EXECUTIVE COMMITTEE AGENDA

Friday, April 10, 2015
9 to 10 a.m.
SANDAG, 7th Floor Conference Room
401 B Street
San Diego

Beginning in February, the parking garage elevators at Wells Fargo Plaza will undergo a six-month mechanical modernization. During this period, only one garage elevator will be in service. Please allow yourself extra time to make your way up from the garage to the SANDAG offices and Board Room. For those requiring special assistance, please call the SANDAG front desk in advance of any meetings at (619) 699-1900.

AGENDA HIGHLIGHTS

- LEGISLATIVE STATUS REPORT

PLEASE SILENCE ALL ELECTRONIC DEVICES 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 · 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 the Clerk of the Committee seated at the front table. Members of the public may address the Committee on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Public speakers are limited to three minutes or less per person. The Executive Committee may take action on any item appearing on the agenda.

Public comments regarding the agenda can be sent to SANDAG via comment@sandag.org. Please include the agenda item, your name, and your organization. Email comments should be received no later than 12 noon, two working days prior to the Executive Committee meeting. Any handouts, presentations, or other materials from the public intended for distribution at the Executive Committee meeting should be received by the Committee Clerk no later than 12 noon, two working days prior to the meeting.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG also provides access to all agenda and meeting materials online at www.sandag.org/meetings. Additionally, interested persons can sign up for e-notifications via our e-distribution list at either the SANDAG website or by sending an email request to webmaster@sandag.org.

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EXECUTIVE COMMITTEE
Friday, April 10, 2015

ITEM NO.  RECOMMENDATION

1. APPROVAL OF MEETING MINUTES  APPROVE

The Executive Committee is asked to review and approve the minutes from its March 13, 2015, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Committee that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk prior to speaking. Public speakers should notify the Clerk if they have a handout for distribution to Committee members. Public speakers are limited to three minutes or less per person. Committee members also may provide information and announcements under this agenda item.

REPORTS

+3. REVIEW OF DRAFT BOARD AGENDAS (Kim Kawada)  APPROVE

+3A. Draft Board Business Agenda April 24, 2015

+4. LEGISLATIVE STATUS REPORT (Robyn Wapner)  DISCUSSION/POSSIBLE ACTION

Periodic status reports on legislative activities are reported to the Executive Committee throughout the year. This report provides an update on state legislation for possible action by the Executive Committee.

5. CONTINUED PUBLIC COMMENTS

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

6. UPCOMING MEETINGS  INFORMATION

The next meeting of the Executive Committee is scheduled for Friday, May 8, 2015, at 9 a.m.

7. ADJOURNMENT

+ next to an agenda item indicates an attachment
EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS

MARCH 13, 2015

Chair Jack Dale (East County) called the meeting of the SANDAG Executive Committee to order at 9:01 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF THE FEBRUARY 13, 2015, MEETING MINUTES

Action: Upon a motion by Councilmember Chris Orlando (North County Inland) and a second by Mayor Jim Wood (North County Coastal), the minutes of the February 13, 2015, Executive Committee meeting were approved. Yes - Chair Dale, Supervisor Bill Horn (Chair, County of San Diego), Councilmember Orlando, Mayor Wood, and Councilmember Todd Gloria (City of San Diego). No - 0. Abstain - 0. Absent – South County.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

There were no public/member comments.

REPORTS

3. REVIEW OF DRAFT BOARD AGENDAS (APPROVE)

The Executive Committee was asked to approve the draft agenda for the March 27, 2015, Board Business meeting. Staff provided a verbal update on the April 10, 2015, Board Policy meeting agenda.

Kim Kawada, Chief Deputy Executive Director, presented the item. Ms. Kawada stated that currently there are no agenda items for the April 10, 2015, Board Policy meeting and would recommend canceling the meeting if no agenda items are identified.

Action: Upon a motion by Councilmember Orlando and a second by Mayor Wood, the Executive Committee approved the agenda for the March 27, 2015, Board Business meeting, as amended. Yes - Chair Dale, Vice Chair Ron Roberts (County of San Diego), Councilmember Orlando, Mayor Ron Morrison (South County), Mayor Wood, and Councilmember Gloria. No - 0. Abstain - 0. Absent - None.
4. **DRAFT FY 2016 PROGRAM BUDGET (RECOMMEND)**

Staff has developed the Draft FY 2016 Program Budget, including the Overall Work Program, Regional Operations and Services, Capital Program, and Administration components based on direction from the Executive Committee. SANDAG Bylaws require the Board of Directors approve a preliminary budget by April 1 of each year.

André Douzdjian, Director of Finance, and Tim Watson, Budget Program Manager, presented the item.

**Action**: Upon a motion by Mayor Morrison and a second by Mayor Wood, the Executive Committee authorized distribution of the Draft FY 2016 Program Budget to the funding agencies and recommended that the Board of Directors approve the Draft FY 2016 Program Budget and authorize distribution of the document to member agencies and other interested parties for review. Yes - Chair Dale, Vice Chair Roberts, Councilmember Orlando, Mayor Morrison, Mayor Wood, and Councilmember Gloria. No - 0. Abstain - 0. Absent - None.

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

Chair Dale pulled this item from the agenda.


SANDAG Board Policy No. 012: SANDAG Service Bureau, requires the Executive Committee receive periodic progress reports on the project activities and financial status of the Service Bureau. This report also included the FY 2014 financial audit of SourcePoint, performed annually, as required by the SourcePoint Bylaws.

Cheryl Mason, Senior Research Analyst and Service Bureau Director, presented the item.

**Action**: This item was presented for information.

7. **CONTINUED PUBLIC COMMENTS**

There were no continued public comments.

8. **UPCOMING MEETINGS**

The next meeting of the Executive Committee is scheduled for Friday, April 10, 2015, at 9 a.m. Chair Dale noted that should the April 10, 2015, Board Policy meeting be canceled, the Executive Committee will still meet.

9. **ADJOURNMENT**

Chair Dale adjourned the meeting at 9:53 a.m.
# CONFIRMED ATTENDANCE
## SANDAG EXECUTIVE COMMITTEE MEETING
### MARCH 13, 2015

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<tr>
<th>GEOGRAPHICAL AREA</th>
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REVIEW OF THE APRIL 24, 2015, DRAFT BOARD BUSINESS AGENDA

ITEM NO. APPROVAL OF MEETING MINUTES

+1. APPROVAL OF MEETING MINUTES
   +1A. March 13, 2015, Board Policy Meeting Minutes
   +1B. March 27, 2015, Board Business Meeting Minutes

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS
   Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” 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. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

3. ACTIONS FROM POLICY ADVISORY COMMITTEES (Robyn Wapner)
   This item summarizes the actions taken by the Policy Advisory Committees since the last Board Business Meeting. The Board of Directors is asked to ratify these actions.

CONSENT

4. APPROVAL OF PROPOSED SOLICITATIONS AND CONTRACTS (Laura Coté)*
   The Board of Directors is asked to review and approve the proposed solicitations and contract awards summarized in the attached reports.

   +4A. Solicitations
   +4B. Contract Awards

5. FEDERAL TRANSIT ADMINISTRATION SECTION 5311 PROGRAM OF PROJECTS (Michelle Smith)
   The Federal Transit Administration (FTA) provides funding for capital and operating assistance to agencies providing transportation services in rural areas through the Section 5311 Non-Urbanized Area Formula Program. Caltrans has published the estimated apportionment for the FFY 2015 Section 5311 Program. The Transportation Committee recommends that the Board of Directors approve the apportionment of FTA Section 5311 funds for FFY 2015.
+6. **REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY THE EXECUTIVE DIRECTOR** (André Douzdjian)*

In accordance with various SANDAG Board Policies, this report summarizes certain delegated actions taken by the Executive Director since the last Board of Directors meeting.

+7. **REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG** (Robyn Wapner)

Board members will provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

### REPORTS

+8. **DRAFT SAN DIEGO FORWARD: THE REGIONAL PLAN** (San Diego Councilmember Todd Gloria, Transportation Committee Chair; Philip Trom)*

The Draft San Diego Forward: The Regional Plan (Regional Plan), including its Sustainable Community Strategy (SCS), combines the big picture vision for how our region will grow over the next 35 years with an implementation program to help make that vision a reality. The Board of Directors is asked to: (1) accept the Draft Regional Plan for distribution; (2) authorize staff to distribute the Draft Environmental Impact Report (Draft EIR) under development for the Regional Plan as soon as it is available; and (3) schedule various public hearings and workshops on the Draft Regional Plan, including its SCS and Draft EIR, and set the closing date for public comments on the Draft Regional Plan and its SCS.

+9. **PROPOSED FY 2015 PROGRAM BUDGET AMENDMENT AND CONTRACT AWARD: STATE ROUTE 15 BUS RAPID TRANSIT: MID-CITY CENTERLINE STATIONS** (San Diego Councilmember Todd Gloria, Transportation Committee Chair; Gustavo Dallarda, Caltrans)*

The lowest bid received for the State Route 15 Bus Rapid Transit (SR 15 BRT): Mid-City Centerline Stations Project exceeds the engineer’s estimate and current project budget. The Transportation Committee recommends that the Board of Directors approve an amendment to the FY 2015 Program Budget to transfer funding within the Interstate 15 Corridor as well as transfer a portion of the construction costs for the El Cajon Station transit plaza to the Mid-City Rapid Bus Project. The Board of Directors also is asked to authorize the Executive Director to execute a construction award for the SR 15 BRT: Mid-City Centerline Stations Project.

+10. **2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT No. 3** (San Diego Councilmember Todd Gloria, Transportation Committee Chair; Dawn Vettese)*

On September 26, 2014, the Board of Directors adopted the 2014 Regional Transportation Improvement Program (RTIP). The 2014 RTIP is the multiyear program of proposed major transportation projects in the San Diego region, covering the period FY 2015 to FY 2019. Amendment No. 3 is a regular quarterly formal amendment and reflects changes to projects as requested by member agencies. The Transportation Committee recommends that the Board of Directors adopt Resolution 2015-XX, approving Amendment No. 3 to the 2014 RTIP.
+11. STATEWIDE ACTIVE TRANSPORTATION PROGRAM CALL FOR PROJECTS  
(San Diego Councilmember Todd Gloria, Transportation Committee Chair; Linda Culp)  
The California Transportation Commission issued a call for projects for the Active Transportation Program (ATP) on March 26, 2015. The Transportation Committee recommends that the Board of Directors approve the list of proposed SANDAG projects for ATP statewide competitive funding and adopt Resolution No. 2015-XX, approving the application for ATP funds.

+12. REGIONAL ACTIVE TRANSPORTATION PROGRAM CALL FOR PROJECTS  
(San Diego Councilmember Todd Gloria, Transportation Committee Chair; Jenny Russo)  
The California Transportation Commission (CTC) Active Transportation Program (ATP) Guidelines require that 40 percent of the fund estimate be allocated by the regional Metropolitan Planning Organizations through a competitive selection process. The Transportation Committee recommends that the Board of Directors approve the submission of the proposed Regional ATP Project Selection Criteria to the CTC for use in the Regional ATP competition.

13. CONTINUED PUBLIC COMMENTS  
If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

14. UPCOMING MEETINGS  
The next Board Policy meeting is scheduled for Friday, May 8, 2015, at 10 a.m.  
The next Board Business meeting is scheduled for Friday, May 22, 2015, at 9 a.m.

15. ADJOURNMENT

* next to an agenda item indicates that the Board of Directors also is acting as the San Diego Regional Transportation Commission for that item
REVIEW OF THE MAY 8, 2015, DRAFT BOARD POLICY AGENDA

ITEM NO. | RECOMMENDATION
--- | ---
1. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” 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. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

REPORTS

+2. REGIONAL TRANSIT ORIENTED DEVELOPMENT STRATEGY (Solana Beach Mayor Lesa Heebner, Regional Planning Committee Chair; Bill Anderson, AECOM; Dena Belzer, Strategic Economics; Susan Baldwin, SANDAG)

SANDAG is preparing a Regional Transit Oriented Development (TOD) Strategy consistent with Board of Directors action in 2011 on the 2050 Regional Transportation Plan and its Sustainable Communities Strategy. SANDAG staff and the consulting team will present an overview of the TOD issues faced in the San Diego region as well as recommendations for discussion by the Board of Directors. Based upon input received, a draft TOD Strategy will be prepared for consideration by the Board this summer.

3. CONTINUED PUBLIC COMMENTS

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

4. UPCOMING MEETINGS

The next Board Business meeting is scheduled for Friday, May 22, 2015, at 9 a.m.

5. ADJOURNMENT

+ next to an agenda item indicates an attachment
LEGISLATIVE STATUS REPORT

Introduction

Monthly status reports on legislative activities are provided to the Executive Committee. Attachments 1 and 2 respectively include summaries from Ellison Wilson Advocacy, LLC on state legislative activity, and from Peyser Associates LLC on federal legislative activity related to SANDAG for the month of March. In addition, this report provides an update on Senate Bill 249 (Hueso) (SB 249) regarding an enhanced driver’s license program; Assembly Bill 516 (Mullin) (AB 516) regarding temporary license plates; and Assembly Bill 914 (Brown) (AB 914) regarding toll facilities in San Bernadino.

Discussion

The 2015 SANDAG Legislative Program was approved by the Board of Directors at its January 23, 2015, meeting. The SANDAG Legislative Program serves as a road map to follow as legislation is introduced and activities occur during the federal and state legislative sessions.

The Executive Committee is asked to discuss and take possible action on the following bills:

Senate Bill 249 - Vehicles: Enhanced Driver’s License

SB 249 was introduced by Senator Ben Hueso (D – San Diego) on February 18, 2015, and was referred to the Senate Committee on Transportation and Housing. The bill would authorize the California Department of Motor Vehicles to enter into a Memorandum of Understanding with a federal agency for the purpose of facilitating travel within the western hemisphere pursuant to the federal Western Hemisphere Travel Initiative through the issuance of an enhanced driver’s license (EDL), instruction permit, provisional license, or identification card. An EDL is a standard driver’s license that is enhanced in process, technology, and security to denote identity and citizenship for purposes of entering the United States at land and sea ports of entry. This legislation, if passed, would eliminate the need to “key in” travelers and is expected to translate into a 60 percent faster processing time than manual queries. EDLs also contain radio frequency identification technology, which would allow them to be used in “Ready Lanes” at border crossings. Supporters of the legislation include the City of San Diego, City of Chula Vista, Imperial County Transportation Commission, Otay Mesa Chamber of Commerce, San Diego Chamber of Commerce, Casa Familiar, State of Baja California, and U.S. Representative Juan Vargas (D-CA). As of this report, no opposition for the bill has been registered.
Senator Hueso has requested SANDAG support for SB 249. Support for this bill is consistent with Goal No. 5A of the SANDAG Legislative Program, which supports efforts by SANDAG to address border transportation infrastructure needs consistent with the Regional Transportation Plan (RTP), Regional Comprehensive Plan, and California-Baja California Border Master Plan. SANDAG has been supportive of prior versions of this bill, as introduced by Senator Hueso.

**Assembly Bill 516 – Vehicles: Temporary License Plates**

AB 516 was introduced by Assembly Member Kevin Mullin (D – South San Francisco) on February 23, 2015, and was referred to the Assembly Committee on Transportation. The bill creates a temporary license plate system to enable vehicle dealers to print out and affix temporary license plates to new and leased vehicles. Currently, the state does not issue temporary tags, and drivers are required to install visible plates only upon receipt or within 90 days of purchase. This often makes it difficult for law enforcement to visually identify a vehicle’s documentation, and for toll agencies to document and enforce violators using toll facilities. This legislation, if passed, would enable SANDAG to better identify users of the South Bay Expressway and Interstate 15 (I-15) Express Lanes to ensure efficient collection of tolls. Supporters of the legislation include the Metropolitan Transportation Commission (MTC) and the Golden Gate Bridge, Highway, and Transportation District. As of this report, no opposition for the bill has been registered.

MTC has requested SANDAG support for AB 516. Support for this bill is consistent with Goal No. 9B, which enables support for mechanisms that help implement the RTP, including value pricing, Express Lanes, High Occupancy Toll Lanes, and other efforts that promote efficient use of highways and local roads.

**Assembly Bill 914 – Toll facilities: County of San Bernardino**

AB 914 was introduced by Assembly Member Cheryl Brown (D – San Bernardino) on February 26, 2015, and was referred to the Assembly Committee on Transportation. This bill would grant the San Bernardino Associated Governments (SANBAG) authority to implement an express lane program on the Interstate 10 and I-15 corridors in San Bernardino County. In 2006, the Legislature delegated responsibility for approving toll lanes to the California Transportation Commission, but limited its authority to no more than four projects statewide. This authority has been fully expended, and thus, several local transportation agencies have sought legislative authorization to establish express or toll lanes in their respective jurisdictions in the years following the passage of that bill.

SANBAG is the sponsor of AB 914 and has requested SANDAG support for AB 516. As of this report, no opposition for the bill has been registered. Support for this bill is consistent with Goal No. 16B of the SANDAG Legislative Program, which supports other organizations’ legislative programs where consistent with SANDAG Policy.
Next Steps

Staff will continue to keep the Executive Committee updated as the various bills move through the legislative process.

JOSÉ A. NUNCIO
TransNet Department Director

Attachments: 1. Report from Ellison Wilson Advocacy, LLC
            2. Report from Peyser Associates LLC

Key Staff Contact: Robyn Wapner, (619) 699-1994, robyn.wapner@sandag.org
TO: SANDAG BOARD OF DIRECTORS

FROM: ELLISON WILSON ADVOCACY, LLC

SUBJECT: SANDAG LEGISLATIVE ACTIVITY REPORT – MARCH 2015

LEGISLATIVE UPDATE

2015 Legislation

More than 2,400 bills were introduced prior to the February 27 deadline for bills to be introduced in 2015. The vast majority of these bills were introduced on or around this bill introduction deadline. Newly introduced non-budget bills cannot be acted on within 30 days per Joint Rule 55, so these bills have not yet had a policy committee hearing. This will change shortly, as all fiscal bills must be passed by policy committees by May 1, 2015.

Thus far, we have seen a number of High Occupancy Toll (HOT)/High Occupancy Vehicle (HOV) Lane bills introduced this year, which intersect with SANDAG Legislative Priority 9B (efforts that promote the efficient use of highways and local roads). These Assembly Bills (AB) and Senate Bills (SB) are as follows:

**AB 194** by Assembly Member Jim Frazier (D-Oakley; Chair of the Assembly Transportation Committee) would delete the requirement that HOT Lane facilities be consistent with the established standards, requirements, and limitations that apply to specified facilities and would instead require the California Transportation Commission (CTC) to establish guidelines for the development and operation of the facilities approved by the CTC on or after January 1, 2016, subject to specified minimum requirements. The bill would provide that these provisions do not authorize the conversion of any existing non-toll or non-user fee lanes into tolled or user fee lanes, except that an HOV Lane may be converted into a HOT Lane pursuant to its provisions. This bill is sponsored by the Self-Help Counties Coalition and is very similar to last year’s SB 983 (Hernandez) (which was held on the Assembly Appropriations Committee’s suspense file). According to the author’s office, AB 194 is a “starting point” for this year’s discussion on the matter.

**AB 210** by Assembly Member Mike Gatto (D-Glendale) would prohibit, commencing July 1, 2016, any HOV Lane from being established on specified portions of state highway routes in the County of Los Angeles, unless that lane is established as an HOV Lane only during the hours of heavy commuter traffic, as determined by the Department of Transportation. The bill would require any existing HOV Lane established on the specified portions of these routes to be modified to conform with those requirements.
**AB 457** by Assembly Member Melissa Melendez (R-Lake Elsinore) would require the CTC, in cooperation with the Legislative Analyst, to prepare the report on the progress of the development and operation of HOT Lanes every two years (rather than annually).

**AB 620** by Assembly Member Roger Hernandez (D-West Covina) would require the Los Angeles County Metropolitan Transportation Authority (LACMTA), in implementing the value-pricing and Transit Development Program, to adopt eligibility requirements for mitigation measures for commuters and transit users of low and moderate income, as defined, and also would require LACMTA to provide hardship exemptions from the payment of toll charges for commuters who meet the eligibility requirements for specified assistance programs.

**AB 1287** by Assembly Member David Chiu (D-San Francisco) would authorize San Francisco to install forward facing cameras to record parking violations and HOV Lane and intersection obstruction violations. The bill would require an HOV Lane or intersection obstruction violation recorded pursuant to these provisions to be subject to a civil penalty not to exceed $100.

**SB 39** by Senator Fran Pavley (D-Agoura Hills) would increase the number of vehicles that the Department of Motor Vehicles is authorized to issue a specified label to use lanes designated for HOVs to an unspecified amount. Current federal law, until September 30, 2017, authorizes a state to allow 70,000 specified labeled vehicles to use lanes designated for HOVs.

**Highway Tolling Trailer Bill Language** also was released by the Department of Finance, which appears to incorporate recommendations contained in the California Transportation Infrastructure Priorities whitepaper released on this subject in January 2015, "Tolling and Pricing for Congestion Management and Transportation Infrastructure Funding." The following recommendations are included:

1. permanently reinstate the process established under AB 1467 (Nunez) in 2006 in which regional agencies could apply to the CTC to operate HOT Lanes
2. expand this authority to Caltrans
3. eliminate the cap on the number of projects that could be approved
4. include express toll lanes and toll roads in addition to HOT Lanes

The trailer bill language also details the approval process, the expenditure plan, and the creation of a Highway Toll Account. The respective budget subcommittees in both the Senate and Assembly will continue to discuss this issue as part of the ongoing budget discussions at the Capitol.

**ACTIVITY REPORT**

3/3: Weekly teleconference with SANDAG staff; reviewed and analyzed Legislative Analyst Office report regarding “2015-16 Budget: Transportation Proposals,” which provides an overview and recommendations regarding the Governor’s budget proposal for all departments and programs under the California State Transportation Agency; provided subsequent updates to SANDAG staff.
3/5: Reviewed and analyzed SB 34 (Hill) regarding automated license plate reader transportation agency exemption.

3/9: Finalized “Preliminary SANDAG Legislative List for Review and Prioritization,” in which we reviewed the 2,400 bills introduced this year and provided SANDAG staff with a summary of more than 200 bills identified as a potential priority for SANDAG.

3/10: Weekly teleconference with SANDAG staff; provided SANDAG staff with update on SB 34.

3/11: Communication with SANDAG staff regarding 3/13 Senate Transportation and Housing Committee Hearing in Los Angeles regarding “Transportation Funding Needs of the Southern California Region: Lessons Learned from Other States”; review of background paper for hearing.

3/12: Meeting with Senate Transportation Committee staff regarding 3/13 hearing; review of talking points for hearing.

3/13: Monitored Senate Transportation hearing; provided subsequent update to SANDAG staff.

3/17: Met with SANDAG staff and San Diego Delegation at Capitol for San Diego Regional Chamber of Commerce meeting; attended/monitored Joint Oversight Hearing of the Senate Transportation and Environmental Quality committees regarding “The Road to 2020 and Beyond: The Role of the Transportation Sector in Meeting California’s Climate Goals.”

3/18: Reviewed SANDAG press release regarding Supreme Court review.

3/20: Reviewed and analyzed amendments to AB 1250 (Bloom) regarding bus weights and AB 338 (Hernandez) regarding LACMTA transportation tax; provided subsequent updates to SANDAG staff.

3/24: Weekly teleconference with SANDAG staff.

3/25: Reviewed and analyzed amendments to SB 9 (Beall) regarding Transit and Intercity Rail Capital Program.

3/26: Communication with SANDAG staff regarding CalEnviroScreen and comments at 3/17 Senate Transportation hearing.

3/27: Reviewed and analyzed amendments to AB 102 (Rodriguez) regarding Regional Railroad and Surface Transportation Accident Preparedness and Immediate Response Force, AB 726 (Nazarian) regarding Metro buses, AB 779 (Garcia) regarding California Environmental Quality Act (CEQA), AB 877 (Chu) regarding CTC composition, AB 1164 (Gatto) regarding Caltrans performance measures, AB 1169 (Gomez) regarding Strategic Growth Council, AB 1205 (Gomez) regarding community parks, AB 1268 (Steinworth) regarding CEQA, AB 1324 (Williams) regarding greenhouse gases, AB 1336 (Salas) regarding disadvantaged communities, SB 16 (Beall) regarding State Highway Protection and Operation Program, SB 122 (Jackson) regarding CEQA, SB 158 (Huff) regarding development leases, SB 321 (Beall) regarding motor vehicle fuel taxes, and Senate Constitutional Amendment 5 (Hancock) regarding special taxes; provided subsequent updates to SANDAG staff.
3/30: Reviewed and analyzed amendments to AB 2 (Alejo) regarding community revitalization authority, AB 156 (Perea) regarding disadvantaged communities, AB 197 (Garcia) regarding the California Renewables Portfolio Standard Program, AB 322 (Waldron) regarding social security numbers, AB 457 (Melendez) regarding HOT Lanes, AB 484 (Gipson) regarding the California Export Finance Office, AB 641 (Mayes) regarding environmental impact reports, AB 654 (Brown) regarding redevelopment agency wind down, AB 668 (Gomez) regarding affordable housing, AB 744 (Chau) regarding onsite parking, and AB 1098 (Bloom) regarding congestion management programs; provided subsequent updates to SANDAG staff.
March 5, 2015

Reauthorization Watch

On March 3, 2015, the House of Representatives dropped its effort to attach a rollback of President Obama’s immigration policy to the Homeland Security appropriations bill for FY 2015. They passed a “clean” appropriations bill for the remainder of the fiscal year and sent it to the President.

The potential now exists for a similarly controversial rider to be attached to surface transportation authorization legislation. On March 4, 2015, after the Senate failed to override the President’s veto of legislation to force approval of the Keystone XL pipeline, Senator John Hoeven (R-ND) said that attaching the Keystone language to the surface transportation legislation was a potential. Should that be attempted, the surface transportation bill is likely to run into serious problems. It can be expected that attaching Keystone would cause a veto of the highway/transit bill, thereby triggering a drama similar to the one we just watched on the Homeland Security funding bill.

Amtrak/Passenger Rail Legislation

The House passed a rail reauthorization bill, Passenger Rail Reform and Investment Act (PRRIA), on March 4, 2015, by a vote of 316-101. Despite House Transportation and Infrastructure (T&I) Committee Chairman Bill Shuster’s (R-PA) strong support for the legislation, all of the “no” votes came from Republicans and it was considered a key vote by the conservative group Heritage Action, which opposes the bill for continuing to subsidize Amtrak and not mandating privatization.

The legislation covers five fiscal years, 2015-2019. A key theme in the bill is more transparency in the way Amtrak keeps its books. The goal of this is to draw distinctions between the way Amtrak finances the Northeast Corridor (NEC) and the rest of the rail network. The measure would authorize about $470 annually for the NEC and $982 million per year for Amtrak’s other routes.

A number of amendments were accepted during House floor debate, including one by Congressman John Mica (R-FL), who changed his tactic from the amendment he offered during committee markup mandating private high-speed rail on the NEC. Instead, Mica produced a winning amendment requiring Amtrak and the NEC Infrastructure and Operations Advisory Commission to submit a report to Congress within 180 days of the bill’s enactment detailing the impact high-speed rail service would have on existing commuter rail services and infrastructure in the NEC. Other amendments that were accepted during debate addressed safety at highway-rail crossings and the use of veteran-owned small businesses.

An amendment from California Republican Tom McClintock to eliminate all federal subsidies for Amtrak was defeated in a 272-147 vote against the measure.
Positive Train Control Deadline Delay Legislation

A bipartisan group of Senators introduced legislation (S. 650) on March 4 to extend the deadline for implementation of Positive Train Control (PTC) from December 31, 2015, to December 31, 2020. The bill was introduced by the two most senior committee members on each side of the aisle from the Committee on Commerce Science and Transportation: Chairman John Thune (R-SD), Roy Blunt (R-MO), Bill Nelson (D-FL), and Claire McCaskill (D-MO). The fact that these Senators introduced the bill together is a strong signal that the Commerce Committee intends to include this legislation in rail legislation to be considered later in the year.

Foxx Testifies Before Senate Commerce Committee

On March 3, Department of Transportation (DOT) Secretary Anthony Foxx testified before the Senate Commerce, Science, and Transportation Committee. The Senate Commerce Committee has jurisdiction over numerous aspects of DOT, including aviation, rail, highway safety, and pipeline safety. One interesting statistic that Foxx used in the hearing was that $1 billion worth of projects was put on hold when the Moving Ahead for Progress Act (MAP-21) was extended instead of Congress passing a new, long-term bill. When questioned by Surface Transportation Subcommittee Chair Deb Fisher (R-NE) about the Administration’s proposal for a long-term component to raise needed revenue, Foxx admitted that the plan for a 14 percent mandatory tax on overseas earnings is in fact only a temporary solution. However, with future transportation planning for infrastructure needs currently stalled because of the short-term extensions that have been running the nation’s transportation programs, the Administration feels like it is necessary to jump start the planning process with a six-year robust bill and then reassess what a true long-term, permanent solution is.

Foxx also was questioned multiple times about the fact that there are five acting administrators within DOT’s modal agencies and only one has been formally nominated and submitted to Congress (Federal Transit Administration’s Therese McMillan).

March 19, 2015

Reauthorization Watch

On March 17, the House T&I Committee held a reauthorization hearing, but it was Chairman Shuster’s comments to reporters the following day that are much more newsworthy. The Senate Finance Committee has given itself a deadline of May 31, 2015, to come up with a long-term funding solution. This deadline means that a short-term extension would be necessary because MAP-21 currently is scheduled to expire on the same date. Shuster, however, indicated that he is still in talks with Ways and Means Chairman Paul Ryan (R-WI) to produce a long-term solution before the end of May and has pegged the conclusion of the upcoming spring recess as the time when a proposal must be introduced to give it any chance of passage by May 31. Congress is out of session the weeks of March 30 and April 6.

Even if the House can reach agreement on how best to move forward, the Senate is not on a schedule that allows for a long-term bill to be produced by May 31, so we expect an extension will be required to bridge the time between May 31 and a later date when a final package can be developed.
When speaking to reporters, Shuster also continued to declare a gas tax increase dead, stating, “I think pretty much everybody in this town has come to the conclusion that repatriation is where the dollars are. There is no one willing in this Congress or in the administration to do anything with adjusting user fees or taxes.”

At the T&I hearing featuring state and local leaders, witnesses told the familiar story of how harmful the lack of a long-term bill is for planning purposes and that projects will start being postponed or outright cancelled as the May 31 deadlines approaches with no action. In addition, Congressman Peter DeFazio (D-OR) used his time to make clear that even the Republican witnesses, such as North Carolina Governor Pat McCrory, believe that devolution would be extremely harmful to the states. Even states that pursue all sorts of creative solutions to finance infrastructure still have a need for federal funding. McCrory said, “Make no mistake, part of the solution must be continuation of a strong, flexible, and reliable federal program, which currently makes up almost 28 percent of our total transportation budget.”

**FY 2016 Budget Resolution**

House and Senate Republican leaders put forth FY 2016 budgets this week, but both chambers were silent on the amount of money that would be directed towards the Highway Trust Fund (HTF). The FY 2016 House budget calls for cuts of $5.1 trillion over ten years to balance the budget while the FY 2016 Senate version requests $5.5 trillion worth of cuts over ten years.

Related to transportation, House and Senate versions call for a “deficit-neutral reserve fund for transportation,” which essentially is a way for Congress to support transportation funding without giving a specific dollar amount. In addition, it makes clear that whatever is decided regarding the HTF does not add to the deficit. Inclusion of a reserve fund in a budget resolution can have a procedural impact by making it easier to pass legislation on the given issue because it is exempt from budget points of order.

The House budget resolution includes language on the HTF, stating:

“*Without reform, the Highway Trust Fund faces two outcomes. Under current law, the Highway Trust Fund cannot incur negative balances, so spending will automatically decrease and the Department of Transportation (DOT) will have to ration the amounts it reimburses to states to maintain a ‘prudent balance’ in the fund. Alternately, Congress will need to continue to provide additional bailouts, in the form of transfers from the general fund, paid for with borrowed money...The budget includes a reserve fund to provide for innovative thinking to bring a new surface-transportation bill to passage, as long as that legislation is deficit neutral.*”

**Plan for a Rail Bill Emerges in the Senate**

On March 18, Senate Commerce Committee Chairman John Thune indicated that he plans to bring before the committee soon a bill to deal with freight rail issues and the Surface Transportation Board. He indicated this could take place as soon as the week of March 23. While the Senate bill would focus mainly on freight issues, Thune did indicate that one path forward on the legislation would be to attach it to the House-passed rail bill, PRRIA, which deals chiefly with passenger rail issues, and combine the two into one package. Thune noted that this package could then be moved as a stand-alone bill in the Senate or attached to the surface transportation authorization.
House Appropriations – Federal Transit Administration Testifies

On March 19, Acting Federal Transit Administration Administrator Therese McMillan testified before the House Appropriations Transportation, Housing, and Urban Development Subcommittee. Witnesses were asked to speak to what part of their budget request responded to the issues brought up in DOT’s Beyond Traffic report. McMillan spoke about New Starts/Small Starts, Core Capacity, and State of Good Repair. Later in the hearing she was asked to discuss the pipeline of capital investment grants, which has grown 43 percent, from 37 projects to 53 projects, and has necessitated a higher budget request from the Administration this year to address demand. Subcommittee Ranking Member David Price (D-NC) asked McMillan to follow up in writing on a number of issues, including specific projects that will be delayed if Congress does not provide the full budget request.

Reassuring Adequate Investment in Lifesaving Systems Act

On March 19, Representatives Mike Quigley (D-IL), Dan Lipinski (D-IL), and a number of other Illinois Democrats introduced the Reassuring Adequate Investment in Lifesaving Systems Act to reauthorize the Railroad Safety Technology Grants Program and provide $200 million in each of the next five years for positive train control safety technologies, rail integrity inspection systems, a system for electronic communication regarding hazardous material rail shipments, and other new rail safety items.

March 26, 2015

Reauthorization Watch

The House spent this week focusing on its budget resolution for FY 2016. Using a complicated voting procedure, the House ended up approving a budget that would increase defense spending by $96 billion without offsetting cuts in other accounts. The resolution leaves most other domestic discretionary funding at current levels except for Special Education Funding, Pell Grants, job training, and housing assistance, which would all be cut. On entitlements, the budget proposes turning Medicaid and food stamps into block grants to the states, the combined effect of which would be more than $1 trillion in savings over ten years. As noted in previous updates, the budget includes a “placeholder” for transportation, indicating that whatever is done to fund surface transportation programs will be deficit neutral.

The vote on defense spending was a defeat for deficit hawks on the Republican side. It showed the Republican majority can muster the votes to bust budget caps on something its Members feel is important.

Senate Commerce Committee Approves Positive Train Control Extension

On March 25, the Senate Commerce Committee passed a five-year extension for PTC implementation. The legislation (S. 650) would move the deadline from the end of 2015 to December 31, 2020. Despite a voice vote approval of the bill, Senators Maria Cantwell (D-WA), Richard Blumenthal (D-CT), and Joe Manchin (D-WV) spoke in opposition to the bill and suggested they would vote against it on the floor unless changes are made. Blumenthal did get one amendment added during committee markup to require railroads to provide progress reports on PTC implementation. Blumenthal told reporters he had multiple other amendments to offer on the
Senate floor and only would support a modified bill that extended the deadline a year or two and kept the burden on the railroads to ask for additional time beyond that if necessary. Commerce Committee Chair Thune indicated that he would work with his colleagues, but made no promises about what supporters might be willing to add to the legislation.

Senators Barbara Boxer and Dianne Feinstein, the California Democrats who pushed for a PTC mandate following the Chatsworth crash in 2008, released a statement opposing the extension. “Providing rail companies with a blanket extension of the deadline to implement Positive Train Control would be a disastrous policy,” Feinstein said, “It would punish companies working to comply with the deadline and reward those that have dragged their feet.”

**House Appropriations – Federal Railroad Administration Testifies**

On March 25, Acting Federal Railroad Administration Administrator Sarah Feinberg testified about the FY 2016 budget request at a House Appropriations Subcommittee. Feinberg testified with the administrators of both the Federal Motor Carrier Safety Administration and the Pipeline and Hazardous Materials Administration; safety was the biggest topic of discussion with all of the witnesses. Feinberg was questioned about the safety of grade crossings in light of several recent accidents and also crude oil transport.

**April 2, 2015**

**Reauthorization Watch – GROW America**

As promised in February’s FY 2016 budget release, the Obama Administration put out a revised version of the Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America (GROW AMERICA) Act, a six-year surface transportation reauthorization. The original version of GROW AMERICA Act was a four-year, $302 billion proposal. This new version has been extended to six years at a cost of $478 billion.

A major difference from the Administration’s past proposals is a more concrete funding plan to pay for the extra revenue needed to supplement the HTF. The Administration is proposing a 14 percent mandatory tax on up to $2 trillion of untaxed foreign earnings that U.S. companies have parked overseas. Secretary Foxx, who has been making the rounds this week touting the new proposal, has stated in numerous settings that he feels strongly that a six-year timeframe will help put a major focus on infrastructure and jumpstart work on projects and planning, which has been negatively impacted with so many short-term extensions. While it is unclear if Republicans are willing to sign-on to a one-time revenue infusion that the Administration’s plan calls for, some form of “repatriation” seems to be an area where both parties may be able to come together and negotiate revenue for the HTF.

The transit piece of the new GROW AMERICA Act almost is identical to the last version except for increased funding to cover the six-year bill. Transit funding comes in at $115 billion, which is a 76 percent increase over FY 2015 enacted levels. Rail, typically done as a separate authorization, is added to the mix and comes in at $28.6 billion over six years for high performance and passenger rail programs. In addition, funding for freight has grown to $18 billion over six years and would be dispersed evenly between formula and discretionary grants.

12
In addition to laying out a revenue source, which has been missing from previous Administration proposals, the new GROW AMERICA Act has an increased focused on safety, giving the National Highway Traffic Safety Administration more authority to address manufacturer vehicle and tire recalls.

It is highly unlikely that a long-term bill will move through Congress before May 31, 2015, so we expect to see another short-term extension at the end of May. Whether such an extension runs through the end of the fiscal year or the end of the calendar year will likely depend on any potential progress lawmakers have made by late spring.

**TIGER Notice of Funding Availability**

On April 2, the DOT released its Notice of Funding Availability for the federal FY 2015 TIGER Discretionary Grants Program. Up to $500 million is being made available this round. The pre-application deadline is May 4.

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**Activity Report for SANDAG**  
**March, 2015**  
**Peyser Associates LLC**

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
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<tbody>
<tr>
<td>3/3</td>
<td>Biweekly teleconference with SANDAG and Metropolitan Transit System (MTS)</td>
</tr>
<tr>
<td>3/5</td>
<td>Prepare weekly transportation update and send to SANDAG, MTS, North County Transit District (NCTD)</td>
</tr>
<tr>
<td>3/9</td>
<td>Emails with R. Wapner regarding Transit Representative on Metropolitan Planning Organization Board</td>
</tr>
<tr>
<td>3/12</td>
<td>Prepare weekly transportation update and send to SANDAG, MTS, and NCTD; Emails with R. Wapner regarding automated license plate readers and tribal transportation funding</td>
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<tr>
<td>3/13</td>
<td>Emails with congressional staff regarding issue of 13C and Department of Labor</td>
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<tr>
<td>3/17</td>
<td>Biweekly teleconference with SANDAG and MTS</td>
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<tr>
<td>3/19</td>
<td>Attend Representative Peters’ DC Roundtable Event; Prepare weekly transportation update and send to SANDAG, MTS, and NCTD</td>
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<tr>
<td>3/20</td>
<td>California Transit Association 13C teleconference</td>
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<tr>
<td>3/24</td>
<td>Emails regarding 13C; biweekly State Route 11/Otay Mesa East team conference call</td>
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<tr>
<td>3/26</td>
<td>Prepare weekly transportation update and send to SANDAG, MTS, and NCTD</td>
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<tr>
<td>3/30</td>
<td>Emails regarding TIGER summit in DC in April</td>
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