supported a bipartisan process for the upcoming surface transportation reauthorization. An ongoing issue of discussion was the long-term effectiveness of the gas tax in regard to the increase in electric vehicles.

#### **Witnesses:**

- Governor Gretchen Whitmer of Michigan
- Governor Larry Hogan of Maryland

- Mayor Michael Hancock of Denver, Colorado
- Victoria Sheehan, President of American Association of State Highway and Transportation Officials (AASHTO) and Commissioner of the New Hampshire Department of Transportation.

Note: Unlike in the House, a surface transportation reauthorization bill is covered by multiple committees of jurisdiction in the Senate. The Senate EPW Committee has jurisdiction covering the construction and maintenance of highways, environmental regulations, and bridges. Public Transit and Railroads are covered by the Senate Banking and Senate Commerce Committees respectively, and funding mechanisms (e.g., the federal gas tax) fall under the jurisdiction of the Senate Finance Committee.



**March 18, 2021**

**To:** Legislative and Communications Committee

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Agreement for Public Communications and Community Outreach Consultant Services for the State Route 55 Improvement Project Between Interstate 405 and Interstate 5

### **Overview**

On April 27, 2020, the Board of Directors approved the release of a request for proposals for public outreach consulting services during the pre-construction and construction phases of the State Route 55 Improvement Project between Interstate 405 and Interstate 5. Proposals were received in accordance with the Orange County Transportation Authority's procurement procedures for professional and technical services. Board of Directors' approval is requested to execute an agreement for these services.

### **Recommendations**

- A. Approve the selection of Costin Public Outreach Group, as the firm to provide public outreach consulting services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2104 between the Orange County Transportation Authority and Costin Public Outreach Group, in the amount of \$1,684,990 for a five-year initial term, effective through September 30, 2025, with an option term of up to 36 months, to provide public outreach consulting services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.

### **Discussion**

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), is improving State Route 55 (SR-55) between Interstate 405 (I-405) and Interstate 5 (I-5). The \$474 million SR-55 Improvement Project (Project) is adding one regular lane and one

high-occupancy vehicle lane in each direction, as well as auxiliary lanes between several interchanges. SR-55 is the major freeway route connecting Orange County to Riverside and San Bernardino counties. The corridor is also a major route for accessing key business centers, John Wayne Airport, and the beach cities. The four-mile Project includes improvements at five under- and over-crossings, constructing retaining walls and soundwalls, reconfiguring on- and off-ramps, and reconstructing a channel. The Project recently completed final design. Right-of-way (ROW) is anticipated to be certified in mid-2021 and the Project advertised for construction in winter 2021. Construction is scheduled to begin in mid-2022.

Consultant services are needed to develop and execute public communications and outreach support during the pre-construction and construction phases. More than 15,000 residential and commercial parcels are located within a half-mile of the Project area. Extensive outreach efforts are needed to communicate major activities to residents, business owners, and motorists, as well as key stakeholders such as local agencies and trucking and tourism industries. Activities include long- and short-term freeway, ramp, and local street closures, demolition and reconstruction work, and wall construction.

These consultant services will aid OCTA and Caltrans with the development and delivery of day-to-day communications and share public information messages that help the public understand temporary construction impacts as well as the value and benefits of investments in Orange County's transportation network. The selected consultant will implement a comprehensive SR-55 public outreach program using traditional methods and leveraging innovative tools to generate public awareness of the project, identify key issues, build upon stakeholder ascertainment, and ensure the community is aware of the activities that will affect them.

The consultant will use various outreach tools and methods to reach businesses, residents, and those beyond the project area. These include virtual and in-person meetings with stakeholders, email newsletters, neighborhood meetings, an interactive closures and detours map, text alerts, and a Project website and hotline. In addition, the consultant will build on the Project's social media presence. The consultant will build relationships with diverse and disadvantaged communities and develop strategies to eliminate or address communication obstacles such as language barriers and access to the internet. The consultant also will develop a variety of print and digital collateral and video graphics that will feature strong visual storytelling. Special event planning and execution of a groundbreaking ceremony, milestone celebrations, and a dedication event will be included in the communications plan.

***Procurement Approach***

The procurement was handled in accordance with OCTA's Board of Directors (Board)-approved procedures for professional and technical services. Various factors were 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 27, 2020, the Board authorized the release of Request for Proposals (RFP) 0-2104, which was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on April 27 and May 4, 2020. A pre-proposal conference took place on May 5, 2020 with 12 attendees representing eight firms. Three addenda were issued to make available the pre-proposal conference registration sheet and presentation, as well as respond to written questions related to the RFP.

On May 27, 2020, six proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Public Outreach, Capital Programs departments, as well as external evaluators from the City of Santa Ana and Caltrans met to review the proposals received.

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

- |                                     |            |
|-------------------------------------|------------|
| • Qualifications of the Firm        | 20 percent |
| • Staffing and Project Organization | 30 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 20 percent as the consulting firm had to demonstrate direct public outreach experience on complex transportation projects during the construction phase. Staffing and project organization was weighted at 30 percent as the proposing firm had to present an experienced team with a blend of senior and junior level staff having adequate availability, as well as experience performing outreach services on large construction projects. Work plan was also weighted at 30 percent as the plan had to consider the unique needs of a corridor primarily composed of commercial and industrial businesses that also serves motorists commuting from the Inland Empire to

Orange County as well as recreational trips. Additionally, the project team had to demonstrate an understanding of the project scope and challenges and level of effort required. Cost and price was weighted at 20 percent to ensure the outreach program is delivered efficiently and that OCTA receives value for the services provided.

The evaluation committee utilized a best-value selection process for this RFP. The best-value determination is based on a 100-point scale. The RFP required proposing firms to submit a separate price proposal in a sealed package. In order to focus on the technical aspects of the proposals, the evaluation committee first evaluated the written proposals on technical merit based on the weighted criteria for qualifications of the firm, staffing and project organization, as well as work plan, which represented a maximum of 80 points of the total proposal score. Once the technical scores of the short-listed firms were determined, the sealed price proposals were then opened. The pricing score represented a maximum of 20 points of the total proposal score.

On June 11, 2020, the evaluation committee reviewed the proposals based only on the technical evaluation criteria and short-listed the three most qualified firms listed below in alphabetical order:

Firm and Location

Costin Public Outreach Group (CPOG)  
Corona, California

McCormick-Busse, Inc. doing business as MBI Media (MBI)  
Covina, California

Westbound Communications, Inc. (Westbound)  
Orange, California

The interviews took place virtually on June 17, 2020 and consisted of a presentation to demonstrate the firms' understanding of OCTA's requirements. The firms' project managers and key team members had an opportunity to present each teams' qualifications and respond to the evaluation committee's questions. Questions were related to the level of effort required for this Project, managing time and resource commitments, potential challenges, and handling crisis communications. In addition, each team was asked specific clarification questions related to its 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, CPOG remained the highest-ranked firm with the highest overall score.

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

#### **Qualifications of the Firm**

CPOG was founded in 2013 and has offices in the cities of Corona and Huntington Beach. The firm has six employees. CPOG demonstrated experience leading the development and implementation of public outreach programs for freeway projects during the construction phase, which include the San Bernardino Express Lanes Project and State Route 210 Lane Addition and Base Line Interchange Project for the San Bernardino County Transportation Authority, as well as the District 7 I-5 On-Call Public Awareness Campaign for Caltrans. One of the proposed subcontractors, Hill International, Inc., is the prime contractor that provided public outreach services for OCTA on the I-5 Central County Improvement Project during the final design and the construction phases. CPOG proposed additional subcontractors to provide diverse community outreach, video and photography, social media support, and translation support services.

MBI was founded in 1989 and has 23 employees. The firm is headquartered in the City of Covina. The firm has experience providing public outreach for complex freeway projects, such as the I-405 Improvement Project and the SR-55 between I-5 and State Route 91 (SR-91) Improvement Project for OCTA, the SR-91 Corridor Improvement Project for the Riverside County Transportation Commission (RCTC), and the US 101 Improvement Project for Ventura County Transportation Commission. Although MBI has worked on similar construction projects, the firm has primarily served in a subcontractor capacity. The projects in which MBI performed as the prime consultant were during the environmental phase. One of their proposed subcontractors, Kleinfelder Construction Services, Inc. (Kleinfelder), is the prime contractor currently providing public outreach services for the I-405 Improvement Project.

Westbound was founded in 2003 and is headquartered in the City of Orange with offices in the cities of Long Beach and Riverside. The firm has 17 employees. Westbound demonstrated experience in leading public outreach programs for



various capital improvement projects during the construction phase, which include the Gerald Desmond Bridge Replacement Project for the Port of Long Beach, State Route 57 Northbound Widening Project for OCTA, and the 91 Steer Clear Project for RCTC. The firm also served as the public outreach lead for the contractor team for RCTC's SR-91 Corridor Improvement Project. Westbound proposed several subcontractors to provide additional support related to graphic design, videography, photography, printing, research, and website and mobile application development.

#### **Staffing and Project Organization**

CPOG proposed a project team with extensive experience. The proposed project manager is the firm's founder and has 26 years of public outreach and stakeholder engagement experience. CPOG proposed four community liaisons with experience providing public outreach during the construction phase, as well as familiarity with the project corridor and stakeholders. The proposed dedicated community liaison has 12 years of experience. The dedicated community liaison has worked on multiple OCTA freeway projects in various phases, including participating in design meetings for this corridor and planning for a Public Hearing for the neighboring SR-55 segment between I-5 and SR-91. Additionally, the proposed lead community liaison will bring another level of understanding and knowledge of the area from her recent experience working on the I-5 Central County Improvements Project at the northern end of the project limits. CPOG's project team includes four bilingual Latino and Asian community liaisons with freeway construction experience to engage underserved and traditionally hard-to-reach populations. The proposed subcontractor, Lazar, is also available to provide additional translation and interpretation support, if needed.

The project team is proposed with ample availability for the Project. During the interview, the project team members discussed their roles and approach for developing and implementing the public outreach program. The project team's presentation and responses to the evaluation committee's questions demonstrated their understanding of the project corridor and stakeholders, as well as the activities and challenges specific to the Project, such as ROW and temporary construction easements (TCE).

MBI proposed a project team with relevant experience. The proposed project manager has 18 years of project management experience and has been with the firm for almost 20 years. The firm proposed three community liaisons for this effort. One of the proposed community liaisons is from Kleinfelder and is currently serving as the project manager on the I-405 Improvement Project,

which demonstrates the individual's experience providing public outreach for a complex construction project. However, the other two community liaisons proposed have limited experience leading public outreach efforts during the construction phase. The project team is proposed with sufficient availability for this effort. During the interview, the project team presented its approach, as well as responded to the evaluation committee's questions, which demonstrated a general knowledge of the project area and stakeholders.

Westbound proposed a knowledgeable and experienced project team. The proposed project manager has more than 25 years of public relations and communications experience and has been with the firm for four years. The firm proposed three community liaisons with each assigned to provide outreach to specific stakeholder groups rather than all three proposed to support outreach efforts for any given group or task. The community liaison for the Hispanic market has more than 20 years of experience providing public outreach services for several freeway construction projects and has been with the firm for 14 years. The other two proposed community liaisons have limited freeway construction outreach experience. During the interview, the project team discussed their roles and approach to leading the public outreach program. The team's presentation and responses to the evaluation committee's questions demonstrated their understanding of the diverse communities along the corridor and the importance of strategically communicating with those stakeholders. However, the project team's availability was not specified in the proposal nor was it clarified after being asked by the evaluation committee during the interview.

#### Work Plan

CPOG presented a comprehensive work plan that addressed all the elements of the scope of work. The firm detailed its approach for the public outreach program, which includes expanding the project database through stakeholder ascertainties, refreshing the project branding, developing messages that convey the Project's benefits, planning and coordinating community meetings, posting electronic construction notices, and establishing a project helpline. CPOG demonstrated an understanding of the project area and the key stakeholders affected by the Project.

In addition, the firm discussed its approach to engaging with diverse communities along the project corridor. The firm has a "boots-on-the-ground" approach to reach diverse communities including, but not limited to seniors, low-income, and monolingual populations. CPOG recognizes that with Latino ethnicity percentages of more than 80 percent in Santa Ana and 40 percent in Tustin, their approach to deliver project information must be sensitive to their

communications and cultural needs. The firm indicated the importance of an overall communications program that shares information in the language spoken, in a correct and respectful manner and in compliance with Title VI requirements.

The firm demonstrated an understanding of the impacts of ROW, TCEs, as well as pre- and post-construction surveys, and discussed how it will provide related public outreach support. CPOG identified potential issues and proposed solutions, such as coordinating temporary lodging for impacted stakeholders, providing advanced notification of freeway closures, and implementing safety message boards and signages. The firm also proposed enhancements, such as providing utility relocation outreach, developing a construction safety awareness program, and virtual events.

MBI addressed each element of the scope of work in its work plan, such as conducting stakeholder ascertainties, developing a comprehensive public outreach plan, enhancing the Project's identity and branding, developing collateral materials, implementing an interactive map, and updating the project website. Although the firm discussed its approach and understanding of the key stakeholders, the firm did not elaborate on how it will communicate and provide outreach to businesses and residents directly impacted by ROW acquisitions and TCEs. MBI discussed how it will mitigate potential issues, such as developing communication specifically to stakeholders directly impacted by the construction activities, including residents living close to the project corridor, first responders, and schools. As an enhancement, the firm proposed to leverage digital and virtual strategies by using digital platforms, such as Microsoft Teams and Zoom, to conduct public meetings and respond to public inquiries.

Westbound demonstrated a clear understanding of the scope of work in its work plan. The firm discussed its approach and elaborated on its outreach strategies, such as developing a message that connects constituents and stakeholders, leverage existing relationships to engage the impacted communities, providing on-call availability at all times, using visuals to communicate the need and benefits of the Project, and utilizing digital outreach tools. Westbound detailed how it will complete various outreach activities by providing examples and identifying related deliverables. Westbound demonstrated an understanding of the project area and key stakeholders in its discussion of creating project advocates, coordinating community meetings, outreach to local businesses and apartment complexes along the corridor. The firm did not specify any special issues or problems anticipated for this Project. The firm proposed various enhancements, such as a text message system for updates, live camera feed to

show real-time progress, in-person construction tours, and interactive architectural visualization.

#### **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 based on its relation to the lower weighted average hourly rate. Although MBI proposed the lowest weighted average hourly rate, CPOG ranked second lowest in pricing and the firm's proposed hourly rates are deemed fair and reasonable.

#### **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 CPOG as the top-ranked firm to provide public outreach consulting services for the SR-55 Improvement Project between I-405 and I-5. CPOG delivered a thorough and comprehensive proposal and an interview that was responsive to all the requirements of the RFP.

#### **Fiscal Impact**

The SR-55 Improvement Project between I-405 and I-5 was approved in OCTA's Fiscal Year 2020-21 Budget, External Affairs, Account No. 0017-7519-FF101-TYP. The Project is funded by a combination of federal, state, and local Measure M2 funds.

***Summary***

Staff is recommending the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2104 between the Orange County Transportation Authority and Costin Public Outreach Group, in the amount of \$1,684,990, for a five-year initial term, with an option term of up to 36 months, to provide public outreach consulting services for the State Route 55 Improvement Project between Interstate 405 and Interstate 5.

***Attachments***

- A. Review of Proposals, RFP 0-2104 Public Outreach for State Route 55 Improvement Project
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 0-2104 Public Outreach for State Route 55 Improvement Project
- C. Contract History for the Past Two Years, RFP 0-2104 Public Outreach for State Route 55 Improvement Project

**Prepared by:**



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**Review of Proposals**  
**RFP 0-2104 Public Outreach for State Route 55 Improvement Project**  
 Presented to Legislative and Communications Committee - March 18, 2021  
**6 firms proposed, 3 firms were interviewed, 1 firm is being recommended**

Overall Ranking	Proposal Score	Firm & Location	Sub-Contractors	Evaluation Committee Comments	Weighted Average Hourly Rate
1	87	<b>Costin Public Outreach Group</b> Corona, California	AJ Design Become Intertwined Hill International, Inc. Lazar Translating & Interpreting The Sierra Group	Highest-ranked firm overall. Experience providing public outreach for complex construction projects. Proposed a subcontractor currently leading the outreach efforts for the Interstate 5 Central County Improvement Project. Proposed project team has extensive, relevant experience. Proposed project manager has 26 years of experience. Proposed four community liaisons with relevant experience and knowledge of the project corridor. Proposed dedicated community liaison has 12 years of experience. Detailed approach for developing and implementing public outreach program. Demonstrated an understanding of the project corridor and key stakeholders. Discussed specific activities related to the Project, such as right-of-way, temporary construction easements, and utility relocation. Presented approach and answered questions during the interview. Received positive responses from references. Proposed competitive hourly rates.	\$128
2	79	<b>McCormick-Busse, Inc.</b> <b>dba MBI Media</b> Covina, California	Kleinfelder Construction Services AJ Design	Experience providing public outreach support for freeway construction projects as a subcontractor. Proposed a subcontractor currently leading the outreach efforts for the Interstate 405 (I-405) Improvement Project. Proposed project team has limited freeway construction experience. Proposed project manager has 18 years of experience. One of the proposed community liaisons is the project manager for the I-405 Improvement Project. Discussed approach and addressed all elements of the scope of work. Demonstrated a general knowledge of the project corridor and stakeholders. Presented approach and answered questions during the interview. Received positive responses from references. Proposed lowest weighted average hourly rate.	\$110
2	79	<b>Westbound Communications, Inc.</b> Orange, California	Geographics Media 360 Alcorn Photography Sir Speedy Printing Public Values Rief Media	Experience leading public outreach programs for complex construction projects, including several freeway construction projects. Proposed a knowledgeable and experienced project team. Proposed project manager has 25 years of experience. Proposed three community liaisons assigned to specific stakeholder groups. Proposed community liaison for Hispanic market has 20 years of construction-related outreach experience. Detailed approach and strategies for developing and implementing outreach program. Demonstrated an understanding of the project corridor and key stakeholders. Emphasized the importance of strategic communications with diverse communities. Presented approach and answered questions during the interview. Received positive responses from references. Proposed competitive hourly rates.	\$152

**Evaluation Panel:**

Internal:  
 Contracts Administration and Materials Management (1)  
 Public Outreach (2)  
 Capital Programs (1)  
 External:  
 City of Santa Ana (1)  
 California Department of Transportation (1)

**Proposal Criteria**

Qualifications of the Firm  
 Staffing and Project Organization  
 Work Plan  
 Cost and Price

**Weight Factors**

20%  
 30%  
 30%  
 20%

**PROPOSAL EVALUATION CRITERIA MATRIX (Short-Listed Firms)**  
**RFP 0-2104 Public Outreach for State Route 55 Improvement Project**

<b>Costin Public Outreach Group</b>							<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>		
Qualifications of Firm	4.5	4.5	4.5	4.5	4.5	5.0	4	18.3
Staffing/Project Organization	4.5	4.5	4.5	4.0	4.0	4.0	6	25.5
Work Plan	4.5	4.5	4.5	4.0	4.5	4.0	6	26.0
Cost and Price	4.3	4.3	4.3	4.3	4.3	4.3	4	17.2
<b>Overall Score</b>	<b>89.2</b>	<b>89.2</b>	<b>89.2</b>	<b>83.2</b>	<b>86.2</b>	<b>85.2</b>		<b>87</b>

<b>McCormick-Busse, Inc. dba MBI Media</b>							<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>		
Qualifications of Firm	3.5	3.5	3.5	3.5	4.0	4.0	4	14.7
Staffing/Project Organization	4.0	3.5	3.5	4.0	3.5	4.0	6	22.5
Work Plan	4.0	4.0	3.5	3.5	3.5	3.5	6	22.0
Cost and Price	5.0	5.0	5.0	5.0	5.0	5.0	4	20.0
<b>Overall Score</b>	<b>82.0</b>	<b>79.0</b>	<b>76.0</b>	<b>79.0</b>	<b>78.0</b>	<b>81.0</b>		<b>79</b>

<b>Westbound Communications, Inc.</b>							<b>Weights</b>	<b>Overall Score</b>
<b>Evaluator Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>		
Qualifications of Firm	4.0	4.5	4.5	4.5	4.5	4.0	4	17.3
Staffing/Project Organization	4.0	3.5	4.0	3.5	4.0	4.0	6	23.0
Work Plan	4.0	4.0	4.0	4.0	4.0	4.0	6	24.0
Cost and Price	3.6	3.6	3.6	3.6	3.6	3.6	4	14.4
<b>Overall Score</b>	<b>78.4</b>	<b>77.4</b>	<b>80.4</b>	<b>77.4</b>	<b>80.4</b>	<b>78.4</b>		<b>79</b>

Range of score for non-short-listed firms was 34 to 51.

**CONTRACT HISTORY FOR THE PAST TWO YEARS**  
**RFP 0-2104 Public Outreach for State Route 55 Improvement Project**

Prime and Subconsultants	Contract No.	Description	Contract Start Date	Contract End Date	Subconsultant Amount	Total Contract Amount
<b>Costin Public Outreach Group</b> Contract Type: Subconsultants: N/A	None	N/A	N/A	N/A	\$	-
<b>Sub Total \$</b>						-
<b>McCormick-Busse, Inc. dba MBI Media</b>						
Contract Type: Time-and-Expense Subconsultants: N/A	C-9-1052	Public Outreach for South Orange County Multimodal Transportation Plan Study	August 12, 2019	June 30, 2021	N/A	\$ 199,694
<b>Sub Total \$</b>						<b>199,694</b>
<b>Westbound Communications, Inc.</b>						
Contract Type: Time-and-Expense Subconsultants: Arellano Associates Lista Design Sir Speedy Printing The Walking Man	C-4-1829	Public Outreach for State Route 91 Improvement Project	December 17, 2014	June 30, 2019	N/A	\$ 199,620
<b>Sub Total \$</b>						<b>199,620</b>