Board Members

Mickey Cafagna, Chair
Mayor, Poway
(Representing North County Inland)

Mary Teresa Sessom, First Vice Chair
Mayor, Lemon Grove
(Representing East County)

Lori Holt Pfeiler, Second Vice Chair
Mayor, Escondido
(Representing North County Inland)

Christy Guerin
Mayor, Encinitas
(Representing North County Coastal)

Jerry Sanders
Mayor, City of San Diego

Ron Morrison
Vice Mayor, National City
(Representing South County)

Bill Horn
Chairman, County of San Diego

Board Alternates

Pia Harris-Ebert
Vice Mayor, San Marcos
(Representing North County Inland)

Hal Ryan
Councilmember, Santee
(Representing East County)

Crystal Crawford
Mayor, Del Mar
(Representing North County Coastal)

Jim Madaffer
Councilmember, City of San Diego

Steve Padilla
Mayor, Chula Vista
(Representing South County)

Ron Roberts
Vice Chairman, County of San Diego

Gary L. Gallegos
Executive Director, SANDAG

EXECUTIVE COMMITTEE AGENDA

Friday, July 14, 2006
9 to 10 a.m.
SANDAG, 7th Floor Conference Room
401 B Street
San Diego

AGENDA HIGHLIGHTS

• BORDER MASTER PLAN

• LEGISLATIVE STATUS REPORT

PLEASE TURN OFF CELL PHONES DURING THE MEETING

MISSION STATEMENT

The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, plans, engineers, and builds public transit, and provides information on a broad range of topics pertinent to the region's quality of life.

San Diego Association of Governments  401 B Street, Suite 800, San Diego, CA 92101-4231
(619) 699-1900  Fax (619) 699-1905  www.sandag.org
Welcome to SANDAG. Members of the public may speak to the Executive Committee on any item at the time the Committee is considering the item. Please complete a Speaker’s Slip, which is located in the rear of the room, and then present the slip to Committee staff. Also, members of the public are invited to address the Committee on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Speakers are limited to three minutes. The Executive Committee may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed at www.sandag.org under meetings on SANDAG’s Web site. Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form also available on the Web site. E-mail comments should be received no later than noon, two working days prior to the Executive Committee meeting.

In compliance with the Americans with Disabilities Act (ADA), SANDAG will accommodate persons who require assistance in order to participate in SANDAG meetings. If such assistance is required, please contact SANDAG at (619) 699-1900 at least 72 hours in advance of the meeting. To request this document or related reports in an alternative format, please call (619) 699-1900, (619) 699-1904 (TTY), or fax (619) 699-1905.

SANDAG offices are accessible by public transit.
Phone 1-800-COMMUTE or see www.sdcommute.com for route information.
EXECUTIVE COMMITTEE  
Friday, July 14, 2006

ITEM # | RECOMMENDATION
--- | ---
+1. | APPROVAL OF JUNE 9, 2006, MEETING MINUTES  
APPROVE

2. | PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Members of the public will have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Committee. Speakers are limited to three minutes each and shall reserve time by completing a “Request to Speak” form and giving it to the Clerk prior to speaking. Committee members also may provide information and announcements under this agenda item.

REPORTS (3 through 5)

+3. | SERVICE BUREAU: BORDER MASTER PLAN (Elisa Arias)  
APPROVE

Caltrans has requested assistance in developing a comprehensive and integrated process for reviewing and evaluating Port of Entry and transportation infrastructure development. This proposed Border Master Plan study would be conducted through the SANDAG Service Bureau. The Executive Committee is asked to amend the FY 2007 Program Budget to allow the Service Bureau to proceed with this work and to authorize the Executive Director to enter into a contract with Caltrans in the amount of $220,000.

+4. | LEGISLATIVE STATUS REPORT (Ellen Roundtree/Kim Kawada)  
RECOMMEND/APPROVE

This item provides a status report on state and federal legislative activities. The Executive Committee is asked to discuss whether SANDAG should support the infrastructure bond measures, Propositions 1A through 1E on the November 2006 ballot, and as appropriate, recommend that the Board of Directors approve Resolution Nos. 2007-01, 2007-02, 2007-03, 2007-04, and 2007-05. The Executive Committee also is asked to: (1) approve positions on various state bills; and (2) to recommend that the SANDAG Board of Directors approve resolutions in support of the statewide infrastructure bonds on the November 2006 ballot.

+5. | REVIEW OF AUGUST 4, 2006, DRAFT BOARD AGENDA  
APPROVE

6. | UPCOMING MEETINGS  
INFORMATION

The next meeting of the Executive Committee on Friday, August 11, 2006, has been cancelled. The next regularly scheduled meeting of the Executive Committee is scheduled for Friday, September 8, 2006, at 9 a.m.

7. | ADJOURNMENT

+next to an agenda item indicates an attachment
EXECUTIVE COMMITTEE

July 14, 2006

AGENDA ITEM NO.: 1

Action Requested: APPROVE

EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
JUNE 9, 2006

Chairman Mickey Cafagna (North County Inland) called the Executive Committee meeting to order at 8:10 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MAY 12, 2006, MEETING MINUTES

   Action: Upon a motion by Chairman Bill Horn (County of San Diego), and a second by First Vice Chair Mary Sessom (East County), the Executive Committee voted to unanimously approve the minutes of the May 12, 2006, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

   None.

CHAIR’S REPORTS (3)

3. PERFORMANCE EVALUATION OF EXECUTIVE DIRECTOR

   Chairman Cafagna noted that it is the time of the year to approve the performance evaluation of the Executive Director from the last year and to approve a set of goals for the upcoming year. All members of the Committee should have received a copy of the Executive Director’s past performance review and upcoming performance goals. Chairman Cafagna recommended that the Executive Director’s salary be increased in accordance with his contract and that he receive a 10 percent bonus award for his work over the past year.

   Chairman Cafagna stated that SANADG is extremely fortunate to have one of the best transportation experts in the country who has proven to be able to bring people together. His relationship with the Governor’s Office and state legislators is impeccable, and he is doing a good job in helping to represent SANDAG interests in key legislation, such as the statewide infrastructure bond bills that recently passed. He added that the agency couldn’t do any better with another Executive Director.

   Action: Upon a motion by First Vice Chair Sessom, and a second by Councilmember Jim Madaffer (City of San Diego), the Executive Committee voted to recommend that the Board of Directors approve: (1) the Executive Director’s performance evaluation for the period July 2005 to June 2006, including the recommended bonus award for the accomplishment of the year’s performance goals; and (2) performance objectives for the coming year.
REPORTS (4 through 6)

4. FINAL DRAFT FY 2007 BUDGET (INCLUDING OVERALL WORK PROGRAM (RECOMMEND))

Tim Watson, Budget Program Manager, presented the Executive Committee with the final draft of the FY 2007 Program Budget and Overall Work Program (OWP). He briefly recapped the highlights of this year’s budget. Significant revisions were made to the budget prioritization process. Staff evaluated each work element to determine whether they were mandated, an inter-agency commitment, or were optional. For those optional elements, staff evaluated how critical they were to one of the four strategic goals that were established for the FY 2007 budget. This allowed for a more streamlined process.

In addition, an official TransNet Early Action Program (EAP) Project Office was established as part of the capital program. The FY 2007 budget also includes six new regular full-time positions with an annual cost of $436,000, which will be offset by $82,000 in reduced part-time staffing costs. Mr. Watson commented that the budget also includes several TIPS (Temporary, Intern, Part-Time, and Seasonal) positions and Limited-Term positions for the Mobility Management and Project Implementation Department and the Criminal Justice Research Division. These positions provide the staffing flexibility to meet emerging needs.

Councilmember Madaffer asked if the funding for the six new full-time positions represent the full cost of the positions. Mr. Watson replied that the cost of the proposed positions is fully loaded and include both salary and benefits.

Several new programs are receiving additional emphasis and resources, including: the comprehensive Regional Transportation Plan (RTP) update, a draft to be completed in 2007; traffic management programs including traveler information services (511 service) and the Transportation Demand Management (TDM) Program; the development of a strategy for public/private partnerships to create opportunities that can generate new transportation revenue; the update to the Regional Comprehensive Plan (RCP) Integrated Regional Infrastructure Strategy; the development of a regional freight and intermodal strategy as part of the RTP; the next steps for the Otay Mesa binational corridor strategic plan; and development of Urban Design Guidelines as part of the RCP.

Mr. Watson reported that there have been a few changes to the budget since the draft budget was released in March 2006. These changes include: continuing to refine work element descriptions and budget document; the addition of $400,000 in new Criminal Justice Research grants (most of the funding will come from the District Attorney’s Office to do an evaluation of the prisoner re-entry program); the addition of $313,000 in funding for higher costs related to retirement and health plan benefits; and the transfer of TransNet EAP-related OWP items into the Capital Improvement Program (CIP) portion of the budget. Staff also has completed the detailed descriptions for the large CIP projects, and any project over $1 million has its own description, map locator, and annual cash flow summary.

Mr. Watson concluded the proposed deposit to the contingency reserve would be more than $3 million, bringing the projected year-end reserve balance to $4.7 million, or approximately 10 percent of the FY 2007 OWP. The staff recommendation today is for the Executive Committee to recommend that the Board of Directors approve the FY 2007 Program Budget at its June 23, 2006, meeting.
Gary Gallegos, Executive Director, pointed out the table on pp. 9-1 through 9-4 of the budget, which shows more than $3.5 billion worth of CIP projects. The region is beginning to see the results of some of these transportation projects, which are either under development, under construction, or almost ready to go to construction. In terms of our capital program, this is an all-time high for SANDAG.

Councilmember Madaffer stated that he was very impressed with the e-mails that the Board members have been receiving from staff that highlight some of the SANDAG news stories. He suggested that all of the e-mails and stories be posted in a single location on the SANDAG Web site. He also suggested that the recent transportation project progress report and PowerPoint presentation be added to the SANDAG Web site. The $3.5 billion of transportation projects should be highlighted as much as possible, and the Board should consider developing a public information program to get the word out. It is important from a public relations standpoint to show the voters that work is underway on the TransNet projects they voted for.

Jack Boda, Director of Mobility Management and Project Implementation, indicated that SANDAG and Caltrans staff have been working together to develop a joint Web site which will showcase the TransNet EAP projects.

Mr. Gallegos mentioned that the ultimate plan is to equip each of the TransNet project Web sites with links to the traffic cameras operating in the corridors.

Chairman Cafagna questioned how the Executive Committee could compare staffing levels in this budget with last year’s budget. He asked whether the overall work load had increased this year compared to last year. Leslie Campbell, Director of Administration, noted that one position is a Contract Specialist and another position is a Graphics Specialist. There will be an additional position added to the clerical staff, and two current temporary positions will be deleted to allow for that. She discussed the increased level of work experienced over the past year with contracts, graphics, and meeting support services. An accounting position also will be added to assist with the accounting for the Automated Regional Justice Information System (ARJIS), which SANDAG will assume in FY 2007. The last two positions are a Senior Planner that will handle energy issues and a Legislative Analyst.

**Action:** Upon a motion by Councilmember Madaffer, and a second by First Vice Chair Sessom, the Executive Committee voted to approve Resolution No. 2006-20, adopting the FY 2007 Program Budget.

5. **LEGISLATIVE STATUS REPORT (APPROVE)**

Kim Kawada, Executive Program Manager, provided the Executive Committee with a legislative status report. She reported that on June 6, 2006, the House Transportation, Treasury, Housing and Urban Development (TTHUD) Appropriations Committee passed its FY 2007 appropriations bill. She drew the Committee’s attention to a handout showing the current San Diego projects in the bill. They total more than $5 million, and include potential funding for the following projects:
- Otay Mesa Border Crossing ($150,000)
- SR 52 ($500,000)
- SR 76 ($500,000)
- East County Bus Facility in El Cajon ($1,500,000)
- San Luis Rey Transit Center in Oceanside ($500,000)
- Regional Bus Replacements ($450,000)
- Mission Valley East full funding grant agreement ($806,654)
- SPRINT full funding grant agreement ($684,040)

Ms. Kawada reported that overall, earmarks are down approximately 70 percent compared to last year. Next week, action by the full House is expected on the FY 2007 appropriations bill. The Senate is expected to take the matter up in June/July.

Mr. Gallegos stated that earmarks are going to be a lot tougher to get and will undergo more scrutiny.

Victoria Stackwick, Legislative Analyst, commented that federal legislators are evaluating how well the overall federal appropriations process works. Staff will have a better feel for what changes to the process may occur after this year’s appropriations process.

Councilmember Madaffer mentioned that Arizona Senator John McCain’s perspective is that the earmark process won’t go away, but that a clearinghouse for project requests will probably be established.

Mr. Gallegos stated that in California, Congressman Bill Thomas received a considerable amount of funding for the Bakersfield area; this action probably reduced the amount of earmarks going to other areas in the state.

Chairman Cafagna commented that the region should take advantage of the recent election of Congressman Bilbray in the 50th District as one way to leverage funding for the region.

Councilmember Madaffer mentioned that part of Congressman Bilbray’s campaign was to work with local governments and SANDAG.

Mr. Gallegos indicated that SANDAG has been working with the other members of the Republican and Democratic Congressional delegation in the region to support the projects in the 50th District.

Ms. Kawada mentioned that at the state level, the Legislative Budget Conference Committee is considering the FY 2007 state budget. There are two outstanding budget issues before the Committee: (1) what to do with Public Transit Account (PTA) spillover revenues, which are projected to be $344 million higher than what was originally anticipated in January; and (2) early repayment of Proposition 42 loans made to the General Fund during prior budget years.

Ms. Kawada noted that as one action today, staff is asking the Executive Committee to take a position opposing the diversion of spillover funds for General Fund or nontransportation purposes. This is consistent with SANDAG’s legislative program. She also mentioned that Senators Ducheny and Hollingsworth are both on the conference committee, and that we would keep the Executive Committee apprised of any key developments.
Regarding the statewide infrastructure bonds, the Governor signed the various bills that would put a $37 billion statewide infrastructure bond package on the November ballot. This proposal would include five separate ballot measures, including:

- Proposition 1A: Protection of Proposition 42 funds (SCA 7)  
- Proposition 1B: Transportation, Air Quality and Port Security (SB 1266) $ 19.925 billion  
- Proposition 1C: Housing and Emergency Shelter (SB 1689) 2.850 billion  
- Proposition 1D: K-12/University Facilities (AB 127) 10.416 billion  
- Proposition 1E: Flood Prevention (AB 140) 4.090 billion  

**TOTAL** $ 37.281 billion

Ms. Kawada also reported that a recent statewide poll of likely voters was conducted at the end of May. The poll (in favor/against) shows that the Transportation (57%/24%) and Flood Protection (58%/25%) measures are showing good signs of passing. The Education (48%/34%) and Housing (39%/38%) measures are lagging. She noted that these ballot measures each require a majority approval for passage.

Councilmember Madaffer pointed out that in the staff report it states that a public information program in support of the statewide bond measures is not being proposed by staff. He suggested that the Executive Committee give consideration to what other Councils of Governments (COGs) in the state are doing in relationship to Proposition 42 funding. He asked if nothing is done, how will that affect the outcome.

Mr. Gallegos noted that SANDAG has been working with the California Association of Councils of Governments (CALCOG) to get all of the COGs on board with the measures.

He mentioned that all of the local transportation sales tax measures on the June 2006 ballot recently failed, including Sonoma County’s sales tax measure, which failed for the third time.

Mr. Gallegos stated that a separate private sector campaign in support of the infrastructure bond measures is being organized. Jim Earp of the California Alliance for Jobs is pulling together a campaign at the statewide level. Mr. Earp will come to San Diego on June 27, 2006, to help develop a strategy for a public information campaign for the San Diego region. TransNet provides a good road map for the kinds of projects that could be funded by the statewide transportation bond measure.

Councilmember Madaffer mentioned that what CALCOG does on a statewide basis is important for the region.

Vice Mayor Ron Morrison (South County) stated that this would be a topic at the CALCOG Regional Issues Forum coming up at the end of June.

Ms. Kawada noted that SANDAG staff is currently working with NCTD and MTS staffs to develop a list of potential projects that could be funded if the propositions passed. The lists of potential projects would be made available as part of the public information program on the bond measures. Staff also proposes to return to the Executive Committee and Board of Directors in July with resolutions supporting Propositions 1A, 1B, and 1C. These measures are consistent with the RCP and RTP. Ms. Kawada noted that resolutions supporting
Propositions 1D (education) and 1E (levees) are not proposed. These two issues were not specifically included in the regional infrastructure strategy in the RCP.

Ms. Kawada also stated that three new state bills have been added to the list of legislation that SANDAG is tracking. Staff is recommending a monitor position on two of the bills, Assembly Bill (AB) 2778 and Senate Bill (SB) 1, which are energy-related. In addition, staff is recommending opposing AB 2442, which adversely affects the sources of Proposition 42 transportation funding.

**Action:** Upon a motion by Vice Mayor Morrison, and a second by Councilmember Madaffer, the Executive Committee voted to approve taking a position opposing the diversion of spillover funds for General Fund and non-transportation purposes and to approve positions on the three bills in Table 1 of the staff report.

Mayor Madrid (La Mesa) recommended that SANDAG oppose a telecommunications bill, AB 2987.

Councilmember Madaffer agreed that if passed, AB 2987 would be detrimental to local jurisdictions throughout the state. He noted that Chris McKenzie, Executive Director of the League of California Cities, would be in San Diego on Monday, June 12 to address the San Diego City Council on this matter.

Mr. Gallegos stated that the Executive Committee should not deal with this issue today, because it is not on the agenda. He noted that the Committee could add this item to the June 23 Board agenda for discussion.

Julie Wiley, General Counsel, commented that if the Executive Committee would like to discuss this issue today, it could vote to add it to today's agenda as an emergency item for discussion. A two-thirds vote of the Executive Committee would be required to add the item to today's discussion.

**Action:** Upon a motion by Vice Mayor Morrison, and a second by Councilmember Madaffer, the Executive Committee voted to add AB 2987 to the agenda as an emergency item.

First Vice Chair Sessom stated that the Executive Committee needs to find a nexus to SANDAG's plans and policies in order to take a position on this item.

Ms. Wiley noted that if there is not some type of nexus, it could set a precedent for bringing issues to SANDAG.

Vice Mayor Pia Harris-Ebert (North County Inland) stated if members wanted to take action on a telecommunications bill that is not directly related to SANDAG's purview, then we also should consider taking a position on the education bond measure. Education is important to the region.

Mayor Crystal Crawford (North County Coastal) commented that the telecommunications issue could be discussed by the cities at the upcoming League of California Cities luncheon on Monday.
Chairman Cafagna asked where does the Executive Committee draw the line and stop taking positions on issues not consistent with SANDAG’s purview. There are a lot of issues that the SANDAG could support or oppose.

Vice Mayor Morrison noted that AB 2987 takes local control for regulating cable and video service franchising locations from the cities and gives it the state.

Public Comment:

Clive Richards, a San Diego resident, stated that all he knows about this bill is that it is related to mobile communications. He asked for clarification of the issue.

Councilmember Madaffer responded that this issue deals with the provision of video services.

Action: Upon a motion by Councilmember Madaffer and a second by Vice Mayor Morrison, the Executive Committee voted to add AB 2987 as an item on the June 23 Board agenda.

First Chair Sessom clarified that this item should go on the SANDAG Board’s consent agenda. Most of the local jurisdictions already have received presentations and taken actions locally on this issue. She also noted that staff needed to discuss the nexus of this bill and SANDAG activities in the report to the Board. She stated that a staff presentation is not needed.

Vice Mayor Harris-Ebert agreed that the Board doesn’t need to be informed on this issue. As local elected officials, they should already be informed. Individual jurisdictions have already been educated on this issue.

6. REVIEW OF THE JUNE 23, 2006, DRAFT BOARD AGENDA (APPROVE)

Diane Eidam, Chief Deputy Executive Director, reviewed the draft agenda for the June 23, 2006, Board meeting with the Executive Committee. Staff noted the following changes:

1. Move FY 2007 Transportation Development Act Allocations and Productivity Improvement Goals from Consent to the Reports section of the agenda. This item also would also include proposed funding allocations for bicycle and pedestrian projects.

2. Add the Mira Mesa Transit Center Environmental Document to the Consent agenda. The recommended action would be to approve this item.

3. Add AB 2987 to the Consent agenda as previously discussed.

4. Change the recommendation from, “Information” to, “Information/Possible Action” on two items: (a) Smart Growth Concept Map: Workshop Summary; and (b) Independent Transit Plan Review Report.

Mr. Gallegos mentioned that staff originally included the Smart Growth Concept Map and Independent Transit Plan Review Report as informational items in June to allow the Board to discuss this issue one month, and then take action the following month. However, given the Regional Planning and Transportation Committee’s unanimous actions on these items on
June 2, staff is suggesting changing the recommendation to Information/Possible Action so that the Board can take action in June, if so desired.

Second Vice Chair Lori Holt Pfeiler (North County Inland) stated that the staff report should indicate that.

Mayor Crawford said she was surprised by some comments related to the Smart Growth Concept Map that she heard at the June 2 meeting.

Mr. Gallegos commented that the Smart Growth Concept Map has resulted in a fair amount of discussion throughout the region. There is support for and opposition to some of the proposed smart growth areas included in the map. He noted that all of the recommended smart growth areas came directly from local jurisdictions, and not SANDAG.

Action: Upon a motion by Councilmember Madaffer, and a second by Mayor Crawford, the Executive Committee voted unanimously to approve the June 23, 2006, Board agenda as amended.

Chairman Cafagna pointed out that there is a potential conflict with the July 28, 2006, Board of Directors meeting and a League of California Cities Conference.

Mr. Gallegos mentioned that the meeting could be moved back to Friday, August 4, 2006, or up to Friday, July 21, 2006.

Ms. Kawada added that staff also is anticipating having a joint Transportation Committee/Regional Planning Committee meeting on Friday, August 4, 2006.

Chairman Cafagna determined that the Board meeting would take place on Friday, August 4, 2006, followed by with the Transportation Committee meeting, the Joint Transportation Committee and Regional Planning Committee meeting, and the Regional Planning Committee meeting. The times of the meetings will be made available at a later date.

7. UPCOMING MEETINGS

The next Executive Committee meeting is scheduled for 9 a.m. on Friday, July 14, 2006.

8. ADJOURNMENT

Chair Cafagna adjourned the meeting at 9:11 a.m.

Attachment: Attendance Sheet
<table>
<thead>
<tr>
<th>GEOGRAPHICAL AREA</th>
<th>JURISDICTION</th>
<th>NAME</th>
<th>MEMBER/ ALTERNATE</th>
<th>ATTENDING</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>North County Coastal</td>
<td>City of Encinitas</td>
<td>Christy Guerin</td>
<td>Member</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>City of Del Mar</td>
<td>Crystal Crawford</td>
<td>Alternate</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>North County Inland</td>
<td>City of Poway</td>
<td>Mickey Cafagna</td>
<td>Member</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>City of San Marcos</td>
<td>Pia Harris-Ebert</td>
<td>Alternate</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>East County</td>
<td>City of Lemon Grove</td>
<td>Mary Sessom</td>
<td>Member</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>City of Santee</td>
<td>Hal Ryan</td>
<td>Alternate</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>South County</td>
<td>City of National City</td>
<td>Ron Morrison</td>
<td>Member</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>City of Chula Vista</td>
<td>Steve Padilla</td>
<td>Alternate</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>City of San Diego</td>
<td></td>
<td>Jerry Sanders</td>
<td>Member</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Jim Madaffer</td>
<td>Alternate</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>County of San Diego</td>
<td></td>
<td>Bill Horn</td>
<td>Member</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ron Roberts</td>
<td>Alternate</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Ex Officio, 2nd Vice Chair</td>
<td>City of Escondido</td>
<td>Lori Holt Pfeiler</td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

07/06/2006 5:54 PM
Service Bureau: Border Master Plan

Introduction

Caltrans has requested assistance in developing a comprehensive and integrated framework for reviewing and evaluating Port of Entry (POE) and transportation infrastructure development along the California-Baja California border. The Border Master Plan (Plan) would be a SourcePoint project conducted through the SANDAG Service Bureau. This project has an 18-month time frame and a $220,000 budget. Attachment 1 shows the proposed work program and budget for the Plan.

The Plan is the next logical step in a comprehensive, binational transportation planning process. It will gather data to evaluate the existing binational transportation and POE system and its current and future demand. A key objective of the Plan will be to integrate local, state, and federal input and develop criteria that can be used in future studies to prioritize improvements along the California-Mexico border.

Discussion

The proposed Border Master Plan will establish a process to institutionalize dialogue among local, state, and federal stakeholders in the United States and Mexico. An effective, ongoing communication network will help each stakeholder understand others’ needs as they affect land POEs and connecting transportation infrastructure. By developing a comprehensive planning document that includes participation and input from many stakeholders, the bistate border region will have a framework within which to prioritize funding from traditional sources and to pursue innovative financing opportunities in the future.

Jeff Tayman
Director of Technical Services

Attachment: 1. Border Master Plan Scope of Work

Key Staff Contact: Elisa Arias, (619) 699-1936, ear@sandag.org

Recommendation

The Executive Committee is asked to amend the FY 2007 Program Budget to allow SourcePoint to proceed with this work and to authorize the Executive Director to enter into a contract with Caltrans in the amount of $220,000.
Border Master Plan  
Scope of Work and Budget

Introduction

Caltrans and the State of Baja California’s Secretariat of Infrastructure and Urban Development (SIDUE) have proposed the development of a Border Master Plan. This plan will identify port of entry (POE) and transportation infrastructure needs based on regional capacity and existing and future demand. A key objective of the Master Plan is to develop criteria that can be used to prioritize improvements to existing and new POEs along the California-Baja California border.

The Border Master Plan will establish a process to institutionalize dialogue among local, state, and federal stakeholders in the United States and Mexico to understand the processes used to identify needs as they affect land POEs and connecting transportation infrastructure. The Master Plan also will integrate local, state, federal, and local input to develop a list of POE and transportation projects as well as low-cost operational improvements that provide immediate relief to delays.

Scope of Work

The proposal identifies seven key tasks, as follows.

Task 1: Stakeholder Participation

To facilitate the planning process, a Policy Advisory Committee (PAC), composed of government and quasi-governmental stakeholders, will be established. The PAC will include top-level executive managers of federal, state, and local entities responsible for land use, transportation, POE facilities, and security operations. It will be responsible for adopting clear parameters for the Border Master Plan.

A Technical Working Group (TWG) composed of senior staff from the participating agencies will be responsible for collecting and providing the requested information.

Task 2: Document “State of the Practice” to Determine Transportation and POE Infrastructure Needs

The Master Plan will document current practices that each participating agency follows to determine and prioritize transportation and POE infrastructure needs.

Task 3: Assess Existing Capacity and Demand and Identify Short-Term Transportation and POE Infrastructure Needs

The Master Plan will gather current and projected population and socio-economic data in the border area. Critical to this effort is the determination of existing capacity and demand through the POEs and transportation facilities. Data to be collected includes existing crossing and transportation volumes, existing POE and transportation facility configurations, current staffing levels and patterns, and POE and transportation capacities, as available.

Task 4: Estimate Growth of Demand

Projections for changes in future demand for border facilities will be estimated using transportation and other computer models, as well as published studies and reports and the information collected in Task 3.
Task 5: Analyze Data and Identify Short-, Mid- and Long-Term Transportation and POE Infrastructure Needs

Short-term needs and projects will be determined by evaluating existing capacity and demand. Mid- and long-term needs will be determined by analyzing projected demand and capacities. The needs analysis will identify proposals for expansion and the location of new POE/transportation infrastructure, examine whether they concur with the analysis of growth in demand, and determine if other sites or projects should be evaluated.

Task 6: Define and Approve Criteria for Future Prioritization of Needs

As needs are identified, projects in the Master Plan will be prioritized under categories of short-term (1-5 years), mid-term (5-15 years) and long-term (beyond 15 years). The PAC will be responsible for defining and adopting the criteria for establishing need and the timeframe.

Task 7: Draft and Final Reports

A comprehensive Border Master Plan will provide an enhanced platform from which to prioritize funding received through traditional funding programs and to pursue innovative financing opportunities in the future. Completion of the Master Plan will offer a means for individual agencies to continue their mandated planning and programming pursuits, while offering the opportunity to partner or leverage resources where possible. Success of the Master Plan is based on synchronizing information and priorities from a funding and implementation point of view.

Budget

The budget and scheduled time frame for each task is shown in Table 1.

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Cost</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stakeholder Participation: TWG Stakeholder Participation: PAC</td>
<td>$40,000</td>
<td>18 months</td>
</tr>
<tr>
<td>2</td>
<td>State of the Practice: Transportation and POE Infrastructure</td>
<td>$30,000</td>
<td>3 months</td>
</tr>
<tr>
<td>3</td>
<td>Existing Capacity/Demand and Short-Term Transportation &amp; POE Needs</td>
<td>$35,000</td>
<td>3 months</td>
</tr>
<tr>
<td>4</td>
<td>Growth of Demand</td>
<td>$35,000</td>
<td>3 months</td>
</tr>
<tr>
<td>5</td>
<td>Transportation &amp; POE Needs</td>
<td>$30,000</td>
<td>3 months</td>
</tr>
<tr>
<td>6</td>
<td>Evaluation Criteria</td>
<td>$30,000</td>
<td>3 months</td>
</tr>
<tr>
<td>7</td>
<td>Draft &amp; Final Reports</td>
<td>$20,000</td>
<td>3 months</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$220,000</td>
<td>18 months</td>
</tr>
</tbody>
</table>
LEGISLATIVE STATUS REPORT

Introduction

At its January 27, 2006, meeting, the Board of Directors approved SANDAG’s Legislative Program for calendar year 2006. Consistent with past programs, the 2006 Legislative Program (Attachment 1) includes policies and proposals for possible federal and state legislation and local activities. The program is intended to serve as a road map for Board members and staff to follow when various positions and activities are requested during the year.

This status report provides an update on the California 2006-2007 State Budget and current activities related to the statewide infrastructure bond proposals. The report also summarizes recent activities related to SANDAG-sponsored legislative efforts and recommends positions on various state bills consistent with the 2006 Legislative Program.

Discussion

California 2006-2007 State Budget

On June 27, 2006, the Legislature passed the State 2006-2007 Budget Act (AB 1801, with companion bills AB 1811 and SB 1140). Governor Schwarzenegger signed the bill on June 30, 2006. As required by the State Constitution, the budget act provides for a balanced budget that for the 2006-2007 budget year is based on $103.4 billion in available General Fund resources, $101.3 billion in expenditures and a General Fund reserve of approximately $2.037 billion. In terms of all funds, including General Fund, special funds and select bond funds, the total state budget project is approximately $130.9 billion.

Transportation highlights of the 2006-2007 Budget Act include:

- Proposition 42 - For the second consecutive year, the budget provides an estimated $1.4 billion for full transfer of General Fund sales tax revenue on gasoline in accordance with Proposition 42.
• Repayment of Proposition 42 Loans - The budget provides $1.415 billion in early payments on outstanding Proposition 42 Loans. Approximately $920 million is for early payment of a Proposition 42 loan that was not due until 2007-2008, and another $495 million is to prepay a portion of the repayment due 2008-2009.

• Public Transportation Account (PTA) Gas Tax “Spillover” 1 - The budget fully funds the PTA spillover estimated to be $343 million.

• Tribal Gaming Bonds - The budget shifts the anticipated receipt of tribal gaming revenues from the current year to the 2006-2007 Budget year and reduces the amount from $1 billion to about $850 million.

The following table shows the funding distribution of the Transportation programs in the 2006-2007 budget:

<table>
<thead>
<tr>
<th>Program</th>
<th>Base funding</th>
<th>Public Transportation PTA Spillover</th>
<th>2006-2007 Prop. 42 Transfer</th>
<th>Early Repayment of Prop. 42</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Congestion Relief Program (TCRP)</td>
<td></td>
<td>$678</td>
<td>$315</td>
<td></td>
<td>$993</td>
</tr>
<tr>
<td>State Transportation Improvement Program (STIP)</td>
<td>$62.0</td>
<td>$594</td>
<td></td>
<td>$440</td>
<td>$1,096</td>
</tr>
<tr>
<td>Local Streets and Roads</td>
<td></td>
<td></td>
<td>$440</td>
<td></td>
<td>$440</td>
</tr>
<tr>
<td>Public Transportation (PTA) Assistance - Transit Capital (STA)</td>
<td></td>
<td></td>
<td>$74.0</td>
<td>$110</td>
<td>$184</td>
</tr>
<tr>
<td>Public Transportation Assistance PTA - State Transportation Assistance (STA)</td>
<td>$197</td>
<td>$248</td>
<td>$74</td>
<td>$110</td>
<td>$629</td>
</tr>
<tr>
<td>One-time Transportation Farm Worker Program</td>
<td></td>
<td></td>
<td>$20</td>
<td></td>
<td>$20</td>
</tr>
<tr>
<td>High California High-Speed Rail Authority</td>
<td></td>
<td>$13</td>
<td></td>
<td></td>
<td>$13</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$197</td>
<td>$343</td>
<td>$1,420</td>
<td>$1,415</td>
<td>$3,375</td>
</tr>
</tbody>
</table>

1 The amount of “Spillover” is the difference between (a) a 5 percent state sales tax applied to all taxable goods except gasoline, and (b) a 4¾ percent state sales tax applied to all taxable goods including gasoline. Essentially, the spillover is generated when gasoline prices increase at a faster rate than all other taxable items.
It is important to note that full funding of Proposition 42 and the early loan repayment is a critical step in assuring stabilization of transportation funding. Although this does not provide “new funding” for new projects, the region could realize approximately $216 million in TCRP and STIP funding for previously programmed projects.

Receipt of the “spillover” for public transportation programs and projects is a windfall and provides more than a 200 percent increase of the 2006-2007 levels. The San Diego region would receive approximately $39 million, compared to $12 million in the current fiscal year. It also should be noted that this “windfall” could be one-time revenue.

Finally, because of the early payback of Proposition 42, the 18 cities and the County of San Diego would share in over more than $34 million in revenue for the maintenance of local streets and roads.

**Status of Statewide Infrastructure Bonds**

In mid-May, Governor Schwarzenegger signed the statewide infrastructure bond bills that the Legislature passed in early May. The four bond bills total more than $37 billion. Each will be presented to the voters as separately numbered ballot propositions on the November 2006 ballot. In addition, a state constitutional amendment, SCA 7 (Torlakson), which protects Proposition 42 funds from future borrowing without mandatory payback, also will be on the November ballot. The statewide measures include:

<table>
<thead>
<tr>
<th><strong>November 2006 Statewide Ballot Measures</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Prop. 1A: Protection of Proposition 42 funds (SCA 7)</td>
</tr>
<tr>
<td>Prop. 1B: Transportation, Air Quality, and Port Security (SB 1266)</td>
</tr>
<tr>
<td>Prop. 1C: Housing and Emergency Shelter (SB 1689)</td>
</tr>
<tr>
<td>Prop. 1D: K-12/University Facilities (AB 127)</td>
</tr>
<tr>
<td>Prop. 1E: Flood Prevention (AB 140)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
</tr>
</tbody>
</table>

Staff is developing lists of potential projects in the San Diego region that could be funded by the various infrastructure bond measures, if passed. Staff also has prepared draft resolutions of support for Propositions 1A, 1B, 1C, 1D and 1E for consideration by the Executive Committee and Board of Directors. The resolutions of support are included as Attachments 2 through 6, respectively.

Each draft resolution links the proposed measures to the SANDAG Regional Comprehensive Plan (RCP) and/or Regional Transportation Plan (RTP). The Executive Committee is asked to discuss whether SANDAG should support each of the propositions. As discussed at last month’s Executive Committee meeting, the transportation-related (Props. 1A and 1B) and housing-related (Prop. 1C) measures are more closely related to SANDAG’s purview. Propositions 1A and 1B would provide state transportation funding that would help implement the adopted RTP, including the TransNet Early Action Program. Proposition 1C would provide funding for emergency shelters, affordable housing, and housing-related infrastructure that would help the region implement the smart growth goals of the RCP.
The RCP, however, does contain certain policies and initiatives related to education, economic prosperity, water supply, and water quality that may justify SANDAG support of the education (Prop. 1D) and flood protection (Prop. 1E) measures. For example, while SANDAG is not directly responsible for education, the RCP includes strategic initiatives to seek funding for K-12 school and community college renovations and expansions, and to implement workforce training and development programs consistent with the Regional Economic Prosperity Strategy. In addition, the RCP includes policy objectives that recommend securing a reliable funding source for development and implementation of regional storm water and watershed management plans. Proposition 1E would include grant funding to local entities to cost share storm water runoff projects consistent with the Integrated Regional Water Management Plan. (in summary) are indicated for each resolutions of support:

**Resolution of Support: 1A Protection of Proposition 42:**

The SANDAG Regional Comprehensive Plan serves as the long-term planning framework for the San Diego regional and better integrates our local land use and transportation decisions. Proposition 42 contains a loophole which allows the Governor and state Legislature to transfer revenues from the state sales tax on gasoline for nontransportation purposes and since its passage in 2002, the state Legislature and Governor have used the loophole in Proposition 42 diverting a total of $2.5 billion to nontransportation purposes. Proposition 1A will stabilize this funding source enhancing the ability of SANDAG develop and carry out the planning framework.

**Resolution of Support: 1B Transportation, Air Quality and Port Security:**

The SANDAG Regional Comprehensive Plan identifies transportation as a major issue facing the San Diego region and has as one of its core values improving the mobility of people and goods as the region continues to grow over time. The SANDAG 2030 Regional Transportation Plan (RTP) serves as the primary transportation element of the RCP and is the San Diego region’s blueprint for a transportation system that enhances our quality of life and meets our mobility needs now and in the future; and includes a number of recommended actions designed to improve our mobility network, not the least of which is securing needed funding. Proposition 1B would provide $19.925 billion in funding for transportation infrastructure improvements throughout the state of California, with the potential to provide significant funding for the San Diego region.

**Resolution of Support: 1C Housing and Emergency Shelters:**

The SANDAG Regional Comprehensive Plan identifies housing as a major issue facing the San Diego region and has as one of its core values improving the availability of affordable housing; and Proposition 1C funding for emergency shelters, affordable homes, and housing-related infrastructure throughout the state of California and to continue funding of housing programs associated with Proposition 46, of which funds are close to being depleted.

**Resolution of Support: 1D K-12, University Facilities:**

The SANDAG Regional Comprehensive Plan identifies education and economic prosperity as major issues facing the San Diego region, and includes strategic initiatives to seek funding for K-12 school and community college renovations and expansion, and implement workforce training and development programs consistent with economic goals of the Regional Economic Prosperity
Strategy. Proposition 1D would provide funding to build and modernize K-12 classrooms and expand the state’s universities and community colleges.

Resolution of Support: 1E Flood Prevention:

The SANDAG Regional Comprehensive Plan identifies water supply and quality as major issues facing the San Diego region, and recommends securing a reliable funding source to ensure the development and implementation of regional storm water and watershed management plans. Proposition 1E would provide funding to repair levees and improve flood protection throughout the state, and would also provide grants to local entities to cost share storm water runoff projects consistent with the Integrated Regional Water Management plan.

Educational Activities Concerning the Bond Measures

SANDAG General Counsel has researched the types of educational activities that SANDAG can undertake regarding the infrastructure bond ballot measures. In general, permitted activities include providing technical, balanced information about the measures; preparing descriptions of their positive and negative impacts; disseminating information about potential projects to be funded by the measures; and discussing and taking a position on the measures at a public meeting. Members or staff may not advocate for the measures on SANDAG time or using SANDAG resources.

A public information program similar to the one conducted by SANDAG in 2004 in conjunction with the TransNet Extension is not proposed.

Status of the Board’s Ten Sponsored Legislative Goals

The following discussion summarizes recent activities related to the ten sponsored goals in the 2006 Legislative Program. Key changes from last month’s status report are shown in bold text.

Goal 1: Pursue FY 2007 federal appropriation requests

On June 14, 2006, the United States House of Representatives approved its FY 2007 Transportation, Treasury, Housing and Urban Development, Judiciary, and District of Columbia (TTHUD) Appropriations bill totaling $67.8 billion. The bill proposes to fund the federal-aid highways program at $39.1 billion, as set by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); this is more than $3.1 billion over FY 2006 levels. Public Transportation also is funded at the levels set in SAFETEA-LU, with $7.262 billion for formula and bus grants and $1.57 billion for capital investment grants; this is about $86.24 million more than the President’s request and $427 million more than the FY 2006 levels.

The bill also provides $900 million for Amtrak, but includes financial and management reforms as part of the funding.

Project earmarks were down 70 percent from last year. The House bill provides $895 million for member projects. For comparative purposes, last year’s conference report included approximately $3 billion total in member project funding. The legislation now awaits further action by the Senate, tentatively scheduled for July.
The projects included in the House bill for the San Diego region are:

- Otay Mesa Border Crossing $150,000
- State Route 52 East/West Improvements $500,000
- State Route 76 $500,000
- East County Bus Facility, El Cajon $1,500,000
- San Louis Rey Transit Center $500,000
- Regional Bus Replacement, San Diego County $450,000
- Completion of Full Funding Grant Agreements
  - Mission Valley East $806,654
  - Oceanside-Escondido $686,040

Goal 2: Technical clean-up language to the multiyear transportation bill, SAFETEA-LU

The House passed a technical corrections bill (H.R. 5689) amending SAFETEA-LU by voice vote late on June 28. The bill contains a select number of technical changes that deal with items such as increasing the required rescission of contract authority to $8.7 billion, amending the provision of SAFETEA-LU that sets annual funding levels for the deployment of magnetic levitation (MAGLEV) transportation projects, and freeing up $205 million for transportation research accounts that were over-earmarked in the original bill. In regards to the transit titles, H.R. 5689 amends a definition of “public transportation” so that conveyances used for sightseeing purposes are not considered public transportation, amends language to clarify that the 80 percent federal share for formula grants applies only to capital projects, and ensures that rules in place from FY 1998 to FY 2003 for distributing amounts made available for fixed guideway modernization projects would apply to the period of FY 2005 to FY 2009.

The House bill included two description changes for projects in San Diego. The effects of the changes are as follows:

- **Project number 1639** was changed to include **Operation operational and highway safety improvements on Highway 94 between the 20 mile marker post in Jamul and Highway 188 in Tecate.**

- **Project number 3537**, the project to conduct alternative studies such as Magnetic Levitation in Imperial Valley was changed to include the study of alternatives along San Diego’s North-South Corridor was changed to enable the study of North-South MAGLEV alternatives linking the San Diego region to the proposed Southern California Association of Governments (SCAG) MAGLEV network to the north. This change was a priority of the Board of Directors.

The House Transportation and Infrastructure Committee moved very quickly to put the bill together, only introducing it the day before passage. The House hopes that activity on its side will spur Senate action.

The following state bills relate to SAFETEA-LU implementation:
• **SB 1282 (Ducheny):** Transportation: federal funds: border infrastructure program. This urgency bill would require federal funds apportioned to the state under the coordinated border infrastructure program of SAFETEA-LU to be exempt from the STIP funding distribution and fair share formulas. The bill also would authorize these funds to be used for projects located in Mexico. The Imperial Valley Association of Governments and the County of Imperial are co-sponsors of the bill with SANDAG. **The bill passed out of the Assembly Transportation Committee on June 19, 2006, and is set for Assembly Appropriations hearing on August 9, 2006, following the July recess.**

• **SB 1812 (Runner):** Department of Transportation: surface transportation project delivery pilot program. This bill would authorize the Department of Transportation (Caltrans) to consent to the jurisdiction of the state and federal courts with regard to the assumption of certain federal responsibilities under the National Environmental Policy Act (NEPA), and waives the state's Eleventh Amendment protection against lawsuits brought in federal court for as long as the state participates in the federal surface transportation project delivery pilot program. The intent of the bill is to speed delivery of needed transportation projects without weakening environmental protection. The Department of Transportation (Caltrans) is the sponsor of the bill, which also is supported by the Consulting Engineers and Land Surveyors of California (CELSOC) and is opposed by Environmental Defense. SANDAG is registered in support of this bill. **SB 1812 is currently under suspense in the Senate Appropriations Committee. Notably, this bill is identical to certain provisions in AB 1039 (Nunez), which was signed by the Governor as part of the recent infrastructure bond package. AB 1039 exempts specified levee, and highway and bridge seismic retrofit projects, from CEQA, and would only become operative if Prop. 1B is approved by the voters at the November 6, 2006, statewide general election. There was no further activity on this bill.**

• **SB 1587 (Lowenthal):** Transportation planning: highway safety: federal funds. Current state law requires transportation planning agencies to adopt and submit an updated regional transportation plan to the California Transportation Commission and the Department of Transportation every three years. This bill would increase the timeframe to every four years consistent with federal law. Passed out of the Senate in May 2006, this bill passed out of the Assembly Transportation Committee on June 19, 2006, and currently resides in Assembly Appropriations.

• **SB 1694 (Aanestad) Transportation: federal funds: allocation to counties.** Existing law requires the Department of Transportation to apportion certain federal transportation funds known as regional surface transportation program (RSTP) funds to specified regional agencies, which in turn apportion their share of funds for projects in each county within their jurisdiction, including funds for secondary highways. Existing law in that regard requires the apportionment to each county of an amount that is not less than 110 percent of the amount each county received in federal fiscal year 1990-91 under what was then known as the federal-aid secondary program. This bill would require additional apportionments to each county for these purposes based on a specified formula as a result of changes to federal law. This bill is currently in the Senate Appropriations Committee. It is being held in committee under submission. **There was no further activity on this bill.**

Goal 3: Aggressively pursue funding related to interoperability and communications, as well as other priority areas identified in the Regional Public Safety Needs Assessment
Staff is recommending support of State Assembly Bill 1894 (Bermudez and J. Horton), entitled Homeland security: interoperable public safety communication network. Existing law establishes the Public Safety Radio Strategic Planning Committee responsible for implementing a statewide integrated public safety communication system using federally specified frequencies to facilitate interoperability among specified public safety departments and requires the committee to report annually to the Legislature regarding the committee's progress. This bill would designate the annual report to serve as the state strategic plan for establishing a statewide integrated interoperable public safety communications network and would require the report to include implementation strategies and timelines. This bill has passed Assembly and resides in the Senate Appropriations Committee.

At its June 16, 2006, meeting, the Public Safety Committee (PSC) reviewed four public-safety-related state bills: AB 1848, AB 2041, SB 1451, and SB 1479. (See Attachment 7 for summaries of these bills.) The PSC approved support positions on AB 1848 and AB 2041, which are consistent with the PSC's top priority of interoperability and communications. The PSC adopted a monitor position on SB 1451 and removed Senate Bill 1479 from the list of bills to be tracked.

Through a grant program, ARJIS (Automated Regional Justice Information System) is pursuing $750,000 from the National Institute of Justice for information sharing and improving the domestic violence communication system.

Goal 4: Seek funds to implement the Regional Energy Strategy (RES) and respond to legislation related to energy consistent with RES principles.

SANDAG's adopted FY 2007 Program Budget (Agenda Item No. 4) continues to include funding for the Regional Energy Planning Program; it assumes $100,000 in continued funding from SDG&E, to be matched with about $238,000 in SANDAG funding to support the continued efforts of the Energy Working Group (EWG) and RES implementation efforts.

As discussed last month, SB 1539 (Kehoe), entitled San Diego Association of Governments Energy Working Group (EWG), was amended deleting all references encouraging state agencies to provide funding for the EWG. The bill continued to state the Legislature's intent that regional planning and implementation of energy-related policy by the SANDAG EWG or a coalition of entities in the San Diego region should occur. The bill is no longer the active; however, staff is continuing to pursue other administrative means to seek state funding through the California Energy Commission to support our regional energy planning efforts. Senator Kehoe has been helping with these efforts.
Goal 5: Seek amendments to state statutes to enable a second County Supervisor representative on the SANDAG Board

The SANDAG-sponsored bill, SB 1296 (Kehoe): San Diego Consolidated Transportation Agency: governance: increases the governing board from 20 to 21 members by adding a second member from the San Diego County Board of Supervisors to ensure continuity in representation from the County’s unincorporated area and incorporated communities. The bill also revises the definition of SANDAG’s governing board to include the Mayor of San Diego as one of two City of San Diego representatives to the board. Registered support for the bill includes the County of San Diego and San Diego Mayor Jerry Sanders. The bill passed out of the Senate and the Assembly Transportation and Local Government Committees. The bill has been sent to the Assembly Floor on the consent calendar.

Goal 6: Aggressively seek Homeland Security funding for Automated Regional Justice Information System (ARJIS), transit, freight, regional public safety initiatives, and ports of entry; and

Goal 7: Pursue Homeland Security funding at both the state and federal levels for prevention and emergency preparedness and response to catastrophic events in the San Diego region

On May 31, 2006, the U.S. Department of Homeland Security (DHS) announced the recipients of $1.7 billion in FY 2006 Homeland Security Grant Program (HSGP) awards. The grants are intended to enhance the ability of states, urban areas, and territories to prepare for and respond to terrorist attacks and other disasters. HSGP includes five separate grant programs: (1) State Homeland Security Grant Program, $544.5 million; (2) Urban Areas Security Initiative (UASI), $757.3 million; (3) Law Enforcement Terrorism Prevention Program, $396 million; (4) Metropolitan Medical Response System, $29.7 million; and (5) Citizen Corps Program, $19.8 million.

The division of UASI dollars has created controversy. The FY 2006 revised grants process was supposed to be more risk-based, however, many cities, large and small, are unhappy with the results. Lawmakers from both sides of the aisles also immediately voiced concerns about the allocations. In a surprise to many, New York City and Washington, D.C., took the biggest hits. New York City funding fell from $207 million to $124 million and Washington, D.C.’s grant decreased from $77 million to $46 million. As reported in last month’s report, the San Diego region also did not fare well in FY 2006 Urban Area Security Initiative (UASI) funding. Our region’s UASI funding fell from $14.7 million to $7.9 million from FY 2005 to FY 2006. The allocation is only one-fifth of San Diego’s request of $41.3 million. It is also important to note that this might be the last year the San Diego receives any money under this program. In January 2006, San Diego was put on a list of 11 cities that could lose all funding in FY 2007 based on its risk factors, though the final determination has not been made.

Chairman of the House Homeland Security Committee Peter T. King (R-NY) has been very vocal about his objection to the Department of Homeland Security (DHS) recent FY 2006 Urban Area Security Initiative (UASI) grant program allocations. King met with the head of DHS’s Office of State and Local Government Coordination and Preparedness, Tracy Henke, to specifically discuss New York. Despite criticism from King and others, DHS stands by the revised formula as way to assess risk and need. King plans to have his committee hold a hearing on the grant formula and decision-making process. Any further information, if known, will be reported at the Executive Committee meeting.
Goal 8: Legislation that focuses on youth and gang violence prevention and pursues funding for prevention and intervention efforts

On June 29, 2006, the full House of Representatives approved H.R. 5672, the FY 2007 Science, State, Justice, and Commerce (SSJC) Appropriations Bill. Under the Department of Justice, the bill includes $2.7 billion for assistance to state and local law enforcement to carry out crime fighting initiatives. The bill also includes $104 million for Methamphetamine Hot Spots, $40 million to reduce gang violence, and $100 million for law enforcement technologies and interoperability. The Senate is expected to take up the bill late in July or after the August recess.

Goal 9: Pursue funds to evaluate the effectiveness of adult and juvenile crime prevention programs and the impacts of drug use on crime and the success of treatment, especially methamphetamine

SANDAG's adopted FY 2007 Program Budget includes four new Criminal Justice Research work elements with an additional $385,000 in grant funding. Staff also is in the process of submitting another grant with local partners to look at youth who cross dependency and delinquency systems. We are continuing to work with our federal legislative representatives to identify potential federal funding sources for the Substance Abuse Monitoring (SAM) project. The SAM project is being continued in 2006 because of the ongoing financial support of the County Board of Supervisors; this year the County will be contributing $75,000. The ongoing monitoring provides useful information for policymakers, law enforcement, and treatment providers and helps play a crucial role in creating successful rehabilitation and prevention programs.

Goal 10: Allow SANDAG to conduct public meetings in Mexico and other jurisdictions that border SANDAG’s jurisdiction for the purpose of addressing projects, programs, and issues that affect multiple jurisdictions, but which are currently restricted under the Brown Act

In April, the Executive Committee asked staff to research and prepare a legal opinion identifying the current legal constraints that preclude SANDAG from holding meetings outside of San Diego County. Once this is completed, Senator Ducheny has indicated that she could request Legislative Counsel to provide its opinion on the matter. There is no additional action to report on at this time.

Other State Bills

In addition to the legislative activity discussed above, there are many other state bills introduced this year related to SANDAG’s legislative goals and objectives. Attachment 2-7 provides a summary of the various bills, which are listed in alphabetical order by category, along with the relevant legislative goal(s) in the 2006 Legislative Program. It includes bills that we are monitoring as well as others recommended for a support or oppose position.

Since the June status report, the following several bills have been either added or the recommended position has been modified to the summary below. The Executive Committee is asked to take a position on the bills in Table 3-1 below.
<table>
<thead>
<tr>
<th>Topic (Legislative Goal)</th>
<th>Bill (Author) Title</th>
<th>Recommended Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety Interoperability and Communications (Goal no. 3)</td>
<td>AB 1848 (Bermudez) Homeland security: interoperable public safety communication network. This bill would designate the annual report to serve as the state strategic plan for establishing a statewide integrated, interoperable public safety communications network and would require the report to include implementation strategies and timelines.</td>
<td>PSC took action to Support</td>
</tr>
<tr>
<td></td>
<td>AB 2041 (Nava) Public safety: communications. This bill would add the Military Department, State Department of Health Services, and the Department of Finance to, and remove the Department of the Youth Authority from the Public Safety Radio Strategic Planning Committee, and would require that a representative of the Office of Emergency Services serve as chairperson. It would require that interoperability be developed to include first response agencies, as defined.</td>
<td>PSC took action to Support</td>
</tr>
<tr>
<td>Energy (Goal no. 4)</td>
<td>SB 1 (Murray) Electricity: renewable energy resources: California Solar Initiative. The bill would support RES Goal no. 3, which identifies certain targets for generating electricity from renewable resources within the region. Implementation of SB 1 would bring the region closer to meeting the renewable resources targets: 15 percent by 2010; 25 percent by 2020; and 40 percent by 2030.</td>
<td>Monitor EWG recommends Support with Amendments</td>
</tr>
<tr>
<td>Topic (Legislative Goal)</td>
<td>Bill (Author) Title</td>
<td>Recommended Position</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Transit Specific Issues (Goal No. 19)</td>
<td>AB 1699 (Frommer) <strong>Transportation: highway construction contracts; design-build projects Commuter trains: operation.</strong> SANDAG had a support position on the original bill, which would have authorized the use of design-build on state highway construction projects under certain conditions. On June 13, 2006, AB 1699 was amended. In its current form, it would require a commuter rail service operator to prohibit passengers from riding in the forward 10 rows of seats of any level of a cab car on a commuter train operating in push configuration. The bill also would prohibit operating a commuter train in push configuration beginning January 1, 2010. In late June, the commuter rail operators around the state (including NCTD) advocated against the amended bill, which would require significant changes to their rail operations. Senators Ducheny and Kehoe were involved in crafting compromise language, which would instead require a rail safety study to be performed that would evaluate different operations including the push/pull configuration operations. It is staff’s understanding that AB 1699 will be amended to include this compromise language. Initially the bill would have required commuter rail operators to implement significant changes to their operations.</td>
<td>Support with Amendments</td>
</tr>
<tr>
<td></td>
<td>SCR 123 (Florez) <strong>Joint Legislative Committee on High-Speed Trains</strong> This measure would establish, until December 31, 2008, the Joint Legislative Committee on High-Speed Trains, which would be composed of 5 Members of the Senate and 5 Members of the Assembly, to hold public hearings to receive public comment and review the work of the California High-Speed Rail Authority and the plans for a high-speed train system in California.</td>
<td>Support</td>
</tr>
</tbody>
</table>

| SCR 123 (Florez) **Joint Legislative Committee on High-Speed Trains** This measure would establish, until December 31, 2008, the Joint Legislative Committee on High-Speed Trains, which would be composed of 5 Members of the Senate and 5 Members of the Assembly, to hold public hearings to receive public comment and review the work of the California High-Speed Rail Authority and the plans for a high-speed train system in California. | Support |
Table 3

<table>
<thead>
<tr>
<th>Topic (Legislative Goal)</th>
<th>Bill (Author) Title</th>
<th>Recommended Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Project Delivery (Goal no. 12)</td>
<td>AB 372 (Nation) Public contracts: transit design-build contracts This bill extends the sunset date for design build authority for transit districts from January 1, 2007, to January 1, 2011, and specifies the conditions that transit operators follow when procuring design-build contractors including changing the minimum value threshold from $50 million to $25 million. The Executive Committee has previously taken a position to monitor this bill. Since the last Executive Committee meeting, however, staff has been working towards amending the bill to include language clarifying that SANDAG has the authority to utilize design-build procurement on transit projects consistent with the provisions in SB 1703 giving SANDAG the authority to construct transit projects. We anticipate acceptance of this change in August.</td>
<td>Monitor Support</td>
</tr>
</tbody>
</table>

Many bills shown on previous legislative status reports have been amended and are no longer related to SANDAG legislative goals, or they have become inactive. These bills, listed below in Table 4, will be removed from future legislative status reports.

Table 4

<table>
<thead>
<tr>
<th>Bill Number (Author) Bill Author-Title</th>
<th>Reason for Removal</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACA 22 (La Malfa) Title: Eminent Domain: condemnation proceedings</td>
<td>Inactive</td>
</tr>
<tr>
<td>AB 1879 (Lieber) Original Title: High-Occupancy-Vehicles: HOV</td>
<td>No longer relevant</td>
</tr>
<tr>
<td>Amended: Board of Parole Hearings Lanes</td>
<td></td>
</tr>
<tr>
<td>AB 1974 (Walters) Title: High-occupancy-vehicle lanes</td>
<td>Inactive</td>
</tr>
<tr>
<td>AB 2468 (Salinas) Title: Planning Housing Element</td>
<td>Inactive</td>
</tr>
<tr>
<td>SB 1479 (Soto) Title: Office of Emergency Services: disaster information</td>
<td>Inactive</td>
</tr>
<tr>
<td>AB 1010 (Oropeza) Original Title: Rail Transit</td>
<td>No longer relevant</td>
</tr>
<tr>
<td>Amended: Telecommunications-Mobile Telephony</td>
<td></td>
</tr>
<tr>
<td>Bill Number</td>
<td>(Author)</td>
</tr>
<tr>
<td>-------------</td>
<td>----------</td>
</tr>
<tr>
<td>AB 2468</td>
<td></td>
</tr>
<tr>
<td>SB 1493</td>
<td>(McClintock)</td>
</tr>
<tr>
<td>AB 2621</td>
<td>(Strickland)</td>
</tr>
</tbody>
</table>

With the enactment of the Fiscal 2006-2007 State Budget, the state legislature is on recess for the month of July. Therefore, further activity on bills will not occur until August 2006. The schedule for the remainder of the 2005-2006 State Legislative Calendar is included as Attachment 8.

ELLEN ROUNDTREE
Director of Government Relations

Attachments:
1. Summary of Legislative Goals for Calendar Year 2006
2. Resolution No. 2007-01
3. Resolution No. 2007-02
4. Resolution No. 2007-03
5. Resolution No. 2007-04
6. Resolution No. 2007-05
7. Summary of Pending Bills in the 2005-2006 Legislative Session
8. 2005-2006 State Legislative Calendar

Key Staff Contacts: Ellen Roundtree, (619) 699-6960, ero@sandag.org
Kim Kawada, (619) 699-6994, kka@sandag.org
### SUMMARY OF LEGISLATIVE GOALS FOR CALENDAR YEAR 2006

#### SPONSOR

<table>
<thead>
<tr>
<th>GENERAL DESCRIPTION OF GOAL</th>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pursue FY 2007 federal appropriation requests.</td>
<td>1</td>
<td>Highest</td>
<td>Sponsor</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical clean-up language to the multi-year transportation bill, SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users), such as, but not limited to, revising and clarifying earmark language and policy changes if deemed appropriate, and agreed-upon, follow-up State legislation, e.g., identifying the Border Infrastructure Program as a stand-alone program that is exempt from Senate Bill 45 funding distribution.</td>
<td>2</td>
<td>Highest</td>
<td>Sponsor/Support</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggressively pursue funding related to interoperability and communications, as well as other priority areas identified in the Regional Public Safety Needs Assessment.</td>
<td>3</td>
<td>Highest</td>
<td>Sponsor</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seek funds to implement the Regional Energy Strategy (RES); respond to legislation related to energy consistent with RES Principles.</td>
<td>4</td>
<td>Higher</td>
<td>Sponsor</td>
<td>2002</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seek amendments of state statutes to enable a second County Supervisor representative on the SANDAG Board to help ensure continuity of the representation from both the incorporated and unincorporated areas of the County.</td>
<td>5</td>
<td>Higher</td>
<td>Sponsor</td>
<td>2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Aggressively seek Homeland Security Funding for Automated Regional Justice Information System (ARJIS), transit, freight, regional public safety initiatives, and ports of entry.</td>
<td>6</td>
<td>High</td>
<td>Sponsor</td>
<td>2003</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pursue Homeland Security funding at both the state and federal levels for prevention and emergency preparedness and response to catastrophic events in the San Diego region.</td>
<td>7</td>
<td>High</td>
<td>Sponsor</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legislation that focuses on youth and gang violence prevention and pursue funding for prevention and intervention efforts.</td>
<td>8</td>
<td>High</td>
<td>Sponsor/Support</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pursue funds to evaluate the effectiveness of adult and juvenile crime prevention programs and the impacts of drug use on crime and the success of treatment, especially methamphetamine.</td>
<td>9</td>
<td>Medium</td>
<td>Sponsor</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Legend: T: Transportation; R: Regional Planning; P: Public Safety; B: Borders
### GENERAL DESCRIPTION OF GOAL

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Medium</td>
<td>Sponsor</td>
<td>2005</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Allow SANDAG to conduct public meetings in Mexico and other jurisdictions that border SANDAG’S jurisdiction for the purpose of addressing projects, programs, and issues that affect multiple jurisdictions, but which are currently restricted under the Brown Act.

### SUPPORT/OPPOSE

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Highest</td>
<td>TBD (based on activity)</td>
<td>2002/ revised 2005</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Efforts consistent with financial strategies adopted in the Regional Transportation Plan such as, but not limited to, increase revenues for transportation and other related purposes through measures that would increase gas tax or equivalent revenue sources, bond measures, developer fees, and public/private partnerships; oppose efforts that reduce revenues for transportation and other related purposes such as the borrowing of Proposition 42; and maximize flexibility of federal and state funding.

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Highest</td>
<td>Support</td>
<td>2005</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Efforts to expand available methods of transportation project delivery, e.g., design-build, construction management at risk procurements, and other alternative delivery methods that expedite project delivery.

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Highest</td>
<td>Support</td>
<td>2002</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Fiscal reform initiatives enabling regions to develop their own fiscal strategies and oppose unfunded mandates on local government. Pursue initiatives that balance the fiscal influence that sales tax revenue has upon local land use decisions.

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Highest</td>
<td>Support</td>
<td>2002</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Legislation that rewards jurisdictions that produce more housing, especially affordable and transit-oriented developments; supports regional fair-share allocation of housing funds; and provides additional funding for affordable housing with greater local/regional control over the allocation of those funds.

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Highest</td>
<td>Support</td>
<td>2002</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Legislation assisting in the implementation of the Regional Comprehensive Plan, especially through funding incentives for smart growth (including, but not necessarily limited to, mixed-use projects, transit-oriented development, and/or walkable communities).

Legend: T: Transportation; R: Regional Planning; P: Public Safety; B: Borders
<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Highest</td>
<td>Support</td>
<td>2002</td>
<td>X</td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Higher</td>
<td>Support</td>
<td>2002</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Higher</td>
<td>Support</td>
<td>2003</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>High</td>
<td>Support</td>
<td>2002</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>High</td>
<td>Support</td>
<td>2002</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>High</td>
<td>Support</td>
<td>2002</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>High</td>
<td>Support</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>High</td>
<td>Support</td>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Lower the current 2/3rds voter requirement for special purpose taxes, such as transportation and quality of life improvements, to a simple majority vote.

Efforts assisting in the implementation of key environmental efforts, including habitat conservation, planning, beach restoration and replenishment, and water quality-related issues.

Mechanisms and funding providing for the implementation of MOBILITY 2030, including value pricing, Managed Lanes, high-occupancy toll (HOT) Lanes; the alleviation of current constraints on transponder technology; use of freeway shoulder lanes by transit and other transit priority treatments; and other mechanisms that provide for more efficient use of highways and local roads.

Transit boards’ legislative programs consistent with SANDAG policy.

Enhancing of border security and reducing border wait times; pursuit of funding, legislation, and other financing mechanisms supporting interregional partnerships and binational trade and border projects.

Participate in efforts related to legislative and administrative reform of the state housing element law.

Full funding of the Census Bureau’s American Community Survey Program to ensure timely release of critical demographic and economic information for our region.

Utilize existing legislative monitoring sources, such as the International Association of Chiefs of Police, National Sheriffs’ Association, California Police Chiefs Association, California State Sheriffs’ Association, League of California Cities, California State Association of Counties, and National Association of Counties, to keep abreast of federal and state public safety legislation of interest to the region and the PSC, and support these organizations’ legislative programs where consistent with SANDAG’s Legislative Program.

Legend: T: Transportation; R: Regional Planning; P: Public Safety; B: Borders
### GENERAL DESCRIPTION OF GOAL

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>High</td>
<td>Support</td>
<td>2005</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Medium</td>
<td>Support</td>
<td>2003</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>26</td>
<td>Lower</td>
<td>Support</td>
<td>2003</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

Legislative and funding initiatives that support and enhance public safety activities, including the California Law Enforcement Telecommunications System (CLETS) that provides the secure infrastructure and systems for public safety access to critical state and federal data.

Maintain and Increase regional decision-making authority in areas consistent with SANDAG’s mission/policies.

Legislation resulting in cost efficiencies and savings.

Other organizations’ legislative programs where consistent with SANDAG policy, i.e., CALCOG (California Association of Councils of Governments), APTA (American Public Transportation Association), AMPO (Association of Metropolitan Planning Organization), NARC (National Association of Regional Councils), and CTA (California Transit Association), Self-Help Counties Coalition, League of California Cities, and California State Association of Counties, and Caltrans.

### MONITOR

<table>
<thead>
<tr>
<th>NO.</th>
<th>PRIORITY</th>
<th>BOARD POSITION</th>
<th>POSITION DATE</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>FED</th>
<th>STATE</th>
<th>LOCAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Higher</td>
<td>Monitor/Respond</td>
<td>2004</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>29</td>
<td>Lower</td>
<td>Monitor/Respond</td>
<td>2003</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>30</td>
<td>Lower</td>
<td>Monitor/Respond</td>
<td>2003</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>31</td>
<td>Lower</td>
<td>Monitor/Respond</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>32</td>
<td>Lower</td>
<td>Monitor/Respond</td>
<td>2005</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Efforts that expand free access by single-occupant vehicles (SOVs) to high-occupancy-toll (HOT) lanes.

Legislation relating to personnel matters, i.e., workers’ compensation, Public Employee Retirement Systems (PERS) benefits, and other labor-related issues.

Legislation affecting solid waste, water supply, and storm water; support of funding opportunities to assist in these areas.

Legislation requiring local agencies to implement new administrative compliance measures.

Proposals that limit the use of eminent domain for public infrastructure projects.

Legend: T: Transportation; R: Regional Planning; P: Public Safety; B: Borders
RESOLUTION NO. 2007-01

THE SAN DIEGO ASSOCIATION OF GOVERNMENTS
SUPPORTS PROPOSITION 1A:
A CONSTITUTIONAL AMENDMENT FOR PROTECTION OF PROPOSITION 42
TRANSPORTATION FUNDING

WHEREAS, nearly 70 percent of California voters approved Proposition 42 in the March 2002 primary to dedicate the state sales tax paid on gasoline to state and local transportation infrastructure projects and programs; and

WHEREAS, California’s local transportation agencies, including the San Diego Association of Governments (SANDAG), depend on the funding generated from the state sales tax on gasoline to augment other federal, state, and local funding to implement vital transportation projects and programs; and

WHEREAS, Proposition 42 contains a loophole which allows the Governor and state Legislature to transfer revenues from the state sales tax on gasoline for nontransportation purposes; and

WHEREAS, since its passage in 2002, the state Legislature and Governor have used the loophole in Proposition 42 diverting a total of $2.5 billion to nontransportation purposes; and

WHEREAS, the uncertainty of this funding has delayed or halted vital transportation projects and programs statewide; and

WHEREAS, the California Transportation Commission pointed to the instability in Proposition 42 funding as a key reason that our “state transportation program is in shambles;” and

WHEREAS, stabilizing Proposition 42 funding will enhance the ability of SANDAG to develop and carry out multiyear planning to address San Diego region transportation needs; and

WHEREAS, the SANDAG Regional Comprehensive Plan (RCP) serves as the long-term planning framework for the San Diego region and better integrates our local land use and transportation decisions; and

WHEREAS, the RCP identifies transportation as a major issue facing the San Diego region and has as one of its core values improving the mobility of people and goods as the region continues to grow over time; and

WHEREAS, MOBILITY 2030, SANDAG’s 2030 Regional Transportation Plan (RTP), serves as the primary transportation element of the RCP and is the San Diego region’s blueprint for a transportation system that enhances our quality of life and meets our mobility needs now and in the future; and
WHEREAS, the 2030 RTP includes a number of recommended actions designed to improve our mobility network, not the least of which is securing needed funding; and

WHEREAS, one of the 2030 RTP funding mechanisms, the TransNet Extension passed by San Diego County voters in November 2004, provides more than $14 billion in local sales tax funding for highway, transit, local street and road, bicycle, pedestrian, and smart growth land use projects throughout the region; and

WHEREAS, implementing the 2030 RTP program of projects is dependent upon the receipt of federal and state matching funds projects including the full funding of Proposition 42; and

WHEREAS, the San Diego region is scheduled to receive approximately $128 million from the Traffic Congestion Relief Program element of Proposition 42; and

WHEREAS, in addition to the completion of the Traffic Congestion Relief Program, the San Diego region is slated to receive approximately $90 million each year from Proposition 42 funds for highway, transit, and local streets and road projects and programs; and

WHEREAS, Proposition 1A was recently put on the ballot by an overwhelming bipartisan vote of the Legislature and Governor Schwarzenegger as part of a comprehensive infrastructure bond package that will be presented to voters this November; and

WHEREAS, Proposition 1A is a constitutional amendment that would prohibit the Legislature and Governor from using the state sales tax on motor vehicle fuels for any purpose other than transportation and transit improvements. In the event of a severe state fiscal hardship, Prop 1A authorizes a loan of these funds, with a requirement of full repayment with interest within three years. Any such loans are restricted to no more than twice in any 10-year period and no loan can be made until the previous loan is repaid; and

WHEREAS, Proposition 1A also requires the state to reimburse the $2.5 billion in funds previously diverted but allows 10 years for repayment; NOW THEREFORE

BE IT RESOLVED that the SANDAG Board of Directors does hereby support passage of Proposition 1A, which will be on the November 2006 ballot.

PASSED AND ADOPTED this 4th of August 2006.
RESOLUTION NO. 2007-02

THE SAN DIEGO ASSOCIATION OF GOVERNMENTS

SUPPORTS PROPOSITION 1B:
HIGHWAY SAFETY, TRAFFIC REDUCTION, AIR QUALITY,
AND PORT SECURITY BOND ACT OF 2006 PLAN

WHEREAS, the SANDAG Regional Comprehensive Plan (RCP) serves as the long-term planning framework for the San Diego region and better integrates local land use and transportation decisions; and

WHEREAS, the RCP identifies transportation as a major issue facing the San Diego region and has as one of its core values improving the mobility of people and goods as the region continues to grow over time; and

WHEREAS, MOBILITY 2030, SANDAG's 2030 Regional Transportation Plan (RTP), serves as the primary transportation element of the RCP and is the San Diego region's blueprint for a transportation system that enhances our quality of life and meets our mobility needs now and in the future; and

WHEREAS, the 2030 RTP includes a number of recommended actions designed to improve the mobility network, not the least of which is securing needed funding; and

WHEREAS, one of the 2030 RTP funding mechanisms, the TransNet Extension was passed by San Diego County voters in November 2004, provides more than $14 billion in local sales tax funding for highway, transit, local street and road, bicycle, pedestrian, and smart growth land use projects throughout the region; and

WHEREAS, implementing the 2030 RTP program of projects that totals approximately $36 billion is dependent upon the receipt of historical federal and state matching funds projects as well as the identification of new revenue sources; and

WHEREAS, Proposition 1B was recently placed on the ballot by a bipartisan vote of the Legislature and Governor Schwarzenegger as part of a comprehensive infrastructure bond package that will be presented to voters this November; and

WHEREAS, Proposition 1B, entitled the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 Plan, would provide $19.925 billion in funding for transportation infrastructure improvements throughout the state of California; NOW THEREFORE

BE IT RESOLVED that the SANDAG Board of Directors does hereby support passage of Proposition 1B, which will be on the November 2006 ballot.
PASSED AND ADOPTED this 4th of August 2006.

________________________________________           ATTEST: ________________________________________
CHAIRPERSON                   SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.
ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, and Mexico.
THE SAN DIEGO ASSOCIATION OF GOVERNMENTS
SUPPORTS PROPOSITION 1C:
HOUSING AND EMERGENCY SHELTER TRUST FUND ACT OF 2006

WHEREAS, the SANDAG Regional Comprehensive Plan (RCP) serves as the long-term planning framework for the San Diego region and better integrates local land use and transportation decisions; and

WHEREAS, the RCP identifies housing as a major issue facing the San Diego region and has as one of its core values improving the availability of affordable housing; and

WHEREAS, the RCP includes a number of recommended actions designed to improve communities, including the ability to provide stable communities and safe neighborhoods; and

WHEREAS, Proposition 1C, entitled Housing and Emergency Shelter Trust Fund Act of 2006 would provide $2.85 billion in funding for emergency shelters, affordable homes, and housing-related infrastructure throughout the state of California; and

WHEREAS, the $1.35 billion specifically proposed in Proposition 1C for homes and infrastructure that are linked to home development will help the region implement smart growth as described in the RCP; and

WHEREAS, the major goal of Proposition 1C is to continue funding of housing programs associated with Proposition 46, of which funds are close to being depleted. Passage of Prop 1C in November would allow these important affordable housing programs to continue, and

WHEREAS, the San Diego region has received $86.8 million (or 10.5 percent) of the $823.9 million formula funding allocated statewide from Proposition 46; and

WHEREAS passage of Proposition 1C will allocate $1.5 billion in formula funding statewide to build homes and emergency shelters, and if Proposition 1C is passed and the region receives the same percentage of formula funding as allocated under Proposition 46, the region would receive $157.5 million; NOW THEREFORE

BE IT RESOLVED that the SANDAG Board of Directors does hereby support passage of Proposition 1C, which will be on the November 2006 ballot.

PASSED AND ADOPTED this 4th of August 2006.

______________________________           _________________
CHAIRPERSON                        ATTEST:                SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, and Mexico.
RESOLUTION NO. 2007-04

THE SAN DIEGO ASSOCIATION OF GOVERNMENTS
SUPPORTS PROPOSITION 1D:
KINDERGARTEN-UNIVERSITY PUBLIC EDUCATION FACILITIES BOND ACT OF 2006

WHEREAS, the SANDAG Regional Comprehensive Plan (RCP) serves as the long-term planning framework for the San Diego region and better integrates local land use and transportation decisions; and

WHEREAS, the RCP identifies education and economic prosperity as major issues facing the San Diego region, and

WHEREAS, the RCP includes strategic initiatives to seek funding for K-12 school and community college renovations and expansion, and implement workforce training and development programs consistent with economic goals of the Regional Economic Prosperity Strategy; and

WHEREAS, the RCP also addresses the need to develop funding strategies for community colleges in the San Diego region and innovative educational facilities that serve multiple roles in the community; and

WHEREAS, Proposition 1D was recently placed on the ballot by a bipartisan vote of the Legislature and Governor Schwarzenegger as part of a comprehensive infrastructure bond package that will be presented to voters this November; and

WHEREAS, Proposition 1D, entitled the Kindergarten-University Public Education Facilities Bond Act of 2006, would provide $10.4 billion in funding to build and modernize K-12 classrooms and expand the state's universities and community colleges; NOW THEREFORE

BE IT RESOLVED that the SANDAG Board of Directors does hereby support passage of Proposition 1D, which will be on the November 2006 ballot.

PASSED AND ADOPTED this 4th of August 2006.

______________________________
CHAIRPERSON
______________________________
SECRETARY

ATTEST:__________________________

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, and Mexico.
RESOLUTION NO. 2007-05

THE SAN DIEGO ASSOCIATION OF GOVERNMENTS
SUPPORTS PROPOSITION 1E:
DISASTER PREPAREDNESS AND FLOOD PREVENTION BOND ACT OF 2006

WHEREAS, the SANDAG Regional Comprehensive Plan (RCP) serves as the long-term planning framework for the San Diego region and better integrates local land use and transportation decisions; and

WHEREAS, the RCP identifies water supply and quality as major issues facing the San Diego region; and

WHEREAS, the RCP water quality and policy objectives recommend securing a reliable funding source to ensure the development and implementation of regional storm water and watershed management plans; and

WHEREAS, Proposition 1E, entitled the Disaster Preparedness and Flood Prevention Bond Act of 2006, would provide $4.09 billion in funding to repair levees and improve flood protection throughout the state; and

WHEREAS, Proposition 1E would also provide grants to local entities to cost share storm water runoff projects consistent with the Integrated Regional Water Management plan; and

WHEREAS, Proposition 1E was recently placed on the ballot by a bipartisan vote of the Legislature and Governor Schwarzenegger as part of a comprehensive infrastructure bond package that will be presented to voters this November; NOW THEREFORE

BE IT RESOLVED that the SANDAG Board of Directors does hereby support passage of Proposition 1E, which will be on the November 2006 ballot.

PASSED AND ADOPTED this 4th of August 2006.

_________________________       _________________________
CHAIRPERSON                  ATTEST:                   SECRETARY

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista, and County of San Diego.

ADVISORY MEMBERS: California Department of Transportation, Metropolitan Transit System, North County Transit District, Imperial County, U.S. Department of Defense, San Diego Unified Port District, San Diego County Water Authority, and Mexico.
SUMMARY OF PENDING BILLS IN THE 2005-2006 LEGISLATIVE SESSION

Changes from last month’s summary are shown in **bold** or *strikeout* text.

**SANDAG-Sponsored Bills**

- **SB 1282** (Ducheny - Introduced 02/14/06) Transportation federal funding: border infrastructure program

  **Status:** Passed Assembly Transportation Committee on 6/20/06 unanimously

  **Location:** Assembly Appropriations Committee Consent Calendar-08/09/06

  **Summary:** This urgency bill would require federal funds apportioned to the state under the coordinated border infrastructure program of SAFETEA-LU to be exempt from the State Transportation Improvement Program (STIP) funding distribution and fair share formulas. (An urgency bill would take effect upon passage rather than on January 1, 2007.) The bill also would authorize these funds to be used for projects located in Mexico. The Imperial Valley Association of Governments and the County of Imperial are co-sponsors of the bill with SANDAG. There is no reported opposition.

- **SB 1296** (Kehoe - Introduced 2/15/06) San Diego Consolidated Transportation Agency: governance

  **Status:** Assembly Local Government Committee passed on 06/28/06

  **Location:** Assembly Consent Calendar

  **Summary:** This bill increases the governing board from 20 to 21 members by adding a second member from the San Diego County Board of Supervisors to ensure continuity in representation from the County’s unincorporated area and incorporated communities. The bill also revises the definition of SANDAG’s governing board to include the Mayor of San Diego as one of two City of San Diego representatives to the board. Registered support for the bill includes the County of San Diego and San Diego Mayor Jerry Sanders.

- **SB 1539** (Kehoe - Introduced 02/23/06) San Diego Association of Governments Energy Working Group

  **Status:** It is anticipated that the SANDAG Energy Working Group requests will be addressed nonlegislatively

  **Location:** Assembly first reading

  **Summary:** This bill would state the intent of the Legislature that regional planning and implementation of energy-related policy by the SANDAG Energy Working Group, or a coalition of entities in the San Diego region, or both, should occur. The bill would state the further intent of the Legislature that the development and implementation of energy management plans to advise local governments in the effective implementation of renewable energy projects, green building options, and energy efficiency should occur.
Border-Related (Legislative Goal No. 20)

- **AB 2399 (Garcia)** – Introduced 02/23/06 California and Mexico border infrastructure

  **Status:** Senate Business Professions and Economic Development Committee-hearing held 06/27/06 placed on consent calendar

  **Location:** Senate Appropriations

  **Summary:** Existing law charges the Secretary of Business, Transportation, and Housing (BT&H) with the responsibility of developing and reporting to the Governor on legislative, budgetary, and administrative programs that accomplish comprehensive, long-range, coordinated planning and policy formulation on matters of public interest related to the BT&H Agency. This bill would require the Secretary, by January 1, 2009, to prepare and provide to the Legislature a study on the infrastructure development along the border between the state and Mexico and any need for alternative financing mechanisms suited to the challenges of the border region.

  **COMMITTEE POSITION:** SUPPORT

Eminent Domain (Legislative Goal No. 32)

- **ACA 22 (La Malfa)** – Introduced 07/15/05 Eminent domain: condemnation proceedings

  **Status:** Assembly Housing and Community Development Failed passage on 05/10/06 on an unofficial ballot

  **Location:** Assembly Housing and Community Development – Inactive

  **Summary:** The California Constitution authorizes governmental entities to take or damage private property for public use only when just compensation, ascertained by a jury unless waived, has first been paid to, or into court for, the owner. It also authorizes the Legislature to provide for possession by the condemnor following commencement of the eminent domain proceedings upon deposit in court, and prompt release to the owner, of the money determined by the court to be the probable amount of the just compensation. This measure would provide that private property may be taken or damaged only for a stated public use and may not be taken or damaged without the consent of the owner for purposes of economic development, increasing tax revenue, or any other private use, nor for maintaining the present use by a different owner. The measure also would require that the property be owned and occupied by the condemnor, except as specified, and used only for the stated public use.

  **COMMITTEE POSITION:** MONITOR

  This bill will be removed from next month's summary due to its status

- **SB 1210 (Torlakson)** – Introduced 01/26/06 Eminent domain

  **Status:** Amended and passed Assembly Housing and Community Development-on 06/28/06

  **Location:** Referred to Assembly Judiciary Committee
Summary: Existing law provides that if a court finds, on motion of the defendant, that the offer of the plaintiff was unreasonable and the offer of the defendant was reasonable in light of the evidence admitted and the compensation awarded in the proceeding, then the costs allowed shall include the defendant's litigation expenses. This bill would provide that an offer of the plaintiff shall be deemed unreasonable if the offer is lower than the amount ordered as compensation by 10 percent or more. The bill also would define litigation expenses to mean the party's reasonable attorney's fees and costs, including reasonable expert witness and appraiser fees.

Committee Position: Monitor

Energy (Legislative Goal No. 4)

- **AB 2778** (Lieber – Introduced 02/24/06) Electricity: self-generation incentive program

  Status: Passed Senate Energy Utilities and Communications Committee on 06/27/06

  Location: Referred to the Senate Appropriations Committee

  Summary: This bill would extend the administration of the Self-Generation Incentive Program by the California Public Utilities Commission until January 1, 2017. The Self-Generation Incentive Program would authorize incentives for technologies like fuel cells (renewable and non-renewable), wind turbines, micro-turbines, and small gas turbines. The bill would not apply to solar systems, as they are addressed in Senate Bill 1 (Murray).

  According to the Regional Energy Strategy 2030, Goal #4, “Power production will be a mix of centralized and distributed generation resources. Renewable resources such as solar, wind, and biomass and non-renewable resources such as fuel cells and other distributed generation technologies will comprise a much larger and more significant portion of the region’s resource base. Efficient natural, gas-fired plants located on both sides of the order will meet the region’s remaining base load.” AB 2778 supports this RES goal.

  EWG Recommendation: Monitor

- **SB 1** (Murray - Introduced 12/06/04) California Solar Initiative Electricity: solar energy: net metering

  Status: Passed Assembly floor on 6/28/06 with amendments

  Location: Senate Energy Utilities and Communications Committee for concurrence

  Summary: This bill would make statutory changes necessary to expand the scope of a California Solar Initiative (CSI), a solar program implemented by the California Public Utilities Commission (PUC), to apply to all electricity utilities; impose specific requirements on the PUC in implementing the CSI; and, requires developers to provide the option of solar panels on new homes.

  EWG Recommendation: Support with Amendments
High-Occupancy-Vehicle (HOV) Lanes (Legislative Goal No. 18)

- **AB 1879** (Lieber – Introduced 01/19/06) Vehicles: HOV lanes Board of Parole Hearings

  **Status:** Amended on 06/07/06

  **Location:** Referred to Senate Committee on Public Safety

  **Summary:** Existing law requires the Department of Transportation, until January 1, 2008, whenever it authorizes or permits exclusive or preferential use of highway lanes or highway access ramps for high-occupancy vehicles, to also extend the use of those lanes or ramps to vehicles that have been issued distinctive decals, labels, or other identifiers because the vehicles meet: (1) California's ultra low-emission vehicle (ULEV) standards beginning July 1, 2000, and through December 31, 2003; or (2) California's super ultra-low emission vehicle (SULEV) standards on and after January 1, 2004, and through December 31, 2007, for exhaust emissions, as specified; and (3) the federal inherently low-emission vehicle (ILEV) evaporative standard, as defined in federal regulations, regardless of vehicle occupancy or ownership. This bill would require a local authority, until January 1, 2008, if it authorizes or permits exclusive or preferential use of highway lanes or highway access ramps for high-occupancy vehicles, to also extend the use of those lanes or ramps to vehicles that have been issued distinctive decals, labels, or other identifiers because the vehicles meet conditions specified above. This bill contains other related provisions and other existing laws. The sponsor of this bill is the Santa Clara Board of Supervisors.

Existing law establishes the Board of Parole Hearings and authorizes the appointments of 17 members to the board by the Governor, subject to confirmation by the Senate. This bill would additionally require that the appointments be made from among retired California state or federal judges, or administrative law judges.

**STAFF RECOMMENDATION POSITION:** With latest amendments, bill is no longer relevant to SANDAG’s RCP and will be removed from next month’s summary.

- **AB 1974** (Walters – Introduced 02/09/06) High-occupancy-vehicle lanes

  **Status:** This item will be removed from next month’s summary due to its inactive status.

  **Location:** Assembly Transportation on 02/16/06 - Hearing canceled by the request of author

  **Summary:** Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law provides for the designation of exclusive or preferential lanes on state highways for buses and other high-occupancy vehicles. Existing law also provides for “specified” high-occupancy-vehicle (HOV) lanes to be designated as high-occupancy-toll (HOT) lanes, for use by single-occupancy vehicles upon payment of a toll. This bill would authorize any county board of supervisors, by resolution, to authorize the use of HOV lanes on the state highway system within the county by any highway vehicle, providing that this use is consistent with federal law.

**COMMITTEE POSITION:** MONITOR
Housing (Legislative Goal Nos. 14 and 21)

- **AB 2158 (Evans)** - Introduced 02/21/06 Regional housing needs
  
  **Status:** Passed Senate Committee on Transportation and Housing on 06/27/06
  
  **Location:** Senate
  
  **Summary:** Existing law requires that at least two years prior to a scheduled revision of a city or county housing element of its general plan, each council of governments or delegate subregion shall develop a proposed methodology for distributing the existing and projected housing needs to cities, counties, and cities and counties within the region or subregion. The methodology includes a list of specified factors. This bill would add to that list the factors of adopted spheres of influence for all local agencies in the region and adopted policies of the local agency formation commission. This bill is sponsored by the League of California Cities.
  
  **COMMITTEE POSITION:** MONITOR

- **AB 2307 (Mullin)** - Introduced 02/22/06 State mandates: housing element
  
  **Status:** Passed Assembly Committee on Housing and Community Development on 04/26/06
  
  **Location:** Assembly Appropriations
  
  **Summary:** 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 the Commission on State Mandates to make that reimbursement or preclude reimbursement if a local agency is authorized to levy a fee to pay the cost of a mandated program or service. This bill would repeal the authority of councils of government to charge a fee to local governments for their role in determining housing needs. It also would require the Commission on State Mandates to reconsider its decision regarding the regional housing need mandate and determine whether joint powers agencies are eligible claimants. This bill is sponsored by the Association of Bay Area Governments and has official support by the League of California Cities, the California Association of Council of Governments, the California State Association of Counties, and the California Business Industry Association, if amended.
  
  **COMMITTEE POSITION:** SUPPORT

- **AB 2468 (Salinas)** - Introduced 02/23/06 Planning: housing element
  
  **Status:** This bill will be removed from next month’s summary. The legislation has failed to make it through this year’s Assembly Committee process.
  
  **Location:** Assembly Inactive File
  
  **Summary:** The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. A city, county, or city and county is required to submit a draft housing element or draft amendment to its housing element to the department for a determination of whether the draft complies with state law governing housing elements. This bill would authorize a jurisdiction to participate in a self-certification process established by the bill that would require the inventory of land included in the
housing element to accommodate 100 percent of it as allocated for regional housing needs for very low and low-income households on sites zoned to permit owner-occupied and rental multifamily residential use by right during the planning period. The bill would require these sites to be zoned with minimum density and development standards that permit specified densities and at least 50 percent of the very low and low-income housing need to be accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted. The bill would also require a jurisdiction to initiate a program of public outreach to persons and entities, within the jurisdiction and the county within which the jurisdiction is located, with a particular interest in housing opportunities for very low and low-income families. The bill would require the legislative body of the jurisdiction to adopt a certificate of compliance by resolution making specified findings and submit the certificate of compliance and a copy of the adopted element to the department and the council of governments. The League of California Cities is the sponsor of the bill, and it is supported by the American Planning Association. Opposition is registered by the California Business Industry Association among other groups.

COMMITTEE POSITION: MONITOR

- **AB 2572** (Emmerson - Introduced 02/23/06) Housing element: colleges

**Status:** Passed Senate Transportation and Housing Committee on 06/27/06

**Location:** Senate

Summary: Existing law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. As part of a revision of a general plan, each council of governments or delegate subregion is required to survey each of its member jurisdictions regarding specified housing factors for use in developing a methodology for distributing existing and projected regional housing needs. This bill would require each council of governments or delegate subregion to include among factors to develop this methodology the housing needs generated by the presence of a private university or a campus of the California State University or the University of California within any member jurisdiction. The League of California Cities is the sponsor of this bill.

COMMITTEE POSITION: SUPPORT

- **AB 2634** (Lieber - Introduced 02/24/06) Housing elements

**Status:** Passed Senate Transportation and Housing Committee on 06/27/06

**Location:** Referred to Senate Appropriations

Summary: The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. One part of the housing element is an assessment of housing needs and an inventory of land suitable for residential development in meeting the jurisdiction's share of the regional housing need. This bill would provide that the required analysis of population and employment trends and quantification of the locality's existing and projected housing needs for all income levels shall include extremely low-income households, as defined, thus imposing a state-mandated local program. This bill is supported by many housing senior groups, but it is opposed by the California League of Cities.
COMMITTEE POSITION: MONITOR

• **AB 3042** (Evans – Introduced 02/24/06) Regional housing

**Status:** Passed Assembly Floor on 05/31/06

**Location:** Senate Transportation and Housing Committee

**Summary:** Existing law requires each city, county, and city and county to adopt for its jurisdiction, according to specified deadlines, a general plan that includes certain mandatory elements, including a housing element. Existing law requires the Department of Housing and Community Development to review local housing elements for conformity with specified provisions of law, including the regional housing needs of the city or county. Under existing law, either a council of governments or the Department of Housing and Community Development, in areas with no council of governments, is required to determine, in accordance with specified procedures, the share of a city or county of regional housing needs in all economic sectors of housing. Existing law establishes the conditions under which the shares of regional housing needs to be met may be transferred among cities and counties. This bill would provide an additional procedure by which a city or county may enter into an agreement to transfer a percentage of its share of the regional housing needs to another city or county.

COMMITTEE POSITION: SUPPORT

• **SB 1800** (Ducheny – Introduced 02/24/06) General plans: housing

**Status:** The bill is inactive but will serve as a start for similar legislation next session according to author’s staff.

**Location:** Senate Transportation and Housing

**Summary:** As amended on May 23, 2006, the bill would create in the State Treasury the Housing Planning Fund, which would be continuously appropriated to the Department of Housing and Community Development for specified purposes relating to housing opportunity plans. (Two percent of this fund would fund the Regional Housing Needs Assessment (RHNA) process.) The fund would be funded by an unspecified fee imposed upon each application for a building permit for new residential construction collected by cities and counties and paid into the fund. The bill would revise procedures for the adoption of local and regional housing needs and would make related and conforming changes.

COMMITTEE POSITION: MONITOR

**Public Private Partnerships (Legislative Goal No. 11)**

• **AB 3047** (Canciamilla – Introduced 02/24/06) Toll road agreements

**Status:** The bill was amended on 5/30/06

**Location:** Senate Transportation and Housing Committee

**Summary:** This bill would authorize the department or a regional transportation agency to construct high-occupancy vehicle and other preferential lanes on the state highway system. The bill would also authorize a regional transportation
agency to construct and operate those lanes as toll facilities subject to specified requirements.

COMMITTEE POSITION: SUPPORT

• SB 463 (Ducheny) – Introduced 02/18/05) Toll roads

Status: SANDAG and CTV have agreed to pursue amendments to SB 463 related to the franchise toll agreement. Proposed amendments have been submitted to Senator Ducheny that address the agreed upon issues. It is anticipated that the bill would be heard following recess break in August 2006.

Location: Inactive file as of 06/29/06

Summary: Existing law, until January 1, 2003, authorized the Department of Transportation to solicit proposals and enter into agreements for the construction and lease of no more than four toll road projects and specified the terms and requirements applicable to those projects. Existing law provides that the toll roads constructed under these provisions shall be owned by the state but leased to a private entity for up to 35 years under the agreement. This bill, with respect to the agreement entered into by the department for the State Highway Route 125 toll road in San Diego County, would instead provide for a 45-year lease period, and would require that lease period to be reflected in the agreement for that facility dated January 30, 1991, as amended. Last year, the Executive Committee took the position to support if agreement is reached with the author and California Transportation Ventures (CTV).

COMMITTEE POSITION: SUPPORT WITH PROPOSED AMENDMENTS

Public Safety Interoperability and Communications (Legislative Goal No. 3)

AB 1848 (Bermudez – Introduced 01/12/06) Homeland security: interoperable public safety communication network

Status: Passed Senate Committee on Governmental Organization on 6/22/06

Location: Referred to Senate Appropriations Committee

Summary: Existing law provides for the coordination of state and local public safety agencies and emergency response teams to respond to emergencies. Existing law administered by the Federal Communications Commission authorizes public safety agencies or entities to operate radio communication systems on specified frequencies of the radio spectrum and directs states to oversee the interoperability of the public safety spectrum. This bill would designate the annual report to serve as the state strategic plan for establishing a statewide integrated, interoperable public safety communications network and would require the report to include implementation strategies and timelines. This bill contains other existing laws.

STAFF RECOMMENDATION: SUPPORT

AB 2041 (Nava – Introduced 02/14/06) Public safety: communications

Status: Passed Senate Committee on Governmental Organization on 06/15/06
Location: Senate Special Consent Calendar

Summary: Under existing law, the Public Safety Radio Strategic Planning Committee, comprised of 13 specified state entities, has primary responsibility in state government to develop and implement a statewide integrated public safety communications system for state government agencies that facilitates interoperability and other shared uses of the public safety spectrum with local and federal agencies. This bill would add the Military Department, State Department of Health Services, and the Department of Finance to, and remove the Department of the Youth Authority from, the committee and would require that a representative of the Office of Emergency Services serve as chairperson. It would require that interoperability be developed to include first response agencies, as defined, as the committee deems appropriate. It also would require the committee to meet at least twice a year, with one being a joint meeting with the California Statewide Interoperability Executive Committee.

STAFF RECOMMENDATION: Monitor

- **AB 2116** (Cohn – Introduced 02/17/06) Emergency services: disaster assistance: equipment

  **Status:** Passed Senate Committee on Governmental Organization on 06/15/06

  **Location:** Senate third reading

Summary: Existing law requires the Public Safety Radio Strategic Planning Committee to make recommendations for state agency purchase of communications equipment that will enable interoperability and other shared uses of the public safety spectrum with local and federal agencies. This bill would specify that the recommended equipment be public safety radio subscriber equipment that also conforms to governmental standards for interoperability and, as technology evolves, that the equipment or systems be nonproprietary and have open architecture and backward compatibility. The bill would authorize the committee to recommend this equipment to any other federal, state, regional, or local entity with responsibility for developing, operating, or monitoring interoperability of the public safety spectrum.

  **COMMITTEE POSITION:** SUPPORT

- **SB 1451** (Kehoe – Introduced 02/23/06) Emergency preparedness, planning, and information

  **Status:** Passed Assembly Committee on Governmental Organization on 06/21/06

  **Location:** Referred to Assembly Appropriations Committee

Summary: Existing law provides for emergency services, as specified. This bill would provide that the State Fire Marshal shall convene a permanent advisory committee, composed of representatives from specified groups, to make recommendations to the State Fire Marshal, the Legislature, and appropriate state and local agencies regarding preparedness, planning, procedures, and the provision of accessible information relating to the emergency evacuation of designated groups from public and private facilities and private residences during emergency or disaster situations. The bill would require the State Fire Marshal to develop and host training workshops, to prepare and disseminate brochures and other relevant materials, and to seek research funding to develop new technologies and information systems relating to the evacuation of the designated groups from public and private facilities and private residences during emergency and disaster situations. The bill
would set forth legislative findings and declarations regarding the need for the bill and would state that it is the intent of the Legislature that the annual Budget Act shall appropriate federal Homeland Security funds to the State Fire Marshal in order to implement the act.

COMMITTEE POSITION: REFERRED TO PUBLIC SAFETY COMMITTEE

- **SB 1479** *(Soto)* – Introduced 02/23/06) Office of Emergency Services: disaster information center

**Status: Passed Assembly Committee on Governmental Organization on 04/25/06**

Location: Senate Appropriations – Held under submission

Summary: The California Emergency Services Act generally sets forth the duties of the Office of Emergency Services in overseeing emergency preparedness and response activities in the state, including those activities implemented under the state emergency plan. This bill would require the office to establish and maintain an Internet-based disaster information center for public access during disasters and other emergencies that would include specified information.

COMMITTEE POSITION: REFERRED TO PUBLIC SAFETY COMMITTEE

Smart Growth (Legislative Goal No. 15)

- **SB 1754** *(Lowenthal)* – Introduced 02/24/06) Housing and infrastructure zones

**Status: Passed Senate Committee on Transportation and Housing on 05/01/06**

Location: Senate Appropriations – Held under submission

Summary: Existing law requires a redevelopment agency to use at least 20 percent of its tax increment revenues to increase, improve, and preserve low- and moderate-income housing available at affordable cost to persons and families of low or moderate income and lower, very low, and extremely low income households unless the agency makes certain findings. Existing law sets forth the duties of the California Economic Development and Infrastructure Development Bank generally in promoting economic development activities in the state. This bill would establish a pilot project allowing for the formation, under criteria developed by specified councils of governments and the Secretary of Business, Transportation and Housing, of 100 housing and infrastructure zones in the state. A city or county would be eligible to apply to its council of governments or the agency, as applicable, in order to establish a housing and infrastructure zone, subject to approval by the bank, and specified reporting requirements. By requiring the councils of governments to develop criteria and requiring the councils and local governments to perform other duties with respect to the selection and establishment of zones, the bill would impose a state-mandated local program and authorize various financing mechanisms.

COMMITTEE POSITION: MONITOR
Transit Specific Issues (Legislative Goal No. 19)

- **AB 1010** (Oropeza—Introduced 02/22/05) Rail transit Telecommunications: mobile telephony services.

  **Status:** Amended 06/14/06

  **Location:** Senate Energy and Utilities and Communication Committee-scheduled for hearing 06/20/06

  **Summary:** Existing law provides that any public transit guideway planned, acquired, or constructed after January 1, 1979, is subject to the regulations of the Public Utilities Commission relative to safety appliances and procedures. This bill would transfer that responsibility to the Department of Transportation on January 1, 2007. Last year, the Executive Committee took a position to monitor this bill. This amended bill would require providers of mobile telephony service to extend a minimum 30-day grace period to new customers during which the customer may rescind the agreement, without cost or penalty, if the customer finds that the service quality is unsatisfactory.

  **STAFF RECOMMENDATION:** With latest amendments, bill is not relevant to SANDAG’s RCP and will be removed from next month’s summary.

- **AB 1157** (Frommer—Introduced 02/22/05) Rail Safety and Traffic Mitigation Bond Act of 2006

  **Status:** Passed Senate floor on 05/31/05

  **Location:** Senate Transportation and Housing — Not yet scheduled for hearing

  **Summary:** Existing law requires the Public Utilities Commission to develop and maintain a priority list of railroad-highway grade crossings determined to be most urgently in need of separation or alteration. Existing law requires each annual proposed budget prepared by the Department of Transportation to include $15 million for grade separation projects. Existing law requires the California Transportation Commission to allocate available funding to projects pursuant to the priority list prepared by the Public Utilities Commission, and requires certain matching funds to be provided from non-state funds and by the affected railroad. This bill would state the intent of the Legislature to enact legislation providing for a general obligation bond act in the amount of $500 million to be submitted to the voters for approval in order to provide funding for a program to eliminate the most dangerous railroad-highway grade crossings in the state, as identified by the Public Utilities Commission, with funds to be allocated by the California Transportation Commission.

  **COMMITTEE POSITION:** MONITOR (in conjunction with other statewide infrastructure bond proposals)

- **AB 1699** (Frommer—Introduced 02/22/05) Transportation: highway construction contracts: design-build projects Commuter trains: operation.

  **Status:** Passed Senate Transportation and Housing Committee on 06/27/06 with amendments

  **Location:** Senate Appropriations Committee
Summary: Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis. This bill would authorize, until January 1, 2015, transportation agencies administering local voter-approved transportation sales tax measures to use a specified design-build process for bidding on a maximum of eight state highway construction projects with a total cost of $10,000,000 or more, as specified, with the projects to be selected by the California Transportation Commission. This bill contains other related provisions and other existing laws. Note: This is a two-year bill.

It is staff’s understanding that the amended bill would require a rail safety study to be performed that would include push/pull operations.

STAFF RECOMMENDATION: Support with amendments

- **AB 2630** (Benoit – Introduced 02/24/06) Grade separation project funding

  **Status:** Passed Senate Transportation and Housing Committee on 06/28/06

  **Location:** Referred to Senate Appropriations Committee

  **Summary:** Existing law requires the Public Utilities Commission to adopt a priority list for railroad-highway grade separation projects and requires the California Transportation Commission to allocate available funding to projects pursuant to that priority list. Existing law generally limits up to $5 million an allocation to a single project, except that if the project meets certain criteria it may receive an allocation up to $20 million. Existing law prohibits an agency that receives an allocation pursuant to that exception from receiving an allocation for another project pursuant to that exception for a period of 10 years. This bill would provide that an agency that receives an allocation pursuant to that exception may be eligible for an allocation for another project if the Department of Transportation determines that funds are available for allocation.

  **COMMITTEE POSITION: MONITOR**

- **SB 1493** (McClintock – Introduced 02/23/06) Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century: repeal

  **Status:** This bill will be removed from next month’s summary due to its inactive status.

  **Location:** Senate Transportation and Housing - Not yet scheduled for hearing

  **Summary:** Existing law, Chapter 697 of the Statutes of 2002, as amended by Chapter 71 of the Statutes of 2004, provides for submission of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the voters for approval at the November 7, 2006, general election. Subject to voter approval, the act would provide for the issuance of $9.95 billion of general obligation bonds, $9 billion of which would be available in conjunction with any available federal funds for planning and construction of a high-speed...
train system pursuant to the business plan of the High-Speed Rail Authority, and $950 million of which would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. This bill would repeal all of the bond act provisions of Chapter 697 of the Statutes of 2002.

COMMITTEE POSITION: MONITOR

AB 713 (Torrico) Introduced (02/17/05) Safe Reliable High Speed Passenger Train Bond Act of the 21st Century:

Status: This bill was Chaptered by the Secretary of State on 06/27/06

Location: Passed Legislature and signed by the Governor.

Summary: Existing law, Chapter 697 of the Statutes of 2002, as amended by Chapter 71 of the Statutes of 2004, provides for submission of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the voters for approval at the November 7, 2006, general election. Subject to voter approval, the act would provide for the issuance of $9.95 billion of general obligation bonds, $9 billion of which would be available in conjunction with any available federal funds for planning and construction of a high-speed train system pursuant to the business plan of the High-Speed Rail Authority, and $950 million of which would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. This bill changes the voter ballot date from November 2006 to November 2008.

COMMITTEE POSITION: MONITOR

SCR 123 (Florez) – Introduced (06/08/06) Joint Legislative Committee on High-Speed Trains

Status: Passed Senate Rules Committee 06/28/06

Location: Senate Third Reading

Summary: This measure would establish, until December 31, 2008, the Joint Legislative Committee on High-Speed Trains, which would be composed of 5 Members of the Senate and 5 Members of the Assembly, to hold public hearings to receive public comment and review the work of the High-Speed Rail Authority and the plans for a high-speed train system in California. The measure would prescribe the powers and duties of the committee and would authorize the Senate Committee on Rules and the Assembly Committee on Rules to make money available to the Joint Legislative Committee on High-Speed Trains from the Senate and Assembly Operating Funds.

STAFF RECOMMENDATION: SUPPORT
Transportation Funding (Legislative Goal No. 11)

- **AB 2621 (Strickland)** - Introduced 02/24/06) Sales Use Taxes: Exemptions: Fuel Tax

  **Status:** Amended on 05/09/06; will be removed from monthly report due to its status

  Location: Assembly Revenue and Taxation – Held under submission

  Summary: The Sales and Use Tax Law imposes a state sales and use tax on the gross receipts from the sale of tangible personal property sold at retail in this state or on the sales price of tangible personal property purchased from a retailer for the storage, use, or other consumption of that property in this state by the purchaser. This bill would provide, for purposes of that law, that the terms "sales price" and "gross receipts" do not include the amount of any state and federal fuel taxes, as specified. Although Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions, this bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill. This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date. This bill would effectively undermine Proposition 42.

  COMMITTEE POSITION: OPPOSE

- **AB 2442 (Klehs)** - Introduced 2/23/06) Personal taxes: sales gas tax exemption: gasoline

  **Status:** Passed Assembly Appropriations Committee on 05/25/06

  Location: Assembly third reading

  Summary: This bill would, for the period commencing on January 1, 2007, and ending on December 31, 2010, reduce the tax imposed under the Sales and Use Tax Law with respect to motor vehicle fuel, as provided. This bill would, upon appropriation by the Legislature, allocate to specified transportation purposes an amount equal to the reduction in tax revenues due to the reduction in sales and use taxes, as provided. In essence, AB 2442 reduces the state sales tax on gasoline that funds Proposition 42 and proposes to backfill the lost funds by imposing a 2 percent surtax on taxable income in excess of $10 million for companies engaged in the petroleum industry. The backfill of Proposition 42 funds is not protected, and therefore an oppose position is recommended.

  COMMITTEE POSITION: OPPOSE

- **AB 2538 (Wolk)** - Introduced 02/23/06) Transportation funds: planning and programming regional agencies

  **Status:** Passed Senate Transportation and Housing Committee on 06/28/06

  **Location:** Referred to Senate Appropriations Committee

  Summary: Existing law generally provides for programming and allocation of funds for transportation capital improvement projects through the State Transportation Improvement Program process administered by the California Transportation Commission. Existing law requires 25 percent of available funds to be programmed and expended on interregional improvement projects nominated by the Department of Transportation, and 75 percent of available funds to be programmed and expended on regional improvement projects.
nominated by regional transportation planning agencies or county transportation
commissions, as applicable, through adoption of a regional transportation improvement
program. Existing law authorizes a transportation planning agency or county transportation
commission to request and receive up to 1 percent of regional improvement fund
expenditures for the purposes of project planning, programming, and monitoring but
authorizes an amount up to 5 percent of those expenditures for a transportation planning
agency or county transportation commission not receiving federal metropolitan planning
funds. This bill would instead authorize each transportation planning agency or county
transportation commission to request and receive up to 5 percent of those funds for the
purposes of project planning, programming, and monitoring (PP&M). The bill would change
the references to "regional improvement funds" to instead refer to "county share."

COMMITTEE POSITION: SUPPORT

- **ACA 36** (Nation – Introduced 04/17/06) Transportation: motor vehicle fuel taxes

  **Status:** Introduced 04/17/06

  **Location:** Assembly – Not yet scheduled for hearing

  Summary: The California Constitution requires that revenues from taxes imposed by the
  state on motor vehicle fuels for use in motor vehicles upon public streets and highways, over
  and above the costs of collection and refunds authorized by law, be used only for certain
  street and highway and public mass transit guideway purposes. The Motor Vehicle Fuel
  License Tax Law imposes a tax of 18 cents per gallon of fuel, as provided. This measure
  would impose an additional excise tax of 5 cents per gallon on distributors of motor vehicle
  fuel beginning on January 1, 2007, and would annually increase this tax in 5-cent increments
  to 25 cents per gallon on January 1, 2011, and thereafter. This measure would specify that
  the additional revenues from the tax shall be used, upon appropriation by the Legislature,
  only for purposes of regional transportation improvements and alternative energy.

  POSITION: MONITOR

- **SB 1694** (Aanestad – Introduced 02/24/06) Transportation: federal funds: allocation to
counties.

  **Status: Passed Senate Committee on Transportation and Housing on 05/01/06**

  **Location:** Senate Appropriations- Held under submission

  Summary: Existing law requires the Department of Transportation to apportion certain
  federal transportation funds known as regional surface transportation program (RSTP)
funds to specified regional agencies, which in turn apportion their share of funds for
projects in each county within their jurisdiction, including funds for secondary highways.
Existing law in that regard requires the apportionment to each county of an amount that is
not less than 110 percent of the amount each county received in federal fiscal year 1990-91
under what was then known as the federal-aid secondary program. This bill would require
additional apportionments to each county for these purposes based on a specified formula
as a result of changes to federal law.

COMMITTEE POSITION: SUPPORT
• **SB 1719** (Perata – Introduced 02/24/06) Transportation Investment Fund

**Status:** Passed Assembly Transportation Committee on 06/27/06

**Location:** Referred to Assembly Appropriations Committee 08/09/06

**Summary:** Existing law specifies the allocation of funds in the Transportation Investment Fund, derived from a portion of the sales tax on gasoline (Proposition 42), to various transportation projects and programs. Article XIX B of the California Constitution requires, commencing with the 2003-04 fiscal year, that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund for allocation for those transportation purposes until the end of the 2007-08 fiscal year. Thereafter, Article XIX B requires these revenues to be allocated to broad categories of transportation purposes, including 20 percent for programs funded by the Public Transportation Account, 40 percent for transportation capital improvement projects in the State Transportation Improvement Program, and 40 percent for apportionment to cities and counties pursuant to certain formulas for road maintenance and construction purposes. This bill would continue the Transportation Investment Fund in existence and would specify the use of revenues deposited in that fund from gasoline sales tax revenues subject to Article XIX B beginning in the 2008-09 fiscal year. A recent amendment to the bill on May 24, 2006, eliminates the continuous appropriation of Proposition 42 funds and instead makes all revenues transferred under Proposition 42 subject to appropriation by the Legislature.

**COMMITTEE POSITION:** SUPPORT

• **SB 1611** (Simitian – Introduced 02/24/06) Congestion management fees

**Status:** Passed Assembly Local Government Committee on 06/28/06

**Location:** Referred to Assembly Appropriations Committee

**Summary:** Existing law provides for creation of congestion management agencies in various counties with specified powers and duties relative to management of transportation congestion. Existing law provides for the imposition by air districts and certain other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles. This bill would authorize a congestion management agency, or where there is no congestion management agency, the board of supervisors to place a majority vote ballot measure before the voters of a county authorizing the imposition of an annual fee of up to $25 on each motor vehicle registered within the county for transportation projects and programs with a relationship or benefit to the persons paying the fee. The bill would require the ballot measure resolution to be adopted by a majority vote of the governing board of the congestion management agency or the board of supervisors, as appropriate, at a noticed public hearing and would also require the resolution to contain a specified finding of fact. The bill would require the Department of Motor Vehicles, if requested, to collect the fee and distribute the proceeds, after deduction of specified administrative costs, to the agency or the board of supervisors, as appropriate, and would enact other related provisions. This bill is supported by the County of Santa Clara Board of Supervisors.

**POSITION:** MONITOR
Transportation Planning (Legislative Goal No. 2)

- **SB 1587** (Lowenthal - Introduced 02/24/06) Transportation planning: highway safety: federal funds.
  
  **Status:** Amended and passed by Assembly Committee on Transportation on 06/21/06
  
  **Location:** Referred to Assembly Appropriations Committee
  
  **Summary:** Current state law requires transportation planning agencies to adopt and submit an updated regional transportation plan to the California Transportation Commission and the Department of Transportation every three years. This bill would increase the timeframe to every four years consistent with federal law.
  
  **This bill would also require the department to provide specific apportionments for the 2007 and 2008 federal fiscal years for the Monterey Bay and Santa Barbara regions.**
  
  **COMMITTEE POSITION RECOMMENDATION:** SUPPORT

Transportation Project Delivery (Legislative Goal No. 12)

- **AB 372** (Nation - Introduced 02/11/05) Public contracts: transit design-build contracts
  
  **Status:** Passed Senate Transportation and Housing Committee on 06/21/06
  
  **Location:** Senate 3rd Reading
  
  **Summary:** Existing law authorizes transit operators to enter into a design-build contract, as defined, according to specified procedures. Existing law repeals these provisions on January 1, 2007. This bill would extend the duration of these provisions until January 1, 2009 January 1, 2011. Staff is working with the author to clarify SANDAG’s authority to utilize design build procurement on transit projects consistent with SB 1703 that allows SANDAG to construct transit projects.
  
  **COMMITTEE POSITION:** SUPPORT

- **SB 371** (Torlakson - Introduced 02/17/05) Public contracts: design-build contracting: transportation entities
  
  **Status:** Amended and passed Assembly Appropriations Committee on 08/29/05
  
  **Location:** Assembly held at desk
  
  **Summary:** Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis. Existing law, until January 1, 2007, authorizes transit operators to enter into a design-build contract, as defined, according to specified procedures. This bill would declare the intent of the Legislature to enact legislation that would develop an alternative and optional procedure for bidding on highway, bridge, tunnel, or public transit construction projects in the jurisdiction of any county, local transportation authority, as defined, or local or regional
transportation entity, as provided, and would authorize the Department of Transportation to develop an alternative bidding procedure for highway, bridge, or tunnel projects on the state highway system.

COMMITTEE POSITION: SUPPORT

- **SB 1161** (Alarcon) - Introduced 01/10/06 State highways: design-sequencing contracts
  
  **Status:** Amended and passed Assembly Transportation Committee on 06/20/06
  
  **Location:** Assembly Appropriations 08/09/06
  
  **Summary:** Existing law authorizes the Department of Transportation, until January 1, 2010, to conduct a pilot project to award design-sequencing contracts, as defined, for the design and construction of not more than 12 transportation projects, to be selected by the Director of Transportation. This bill would instead generally authorize the department to award contracts for projects using the design-sequencing contract method, if certain requirements are met. This bill is sponsored by the Professional Engineers in California State Government and supported by the California Association of Council of Governments.

  COMMITTEE POSITION: SUPPORT

- **SB 1812** (Runner) - Introduced 02/24/06 Department of Transportation: surface transportation project delivery pilot program
  
  **Status:** Amended and passed by the Senate Judiciary Committee on 05/01/06
  
  **Location:** Senate Appropriations
  
  **Summary:** This bill will allow California to participate in a multi-year surface transportation project delivery pilot program authorized under SAFETEA-LU that delegates to the state the responsibilities of the U.S. Department of Transportation (U.S. DOT) under the National Environmental Policy Act (NEPA). This bill accepts the jurisdiction of the federal courts for carrying out the responsibilities assumed by the state under NEPA and waives the state's Eleventh Amendment protection against lawsuits brought in federal court. The intent of the bill is to speed delivery of needed transportation projects without weakening environmental protection. The Department of Transportation (Caltrans) is the sponsor of the bill, which also is supported by the Consulting Engineers and Land Surveyors of California (CELSOC) and is opposed by Environmental Defense.

  COMMITTEE POSITION: SUPPORT

Other Issues

- **AB 1020** (Hancock) - Introduced 02/22/05 Transportation planning: improved travel models
  
  **Status:** Amended and passed by Senate Transportation and Housing Committee on 06/27/06
  
  **Location:** Referred to Senate Appropriations Committee
  
  **Summary:** This bill would require the department, in partnership with certain federally designated metropolitan planning organizations and, a certain designated council of governments, and certain state-designated regional
transportation planning agencies, to provide a notice to the Legislature by January 31, 2007, on a schedule for a comprehensive review and evaluation of current travel models and model improvements already underway. The bill would require these planning organizations and agencies to use models that incorporate specified factors, thereby imposing a state-mandated local program, and would require the department to meet with these entities at least annually to evaluate their progress in meeting these requirements. The bill would identify other objectives that may be included in the travel models.

COMMITTEE POSITION: MONITOR AND CONTINUE TO PARTICIPATE IN THE PROCESS TO ENSURE SANDAG CONCERNS ARE ADDRESSED.

AB 2987 (Nunez- Introduced 02/24/06) Cable and video service

Status: Passed with amendments Senate Energy and Utilities and Communication Committee on 06/29/06

Location: Senate Committee on Rules

Summary: Existing law provides that any city, county, or city and county may authorize by franchise or license the construction and operation of a community antenna television system and prescribe rules and regulations to protect the subscribers. Existing law provides that cable and video service providers comply with specified customer service standards and performance standards.

This bill would establish a procedure for the issuance of state franchises for video service, which would be defined to include cable service and open-video systems.

The Department of Consumer Affairs The Secretary of the State would be the sole franchising authority for state franchises to provide video services. The bill would require any person who seeks to provide video service in this state to file an application with the department for a state franchise. Cities, counties, or cities and counties would receive state franchise fees for video services provided within their jurisdictions, based on gross revenues, pursuant to specified procedures. On June 16, 2006, the SANDAG board took action, to OPPOSE this legislation unless it is amended.

COMMITTEE POSITION: OPPOSE UNLESS AMENDED
2005-2006 State Legislative Calendar

2006

June 29   Last day for a legislative measure to qualify for the general election ballot (November 7)
June 30   Last day for policy committees to meet and report bills
July 7    Summer Recess begins at the end of this day's session if Budget Bill has been enacted
August 7  Legislature reconvenes
August 18 Last day for Fiscal Committees to meet and report bills to Floor
August 21 Floor session only; no Committees, other than the Committee on Rules or Conference
August 31 Committees; may meet for any purpose
August 25 Last day to amend bills on the Floor
August 31 Last day for each house to pass bills; final Recess begins at end of this day's session
September 30 Last day for Governor to sign or veto bills passed by the Legislature before September 1 and in his possession on or after September 1
October 2  Bills enacted on or before this date take effect on January 1, 2007
November 30 Adjournment Sine Die midnight
December 4 Convening of the 2007-08 Regular Session

2007

January 1 Statutes take effect
REVIEW OF AUGUST 4, 2006, DRAFT BOARD AGENDA

+1. APPROVAL OF MEETING MINUTES
   A. JUNE 9, 2006, POLICY MEETING MINUTES
   B. JUNE 23, 2006, MEETING MINUTES

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG. Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Speakers are limited to three minutes. Board members also may provide information and announcements under this agenda item.

+3. ACTIONS FROM POLICY ADVISORY COMMITTEES

This item summarizes the actions taken by the Borders Committee on June 23, the Transportation and Regional Planning Committees on July 7, the Executive Committee on July 14, and the Public Safety Committee on July 21.

CONSENT ITEMS (4 through XX)

+4. REVIEW OF BOARD POLICY NO. 018: REGIONAL TRANSIT SERVICE PLANNING AND IMPLEMENTATION* (Transportation Committee Chair Joe Kellejian; Toni Bates)

In June 2003, SANDAG adopted Board Policy No. 018: Regional Transit Service Planning and Implementation, which defines the transit service planning and implementation responsibilities of SANDAG and the two transit operators. The policy requires periodic reviews to reflect any changes to transit service planning responsibilities and processes. In spring 2006, a review of the Policy No. 018 was conducted by staff, and several changes to the policy are proposed. On July 7, 2006, the Transportation Committee recommended that the SANDAG Board of Directors approve proposed revisions to Policy No. 018, which include: (1) clarification of the roles and responsibilities for preparation of service and operating plans for TransNet projects; (2) allocation of responsibilities for federal Title VI reporting; (3) deletion of references to regional fare setting; (4) inclusion of new planning requirements from SAFETEA-LU; and (5) a requirement to conduct the next review of Policy No. 018 in the fall 2007.
5. SUPPORT FOR STATEWIDE INFRASTRUCTURE BOND MEASURES (Kim Kawada)

Pending action at its July 14, 2006, meeting, the Executive Committee recommends that the Board of Directors approve Resolution Nos. 2007-01, 2007-02, 2007-03, 2007-04, and 2007-05, in support of the statewide infrastructure bond measures on the November 2006 ballot.

6. APPROACH TO SANDAG REVIEW OF PLANS AND PROJECTS IN ADJOINING REGIONS (Borders Committee Chair Patricia McCoy; Bob Leiter)

The Borders Committee recommends to the Board of Directors that SANDAG should begin to review and comment on regionally significant projects in adjoining counties. The Board of Directors is asked to approve the recommended process outlined in the report for reviewing and commenting on certain proposed projects in adjoining counties.

7. BIANNUAL REPORT ON COMMITTEES AND WORKING GROUPS (Kim Kawada)

As required by SANDAG Board Policy No. 4, this item provides a biannual report on the status of all standing and ad hoc committees and working groups.

8. QUARTERLY INVESTMENT REPORT - PERIOD ENDING JUNE 30, 2006* (Lauren Warrem)

State law requires that the Board be provided a quarterly report of investments held by SANDAG. This report includes all money under the direction or care of SANDAG as of June 30, 2006.

9. QUARTERLY PROGRESS REPORT ON TRANSPORTATION PROJECTS (José A. Nuncio)

This quarterly report summarizes the current status of major highway, transit, arterial, traffic management, and transportation demand management (TDM) projects in SANDAG’s five-year Regional Transportation Improvement Program (RTIP) for the period April – June 2006.

10. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY EXECUTIVE DIRECTOR (Renee Wasmund)

In accordance with SANDAG Board Policy Nos. 003 (Investment Policy) and 017 (Delegation of Authority), this report summarizes certain delegated actions taken by the Executive Director during May 2006.
CHAIR’S REPORT (13 through XX)

+13. RIDESHARE WEEK PROCLAMATION (Allison Richards-Evensen) APPROVE

SANDAG administers the regional transportation demand management program known as RideLink. This innovative program provides cost-effective alternatives to driving alone during rush hours. SANDAG annually sponsors “Rideshare Week” to create public awareness of alternatives to solo commuting and to reduce peak period congestion. The Board of Directors is asked to approve Resolution No. 2007-06, proclaiming October 2 – 6, 2006 as the annual Rideshare Week.

REPORTS (14 through XX)

+14. FINAL 2006 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM* APPROVE

SANDAG, as the Metropolitan Planning Organization, is required by state and federal laws to develop and adopt a Regional Transportation Improvement Program (RTIP) every two years. The 2006 RTIP is a multiyear program of proposed major highway, arterial, transit, and nonmotorized projects, including the TransNet Program of Projects, covering FY 2007 to FY 2011. The final RTIP is due to the state by August 1, 2006. The Transportation Committee recommends that the Board of Directors approve Resolution No. 2007-07, adopting Final 2006 RTIP, including the air quality conformity analysis and the air quality redetermination of the Revenue Constrained Regional Transportation Plan: 2006 Update.

15. TRANSPORTATION PROJECT BUDGET SHORTFALLS* (Transportation Committee Chair Joe Kellejian; José A. Nuncio) APPROVE

Several regional projects require additional funding. In some cases, the additional funds required are associated with cost increases whereas other projects require the funds to continue and expand their implementation beyond their previously approved program level. This report summarizes the costs, potential funds available, and strategies to address these funding needs. On June 16, 2006, the Transportation Committee recommended Board of Directors approval for various programming actions.

16. KEARNY MESA DIVISION BUS FACILITY ROOF REPAIR PROJECT (Mike Ruth) APPROVE

The roof of MTS’s Kearny Mesa Division (KMD) bus facility needs to be replaced. Between $450,000 and $750,000 of additional funds will be required to award a construction contract. The exact figure will be known after bids are opened on July 26, 2006. The Board of Directors is asked to transfer the required funds to the KMD Roof Repair Project from the recently completed projects to remove underground storage tanks at KMD and MTS’s Imperial Avenue Division bus facility.
17. MOU WITH METROPOLITAN TRANSIT SYSTEM TO PROVIDE FasTrak FUNDING FOR INTERSTATE 15 CORRIDOR TRANSIT SERVICES (Transportation Committee Chair Joe Kellejian; Linda Culp)

Approval

Pending action at its July 21, 2006, meeting, the Transportation Committee recommends that the Board of Directors authorize the Executive Director to execute a memorandum of understanding (MOU) with the Metropolitan Transit System (MTS) to provide Interstate 15 (I-15) FasTrak funding to support I-15 corridor transit services in FY 2007.

18. 2030 REGIONAL GROWTH FORECAST UPDATE (Ed Schafer)

Accept

In May 2006, the Board of Directors discussed policy issues raised by the 2030 Regional Growth Forecast Update. As a fundamental element of the comprehensive 2007 Regional Transportation Plan (RTP), this forecast reflects the probable growth of the region and the expected distribution of the regional growth to jurisdictions and other areas based upon the currently adopted plans and policies of the 18 cities and the most recent information from the County of San Diego’s general plan update. This forecast update has been reviewed and confirmed with local staffs and planning directors. The Board of Directors is asked to accept the 2030 Regional Growth Forecast Update for use in the comprehensive 2007 RTP and for other planning purposes.

19. 2006 SAN DIEGO REGIONAL TRIBAL SUMMIT - NEXT STEPS (Borders Committee Chair Patricia McCoy; Jane Clough-Riquelme)

Approval

The Borders Committee recommends that the Board of Directors approve several follow-up actions from the San Diego Regional Tribal Summit held on March 10, 2006, at the Pala Indian Reservation. These actions include: (1) working with Tribal Nations on tribal representation and a collaborative legislative agenda; (2) creation of an interagency technical working group on tribal transportation; and (3) review of outcomes from the policy breakout session held at the March 10, 2006, Tribal Summit in Pala.

20.

21.

22. UPCOMING MEETINGS

The regularly scheduled Policy and Business meetings of the SANDAG Board of Directors on August 11 and August 25, respectively, have been cancelled. The next regularly scheduled meeting of the Board of Directors Policy meeting is scheduled for Friday, September 8, 2006, 10 a.m. The next regularly scheduled meeting of the Board of Directors Business meeting is scheduled for Friday, September 22, 2006, at 9 a.m.

23. ADJOURNMENT

+ next to an agenda item indicates an attachment
* next to an agenda item indicates a San Diego County Regional Transportation Commission item
Continuing Negative Job Appraisals of the Governor and the Legislature, Despite Initial Support for Infrastructure Bonds.

by Mark DiCamillo and Mervin Field

At the end of this year’s primary election season, The Field Poll updated voter appraisals of Governor Arnold Schwarzenegger’s job performance and the state legislature, how they viewed the general direction of the state and the voting dispositions of likely voters regarding the four infrastructure bond proposals that will be on the November election ballot.

The survey finds that there has been little change in overall voter evaluations of the job the governor and state legislature is doing. Currently, 46% disapprove of Schwarzenegger’s performance, while 41% approve, not much different from a 47% - 39% negative rating in April.

Voters remain even more critical of the legislature’s performance, with 51% disapproving and 26% approving. That’s not much different than the two to one negative to positive assessment it received in April.

Contributing to these poor evaluations is the fact that a majority of voters (57%) believes the state is seriously off on the wrong track, while just 32% feel it is moving in the right direction. This is a slightly more optimistic assessment than what was observed in April.

On the other hand, voters are initially supportive of three of the four infrastructure bond proposals that will appear on the November election ballot. Majorities of large pluralities favor issuing multi-billion dollar bonds for disaster preparedness/flood protection, surface transportation and public school facility construction.
Governor’s job performance

Currently, 46% of registered voters disapprove of Schwarzenegger’s job performance while 41% approve. These findings are not a great deal different than those received by the governor in two earlier measures this year, although they are an improvement over the readings he obtained during the last half of 2005.

Table 1
Trend of Arnold Schwarzenegger's job performance as Governor
(among registered voters)

<table>
<thead>
<tr>
<th>Date</th>
<th>Approve</th>
<th>Disapprove</th>
<th>No opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Late May 2006</td>
<td>41%</td>
<td>46</td>
<td>13</td>
</tr>
<tr>
<td>April 2006</td>
<td>39%</td>
<td>47</td>
<td>14</td>
</tr>
<tr>
<td>February 2006</td>
<td>40%</td>
<td>49</td>
<td>11</td>
</tr>
<tr>
<td>October 2005</td>
<td>37%</td>
<td>56</td>
<td>7</td>
</tr>
<tr>
<td>August 2005</td>
<td>36%</td>
<td>52</td>
<td>12</td>
</tr>
<tr>
<td>June 2005</td>
<td>37%</td>
<td>53</td>
<td>10</td>
</tr>
<tr>
<td>February 2005</td>
<td>55%</td>
<td>35</td>
<td>10</td>
</tr>
<tr>
<td>September 2004</td>
<td>65%</td>
<td>22</td>
<td>13</td>
</tr>
<tr>
<td>August 2004</td>
<td>65%</td>
<td>22</td>
<td>13</td>
</tr>
<tr>
<td>May 2004</td>
<td>65%</td>
<td>23</td>
<td>12</td>
</tr>
<tr>
<td>February 2004</td>
<td>56%</td>
<td>26</td>
<td>18</td>
</tr>
<tr>
<td>January 2004</td>
<td>52%</td>
<td>27</td>
<td>21</td>
</tr>
</tbody>
</table>

Party (Late May 2006)

<table>
<thead>
<tr>
<th>Party</th>
<th>Approve</th>
<th>Disapprove</th>
<th>No opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Democrats</td>
<td>21%</td>
<td>68</td>
<td>11</td>
</tr>
<tr>
<td>Republicans</td>
<td>66%</td>
<td>23</td>
<td>11</td>
</tr>
<tr>
<td>Non-partisans/others</td>
<td>41%</td>
<td>41</td>
<td>18</td>
</tr>
</tbody>
</table>

State legislature ratings

Throughout most of the past three years, voter assessments of the state legislature’s job performance have been highly critical. Voters’ current ratings are more of the same, with about twice as many holding a negative (51%) than positive (26%) view.
Table 2
Trend of voter appraisals of the job the state legislature is doing
(among registered voters)

<table>
<thead>
<tr>
<th>Date</th>
<th>Approve</th>
<th>Disapprove</th>
<th>No opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Late May 2006</td>
<td>26%</td>
<td>51%</td>
<td>23%</td>
</tr>
<tr>
<td>April 2006</td>
<td>28%</td>
<td>56%</td>
<td>16%</td>
</tr>
<tr>
<td>February 2006</td>
<td>31%</td>
<td>48%</td>
<td>21%</td>
</tr>
<tr>
<td>October 2005</td>
<td>26%</td>
<td>58%</td>
<td>16%</td>
</tr>
<tr>
<td>Late August 2005</td>
<td>27%</td>
<td>54%</td>
<td>19%</td>
</tr>
<tr>
<td>June 2005</td>
<td>24%</td>
<td>57%</td>
<td>19%</td>
</tr>
<tr>
<td>February 2005</td>
<td>34%</td>
<td>52%</td>
<td>14%</td>
</tr>
<tr>
<td>September 2004</td>
<td>33%</td>
<td>46%</td>
<td>21%</td>
</tr>
<tr>
<td>August 2004</td>
<td>33%</td>
<td>49%</td>
<td>18%</td>
</tr>
<tr>
<td>May 2004</td>
<td>27%</td>
<td>52%</td>
<td>21%</td>
</tr>
<tr>
<td>February 2004</td>
<td>26%</td>
<td>58%</td>
<td>16%</td>
</tr>
<tr>
<td>January 2004</td>
<td>23%</td>
<td>62%</td>
<td>15%</td>
</tr>
<tr>
<td>July 2003</td>
<td>19%</td>
<td>67%</td>
<td>14%</td>
</tr>
<tr>
<td>April 2003</td>
<td>31%</td>
<td>51%</td>
<td>18%</td>
</tr>
<tr>
<td>2002 (average)</td>
<td>40%</td>
<td>40%</td>
<td>20%</td>
</tr>
<tr>
<td>2001 (average)</td>
<td>43%</td>
<td>37%</td>
<td>20%</td>
</tr>
<tr>
<td>2000 (average)</td>
<td>48%</td>
<td>25%</td>
<td>27%</td>
</tr>
<tr>
<td>1999 (average)</td>
<td>45%</td>
<td>28%</td>
<td>27%</td>
</tr>
<tr>
<td>1998 (average)</td>
<td>45%</td>
<td>33%</td>
<td>22%</td>
</tr>
<tr>
<td>1997 (average)</td>
<td>38%</td>
<td>40%</td>
<td>22%</td>
</tr>
<tr>
<td>1996 (average)</td>
<td>41%</td>
<td>49%</td>
<td>10%</td>
</tr>
<tr>
<td>1995 (average)</td>
<td>34%</td>
<td>59%</td>
<td>7%</td>
</tr>
<tr>
<td>1993 (average)</td>
<td>28%</td>
<td>64%</td>
<td>8%</td>
</tr>
<tr>
<td>1992 (average)</td>
<td>32%</td>
<td>64%</td>
<td>4%</td>
</tr>
<tr>
<td>1990 (average)</td>
<td>45%</td>
<td>48%</td>
<td>7%</td>
</tr>
<tr>
<td>1988 (average)</td>
<td>57%</td>
<td>36%</td>
<td>7%</td>
</tr>
<tr>
<td>1983 (average)</td>
<td>43%</td>
<td>49%</td>
<td>8%</td>
</tr>
<tr>
<td>Party (Late May 2006)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Democrats</td>
<td>29%</td>
<td>48%</td>
<td>23%</td>
</tr>
<tr>
<td>Republicans</td>
<td>22%</td>
<td>56%</td>
<td>22%</td>
</tr>
<tr>
<td>Non-partisan/other</td>
<td>27%</td>
<td>49%</td>
<td>24%</td>
</tr>
</tbody>
</table>

Note: Measures prior to 1996 conducted among all adults using a three- or five-point response scale, which was converted to the current two-point approve/disapprove scale for comparative purposes.

Direction of the state
As has been the case since early 2005, a large majority of California voters (57%) believe the state is seriously off on the wrong track, while only about one in three (32%) feel it is heading in the right direction. Even so, this current 32% positive rating is a slightly more optimistic assessment than was observed in April, when only 28% felt this way.
### Table 3
Overall direction that California is heading
(among registered voters)

<table>
<thead>
<tr>
<th>Date</th>
<th>Right direction</th>
<th>Wrong track</th>
<th>No opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Late May 2006</td>
<td>32%</td>
<td>57%</td>
<td>11%</td>
</tr>
<tr>
<td>April 2006</td>
<td>28%</td>
<td>56%</td>
<td>16%</td>
</tr>
<tr>
<td>February 2006</td>
<td>31%</td>
<td>55%</td>
<td>14%</td>
</tr>
<tr>
<td>October 2005</td>
<td>30%</td>
<td>63%</td>
<td>7%</td>
</tr>
<tr>
<td>August 2005</td>
<td>30%</td>
<td>57%</td>
<td>13%</td>
</tr>
<tr>
<td>June 2005</td>
<td>28%</td>
<td>60%</td>
<td>12%</td>
</tr>
<tr>
<td>February 2005</td>
<td>35%</td>
<td>53%</td>
<td>12%</td>
</tr>
<tr>
<td>September 2004</td>
<td>46%</td>
<td>38%</td>
<td>16%</td>
</tr>
<tr>
<td>May 2004</td>
<td>37%</td>
<td>51%</td>
<td>12%</td>
</tr>
<tr>
<td>February 2004</td>
<td>35%</td>
<td>54%</td>
<td>11%</td>
</tr>
<tr>
<td>August 2003</td>
<td>16%</td>
<td>76%</td>
<td>8%</td>
</tr>
<tr>
<td>July 2003</td>
<td>18%</td>
<td>75%</td>
<td>7%</td>
</tr>
<tr>
<td>April 2003</td>
<td>26%</td>
<td>65%</td>
<td>9%</td>
</tr>
<tr>
<td>September 2002</td>
<td>33%</td>
<td>54%</td>
<td>13%</td>
</tr>
<tr>
<td>January 2002</td>
<td>41%</td>
<td>50%</td>
<td>9%</td>
</tr>
<tr>
<td>2001 (average)</td>
<td>43%</td>
<td>50%</td>
<td>7%</td>
</tr>
<tr>
<td>2000 (average)</td>
<td>58%</td>
<td>35%</td>
<td>7%</td>
</tr>
<tr>
<td>1999 (average)</td>
<td>52%</td>
<td>34%</td>
<td>14%</td>
</tr>
<tr>
<td>1998 (average)</td>
<td>48%</td>
<td>42%</td>
<td>10%</td>
</tr>
<tr>
<td>1997 (average)</td>
<td>36%</td>
<td>54%</td>
<td>10%</td>
</tr>
<tr>
<td>1996 (average)</td>
<td>39%</td>
<td>49%</td>
<td>12%</td>
</tr>
<tr>
<td>1995 (average)</td>
<td>32%</td>
<td>57%</td>
<td>11%</td>
</tr>
<tr>
<td>1994 (average)</td>
<td>21%</td>
<td>70%</td>
<td>9%</td>
</tr>
<tr>
<td>1993 (average)</td>
<td>11%</td>
<td>83%</td>
<td>6%</td>
</tr>
<tr>
<td>1992 (average)</td>
<td>7%</td>
<td>90%</td>
<td>3%</td>
</tr>
<tr>
<td>1989 (average)</td>
<td>50%</td>
<td>42%</td>
<td>8%</td>
</tr>
<tr>
<td>1988 (average)</td>
<td>52%</td>
<td>43%</td>
<td>5%</td>
</tr>
</tbody>
</table>

### Party (Late May 2006)
- Democrats: 27% Yes, 62% No, 11% No opinion
- Republicans: 39% Yes, 52% No, 9% No opinion
- Non-partisan/other: 32% Yes, 54% No, 14% No opinion

*Note: Surveys prior to 1996 conducted among all California adults, not just registered adults.*

**Infrastructure bond proposals**

As a result of an agreement between the Governor and the state legislature, voters will be asked to approve four separate, multi-billion dollar infrastructure bond proposals on the November general election ballot. In this survey, likely voters in the November general election were asked whether they would vote Yes or No on each proposal.
The results indicate that there is currently greater than two to one support (58% to 25%) for Proposition 1e, the $4.1 billion bond for disaster preparedness and flood protection.

By a similar margin (57% to 24%) voters also support a $19.9 billion proposal, Prop. 1b, called the “Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act.”

A smaller, but still substantial, plurality of voters (48% to 34%) are also inclined to support Prop. 1d, a $10.4 billion bond for “Kindergarten through University Public Education Facilities.”

However, there is less support for Prop. 1c, a $2.8 billion proposal for “Housing and Emergency Shelter,” with voters dividing 39% in favor and 38% opposed.

<table>
<thead>
<tr>
<th>Would vote…</th>
<th>Yes</th>
<th>No</th>
<th>Undecided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prop. 1e, Disaster Preparedness and Flood Protection ($4.1 billion)</td>
<td>58%</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Democratics</td>
<td>57%</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td>Republicans</td>
<td>49%</td>
<td>35</td>
<td>16</td>
</tr>
<tr>
<td>Non-partisan/other</td>
<td>52%</td>
<td>27</td>
<td>21</td>
</tr>
<tr>
<td>Prop. 1b, Highway Safety, Traffic Reduction, Air Quality and Port Security ($19.9 billion)</td>
<td>57%</td>
<td>24</td>
<td>19</td>
</tr>
<tr>
<td>Democratics</td>
<td>61%</td>
<td>17</td>
<td>22</td>
</tr>
<tr>
<td>Republicans</td>
<td>53%</td>
<td>30</td>
<td>17</td>
</tr>
<tr>
<td>Non-partisan/other</td>
<td>53%</td>
<td>28</td>
<td>19</td>
</tr>
<tr>
<td>Prop. 1d, Kindergarten through University Public Education Facilities ($10.4 billion)</td>
<td>48%</td>
<td>34</td>
<td>18</td>
</tr>
<tr>
<td>Democratics</td>
<td>57%</td>
<td>22</td>
<td>21</td>
</tr>
<tr>
<td>Republicans</td>
<td>35%</td>
<td>50</td>
<td>15</td>
</tr>
<tr>
<td>Non-partisan/other</td>
<td>51%</td>
<td>29</td>
<td>20</td>
</tr>
<tr>
<td>Prop. 1c, Housing and Emergency Shelter ($2.8 billion)</td>
<td>39%</td>
<td>38</td>
<td>23</td>
</tr>
<tr>
<td>Democratics</td>
<td>50%</td>
<td>24</td>
<td>26</td>
</tr>
<tr>
<td>Republicans</td>
<td>25%</td>
<td>58</td>
<td>17</td>
</tr>
<tr>
<td>Non-partisan/other</td>
<td>37%</td>
<td>36</td>
<td>27</td>
</tr>
</tbody>
</table>
Information About The Survey

Sample Details

The findings in this report are based on a random sample survey of 986 Californians registered to vote. Interviewing was conducted in English and Spanish between the period May 23-31, 2006. Findings relating to the infrastructure bonds race are based on 702 likely voters in the November general election.

Telephone households were sampled using a random digit dial methodology, which randomly selects operating landline telephone exchanges within all area codes serving California households in proportion to population. Within each exchange, random samples of telephone numbers are created by adding random digits to each selected telephone exchange. This method gives each phone listing an equal chance of being selected and permits access to all landline telephone numbers both listed and unlisted.

According to statistical theory, 95% of the time results from the overall registered voter sample have a sampling error or +/- 3.2 percentage points, while findings relating to the infrastructure bonds have a sampling error of +/- 3.8 percentage points. There are other possible sources of error in any survey other than sampling variability. Different results could occur because of differences in question wording, sampling, or sequencing or through undetected omissions or errors in interviewing or data processing. Extensive efforts were made to minimize such potential errors.

Questions Asked

Do you approve or disapprove of the way Arnold Schwarzenegger is handling his job as Governor of California?

Overall, do you approve or disapprove of the way the California state legislature is doing its job?

Thinking about the state, do you think things in California are generally going in the right direction or do you feel things are seriously off on the wrong track?

ASKED OF LIKELY VOTERS IN THE NOVEMBER GENERAL ELECTION:

The Governor and the state legislature recently approved placing a package of state bonds totaling 37 billion dollars for infrastructure projects, such as educational facilities, surface transportation, flood protection and affordable housing, on the November 2006 election ballot. I am going to read the four bond proposals and for each please tell me whether you would be inclined to vote YES or NO if the election were being held today. (BOND PROPOSALS READ IN NUMERIC ORDER) If the election were being held today, would you be inclined to vote YES or NO on this bond proposal? (SEE RELEASE FOR SPECIFIC PROPOSALS READ)