Executive Committee
Friday, June 12, 2020
9 to 10 a.m.

**Teleconference Meeting**

**Agenda Highlights**

- **Annual Review of Committees and Working Groups**
- **Legislative Status Update**

**MEETING ANNOUNCEMENT AMIDST COVID-19 PANDEMIC:**

The Executive Committee meeting scheduled for Friday, June 12, 2020, will be conducted virtually in accordance with Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak, Executive Order N-29-20, and the Guidance for Gatherings issued by the California Department of Public Health. Executive Committee Members will primarily participate in the meeting virtually, while practicing social distancing, from individual remote locations. There are a few options for public participation:

- Listen to the meeting audio stream through sandag.org
- Observe the meeting via GoToMeeting (registration required)

To register for the GoToMeeting webinar, follow the prompts to enter your name and email address. Members of the public who prefer not to share their names with SANDAG may use initials or a pseudonym; however, to receive a confirmation email, including a link to join the webinar, you will need to enter a valid email address. On the morning of the Executive Committee meeting, click the “Join Webinar” link in the confirmation email. To avoid connection issues, check your system requirements in advance.

During the GoToMeeting webinar: To minimize/expand the webinar attendee panel, click on the orange arrow at the top right corner of your screen. Attendees will be in “listen only” mode. View GoToMeeting FAQs for additional information.

SANDAG is relying on commercial technology to broadcast the June 12 Executive Committee meeting via GoToWebinar. With the recent increase of virtual meetings, platforms such as Microsoft Teams, WebEx, GoToMeeting, and Zoom are working to scale their systems to meet the new demand. If we experience technical difficulty or you are unexpectedly disconnected from the broadcast, please close and re-open your browser and click the link to re-join the meeting. SANDAG staff will take all possible measures to ensure a publicly accessible experience. Please note that the meeting will continue to be broadcast audio-only via the “Listen to the meeting” link on www.sandag.org.

Public Comments: Persons who wish to address the Executive Committee on an item to be considered at this meeting, or on non-agendized issues, may email comments to the Board at clerk@sandag.org (please reference: “June 12 Executive Committee Meeting” in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. on Thursday, June 11, will be provided to Executive Committee members prior to the meeting. If you prefer to provide a live verbal comment during the meeting, register for the GoToMeeting webinar as noted above, and join the meeting using the “Join Webinar” link provided in your confirmation email. Commenters can use a computer microphone and speakers to listen and communicate or dial into the meeting with a telephone. Commenters must join the webinar portion of the session to obtain a personal audio PIN before attempting to call-in. You may use either the “Telephone” or “Mic & Speakers” audio option, although the “Telephone” option will require use of the PIN. When public comments for an item are called for, press the “raise your hand” button in the GoToWebinar control panel to be called on. You will then be be then be called on by name and unmuted by the organizer and may provide comments for the allotted time. Do not self-mute – organizers will not be able to unmute you to provide comments. All comments received prior to the close of the meeting will be made part of the meeting record.
Welcome to SANDAG. Members of the public may speak to the Executive Committee on any item at the time the Executive Committee is considering the item. Public speakers are limited to three minutes or less per person. The Executive Committee may only take action on any item appearing on the agenda.

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 sandag.org/meetings. Additionally, interested persons can sign up for email notifications at sandag.org/subscribe.

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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 the SANDAG ADA Coordinator, the Director of Diversity and Equity, 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 or (619) 699-1904 (TTY), or fax (619) 699-1905.

SANDAG agenda materials can be made available in alternative languages. To make a request, call (619) 699-1900 at least 72 hours in advance of the meeting.

Los materiales de la agenda de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900 al menos 72 horas antes de la reunión.

如有需要，我们可以把SANDAG议程材料翻译成其他语言。
请在会议前至少 72 小时打电话 (619) 699-1900 提出请求。

Closed Captioning is available

To access Closed Captioning:

Open your browser and go to https://www.streamtext.net/player?event=SANDAG-ExecComm

Message from the Clerk

In compliance with Government Code §54952.3, the Clerk hereby announces that the compensation for legislative body members attending the following simultaneous or serial meetings is: Executive Committee (EC) $100, Board of Directors (BOD) $150, and Regional Transportation Commission (RTC) $100. Compensation rates for the EC and BOD are set pursuant to the SANDAG Bylaws, and the compensation rate for the RTC is set pursuant to state law.

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
Executive Committee  
Friday, June 12, 2020

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>+1.</td>
<td></td>
</tr>
<tr>
<td><strong>Approval of Meeting Minutes</strong></td>
<td>Approve</td>
</tr>
<tr>
<td>The Executive Committee is asked to approve the minutes from its May 8, 2020, meeting.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
</tr>
<tr>
<td><strong>Public Comments/Communications/Member Comments</strong></td>
<td>Discussion</td>
</tr>
<tr>
<td>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 SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.”</td>
<td></td>
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<tr>
<td>3.</td>
<td></td>
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<tr>
<td><strong>Executive Director’s Report</strong></td>
<td>Discussion</td>
</tr>
<tr>
<td>Hasan Ikhrata, SANDAG</td>
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<tr>
<td>An update on key programs, projects, and agency initiatives, including the agency’s response to COVID-19, San Diego Forward: The 2021 Regional Plan, and the Airport Connectivity project, will be presented.</td>
<td></td>
</tr>
<tr>
<td>Reports</td>
<td></td>
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<tr>
<td>+4.</td>
<td>Approve</td>
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<tr>
<td><strong>Review of Draft Board Agendas</strong></td>
<td>Approve</td>
</tr>
<tr>
<td>Victoria Stackwick, SANDAG</td>
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<tr>
<td>The Executive Committee is asked to approve the draft agendas for the June 26, 2020, Board Business meeting and the July 10, 2020, Board Policy meeting.</td>
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<tr>
<td>+5.</td>
<td>Discussion/ Possible Action</td>
</tr>
<tr>
<td><strong>Annual Review of Committees and Working Groups</strong></td>
<td>Discussion/ Possible Action</td>
</tr>
<tr>
<td>Tessa Lero, SANDAG</td>
<td></td>
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<tr>
<td>The Executive Committee is asked to review all standing and temporary committees and working groups and make recommendations to the Board of Directors for any revisions to functions or membership. An annual review of committees and working groups for FY 2020 will be presented. The Executive Committee is asked to provide feedback on any needed revisions in functions or membership in the committees and working groups.</td>
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<tr>
<td>+6.</td>
<td>Information</td>
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<tr>
<td><strong>Legislative Status Report</strong></td>
<td>Information</td>
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<tr>
<td>Robyn Wapner, Hector Vanegas, and Laurie Gartrell, SANDAG</td>
<td></td>
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<tr>
<td>An update on SANDAG legislative and policy activities will be presented.</td>
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<td>7.</td>
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<tr>
<td><strong>Continued Public Comments</strong></td>
<td>Discussion</td>
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<tr>
<td>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.</td>
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<tr>
<td>8.</td>
<td>Information</td>
</tr>
<tr>
<td><strong>Upcoming Meetings</strong></td>
<td>Information</td>
</tr>
<tr>
<td>The next Executive Committee meeting is scheduled for Friday, July 10, 2020, at 9 a.m.</td>
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<tr>
<td>9.</td>
<td></td>
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<tr>
<td><strong>Adjournment</strong></td>
<td>Discussion/ Possible Action</td>
</tr>
</tbody>
</table>

+ next to an item indicates an attachment
May 8, 2020, Executive Committee Meeting Minutes

Chair Steve Vaus (North County Inland) called the meeting of the Executive Committee to order at 9:01 a.m.

1. Approval of Meeting Minutes (Approve)

Action: Upon a motion by Mayor Mary Salas (South County) and a second by Mayor Bill Wells (East County), the Executive Committee approved the minutes from its February 14, 2020, and February 28, 2020, meetings. Yes: Chair Vaus, Vice Chair Catherine Blakespear (North County Coastal), Mayor Wells, Mayor Salas, and Supervisor Jim Desmond (County of San Diego). No: None. Abstain: None. Absent: City of San Diego.

2. Public Comments/Communications/Member Comments (Information)

None.

3. Executive Director’s Report (Discussion)

This item was deferred.

Chair’s Report

4. FY 2021 Executive Director Performance Objectives (Recommend)

The Executive Committee was asked to recommend that the Board of Directors approve the proposed performance objectives for the Executive Director for the period July 1, 2020, through June 30, 2021.

Action: Upon a motion by Chair Vaus and a second by Mayor Wells, the Executive Committee recommended that the Board of Directors approve the proposed performance objectives for the Executive Director for the period July 1, 2020, through June 30, 2021, as amended to include language prioritizing corridors previously scheduled for investment such as State Routes 78, 52, 67 and 94/125 corridors. Yes: Chair Vaus, Vice Chair Blakespear, Mayor Wells, Mayor Salas, and Supervisor Desmond. No: None. Abstain: None. Absent: City of San Diego.

Reports

5. Review of Draft Board Agendas (Approve)

Director of Government Relations Victoria Stackwick presented the item.

Action: Upon a motion by Mayor Wells and a second by Vice Chair Blakespear, the Executive Committee approved the draft agenda for the May 22, 2020, Board Business meeting, as amended to remove Item Nos. 6 and 7. Yes: Chair Vaus, Vice Chair Blakespear, Mayor Wells, Mayor Salas, and Supervisor Desmond. No: None. Abstain: None. Absent: City of San Diego.
6. **Legislative Status Report (Information)**

Manager of Government Relations Robyn Wapner, Borders Program Manager Hector Vanegas, and Associate Government Relations Analyst Laurie Gartrell presented an update on SANDAG legislative and policy activities.

**Action:** Information only.

7. **Continued Public Comments**

None.

8. **Upcoming Meetings**

The next Executive Committee meeting is scheduled for Friday, June 12, 2020 at 9 a.m.

9. **Adjournment**

Chair Vaus adjourned the meeting at 9:42 a.m.
## Confirmed Attendance at SANDAG Executive Committee Meeting

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Name</th>
<th>Member/Alternate</th>
<th>Attended</th>
</tr>
</thead>
<tbody>
<tr>
<td>North County Inland</td>
<td>Steve Vaus, Chair</td>
<td>Primary</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Rebecca Jones</td>
<td>Alternate</td>
<td>Yes</td>
</tr>
<tr>
<td>North County Coastal</td>
<td>Catherine Blakespear, Vice Chair</td>
<td>Primary</td>
<td>Yes</td>
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<td>David Zito</td>
<td>Alternate</td>
<td>Yes</td>
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<tr>
<td>South County</td>
<td>Mary Salas</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>Serge Dedina</td>
<td>Alternate</td>
<td>Yes</td>
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<tr>
<td>East County</td>
<td>Bill Wells</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>John Minto</td>
<td>Alternate</td>
<td>Yes</td>
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<tr>
<td>City of San Diego</td>
<td>Georgette Gomez</td>
<td>Primary</td>
<td>No</td>
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<td></td>
<td>Barbara Bry</td>
<td>Alternate</td>
<td>No</td>
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<td></td>
<td>Monica Montgomery</td>
<td>Alternate</td>
<td>No</td>
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<tr>
<td>County of San Diego</td>
<td>Jim Desmond</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>Kristin Gaspar</td>
<td>Alternate</td>
<td>No</td>
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</tbody>
</table>
## Draft June 26, 2020, Board of Directors Meeting Agenda

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.</strong></td>
<td>Public Comments/Communications/Member Comments</td>
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<tr>
<td><strong>2.</strong></td>
<td>Policy Advisory Committee Chairs’ Report</td>
</tr>
<tr>
<td><strong>3.</strong></td>
<td>Executive Director’s Report</td>
</tr>
<tr>
<td><strong>+4.</strong></td>
<td>Approval of Meeting Minutes</td>
</tr>
<tr>
<td><strong>+5.</strong></td>
<td>Proposed Amendments to Conflict of Interest Code</td>
</tr>
</tbody>
</table>

### Item 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.” Persons who wish to address the Board on an item to be considered at this meeting, or on non-agendized issues, may email comments to the Board at clerk@sandag.org (please reference: “June 26 Board Meeting” in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. on Thursday, June 25, will be provided to Board members prior to the meeting. Comments received during the meeting will be read into the record at the appropriate time for public comments. All comments received prior to the close of the meeting will be made part of the meeting record. Board members also may provide information and announcements under this agenda item.

### Item 2. Policy Advisory Committee Chairs’ Report

Policy Advisory Committee Chairs will provide updates on key committee activities.

### Item 3. Executive Director’s Report

*Hasan Ikhrata, SANDAG*

An update on key programs, projects, and agency initiatives, including San Diego Forward: The 2021 Regional Plan, the Airport Connectivity project, and the agency’s response to COVID-19, will be presented.

### Consent

**+4.** Approval of Meeting Minutes

- +1A. May 1, 2020, Board Special meeting
- +1B. May 8, 2020, Board Policy meeting
- +1C. May 15, 2020, Board Special meeting
- +1D. May 22, 2020, Board Business meeting

**+5.** Proposed Amendments to Conflict of Interest Code

*John Kirk, SANDAG*

The Board of Directors is asked to approve the proposed amendments to the SANDAG Conflict of Interest Code.
+6. **FY 2020 Claims for Transportation Development Act and State Transit Assistance**  
   *Ariana zur Nieden, SANDAG*  
   
The Transportation Committee recommends that the Board of Directors adopt: (1) Resolution Nos. 2020-XX through 2020-XX, approving the FY 2020 Transportation Development Act claims and one State Transit Assistance Act (STA) claim; and (2) adopt the STA findings as certified by the North County Transit District.

+7. **Annual Review of Committees and Working Groups**  
   *Tessa Lero, SANDAG*  
   
As required by SANDAG Board Policy No. 004, this item provides an annual report on the status of all standing and temporary committees and working groups.

+8. **Policy Advisory Committee Actions**  
   *Tessa Lero, SANDAG*  
   
The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees since the last Board meeting.

+9. **FY 2021 SANDAG Financial and Compliance Audit Process**  
   *André Douzdjian, SANDAG*  
   
The Audit Committee recommends that the Board of Directors approve using the current auditing firm of Crowe LLP to conduct the FY 2021 Financial and Compliance Audit, and direct that Crowe LLP rotate the lead auditor to perform the FY 2021 audit.

+10. **Executive Director Delegated Actions***  
   *André Douzdjian, SANDAG*  
   
In accordance with various SANDAG Board Policies, this report summarizes certain delegated actions taken by the Executive Director since the last Board Business meeting.

+11. **Meetings and Events Attended on Behalf of SANDAG**  
   *Tessa Lero, SANDAG*  
   
Board members will provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board Business meeting.

+12. **Progress Report on Transportation Projects**  
   *Michelle Smith, SANDAG*  
   
This quarterly report provides an update on the status of major SANDAG and Caltrans projects and programs in the San Diego region.
Report

+13. Regional Housing Needs Assessment Appeals Hearing
   Seth Litchney, SANDAG

   The Board of Directors is asked to:
   (1) Conduct a public hearing to consider the Regional Housing Needs Assessment
       (RHNA) appeals and all comments on appeals;
   (2) Make a final determination, which includes written findings, that either grants,
       grants in part, or denies each appeal, and;
   (3) Pending a final determination on all appeals, issue the proposed RHNA Plan.

14. 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.

15. Upcoming Meetings

   The next Board Policy meeting is scheduled for Friday, July 10, 2020, at 10 a.m. The
   next Board Business meeting is scheduled for Friday, July 24, 2020, at 9 a.m.

16. Adjournment

   + next to an agenda item indicates an attachment

   * next to an agenda item indicates that the Board of Directors also is acting as the San Diego County Regional
     Transportation Commission for that item
Draft July 10, 2020, Board of Directors Meeting 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.” Persons who wish to address the Board on an item to be considered at this meeting, or on non-agendized issues, may email comments to the Board at clerk@sandag.org (please reference: “July 10 Board Meeting” in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. on Thursday, July 9, will be provided to Board members prior to the meeting. Comments received during the meeting will be read into the record at the appropriate time for public comments. All comments received prior to the close of the meeting will be made part of the meeting record. Board members also may provide information and announcements under this agenda item.

2. Policy Advisory Committee Chairs' Report | Information  
Policy Advisory Committee Chairs will provide updates on key committee activities.

3. Executive Director’s Report | Discussion  
Hasan Ikhrata, SANDAG  
An update on key programs, projects, and agency initiatives, including San Diego Forward: The 2021 Regional Plan, the Airport Connectivity project, and the agency’s response to COVID-19, will be presented.

Reports

4. 2020 Independent Taxpayer Oversight Committee Annual Report* | Information  
Michael Kenney, TransNet Independent Taxpayer Oversight Committee Vice Chair  
In accordance with the TransNet Extension Ordinance, Michael Kenney, TransNet Independent Taxpayer Oversight Committee (ITOC) Vice Chair, will present the 2020 ITOC Annual Report.
The Board of Directors is asked to:

1) Hold a public hearing and adopt the final Regional Housing Needs Assessment (RHNA) Plan; and

2) Adopt Resolution No. 2021-XX, finding that the final RHNA Plan is consistent with the Sustainable Communities Strategy in San Diego Forward: The 2015 Regional Plan and furthers the objectives listed in state law.

An overview of the Comprehensive Multimodal Corridor Plans program to refine and prioritize transportation solutions on five priority corridors using a policy, data, and collaboration-driven approach will be presented.

On July 1, provisions of Senate Bill 743 went into effect that require the use of vehicle miles traveled as the primary metric for evaluating impacts on transportation under the California Environmental Quality Act. A panel of professional practitioners will present an overview of the new requirement and resources available to member agencies and the public.

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.

The next Board Business meeting is scheduled for Friday, July 24, 2020, at 9 a.m. The next Board Policy meeting is scheduled for Friday, August 14, 2020, at 10 a.m.
Executive Committee

June 12, 2020

Annual Review of Committees and Working Groups

Overview
In accordance with Board Policy No. 001, the Executive Committee is asked to review all SANDAG committees and working groups and determine whether revisions to their functions or membership are needed.

Discussion
In FY 2020, SANDAG supported 23 different committees and working groups that provided input and recommendations either to the Board of Directors, a Policy Advisory Committee (PAC), or to staff. Attachment 1 depicts the relationship between each PAC and its related working groups. Attachment 2 lists the membership, responsibilities, year established, frequency of meetings, and status for each of the groups.

Working Group Changes
There were several changes to staff leads and member appointments that did not impact the responsibilities or status of the working groups. The following working groups had changes to their responsibilities and/or status, as noted.

Airport Connectivity Subcommittee
This subcommittee was sunset in 2019.

Freight Stakeholders Working Group
This working group was extended through FY 2021 to coincide with the development of the Regional Plan and implementation of the 2020 California Freight Mobility Plan.

Regional Energy Working Group
This working group was extended through FY 2021 to coincide with the development of the Regional Plan.

2021 Regional Plan Community Based Organizations Working Group
This working group was extended through FY 2021 to coincide with the development of the Regional Plan.

2020 Census Complete Count
This working group was created to involve community leaders throughout the San Diego region in developing both a strategic plan and an implementation plan for allocation of the $1.56 million in County of San Diego funds provided by the California Complete Count Census 2020 Office. The focus of the working group is to encourage all people to respond to the 2020 census, particularly those who have historically been difficult to count. This working group is scheduled to sunset with the completion of the 2020 Census.

Victoria Stackwick, Director of Government Relations
Key Staff Contact: Tessa Lero, (619) 595-5629, tessa.lero@sandag.org
Attachments: 1. FY 2020 Policy Advisory Committees and Related Working Group Diagram
2. FY 2020 List of Committees and Working Groups

Action: Discussion/Possible Action
An annual review of Committees and Working Groups for FY 2020 will be presented. The Executive Committee is asked to provide feedback on any needed revisions in functions or membership in the Committees and working groups.

Fiscal Impact:
The Committees and Working Groups are funded through various Overall Work Program Elements in the FY 2020 Program Budget.

Schedule/Scope Impact:
In FY 2020, SANDAG supported 23 different committees and working groups that provided input and recommendations either to the Board of Directors, a Policy Advisory Committee, or to staff.
FY 2019 Policy Advisory Committees and Related Working Groups Diagram

Board of Directors

- Regional Housing Needs Assessment Subcommittee*

*Chaired by elected official
Board of Directors

Transportation Committee

- Active Transportation Working Group
- Cities/County Transportation Advisory Committee
- Coordinated Transit and Human Services Transportation Plan Working Group
- Regional Short-Range Transit Planning Task Force
- San Diego Region Conformity Working Group
- San Diego Regional Traffic Engineers Council
- Social Services Transportation Advisory Council

Temporary
- Bayshore Bikeway Working Group*
- Freight Stakeholders Working Group

*Chaired by elected official
Standing
- Environmental Mitigation Program Working Group*
- San Diego Regional Military Working Group*
- Shoreline Preservation Working Group*
- Regional Energy Working Group*
- Regional Planning Technical Working Group

Temporary
- 2021 Regional Plan Community-Based Organizations Working Group*
- 2020 Census Complete Count Stakeholder Working Group

*Chaired by elected official
Board of Directors

Public Safety Committee

Standing
- Chiefs’/Sheriff’s Management Committee
- ARJIS Business Working Group
- ARJIS Technical Working Group
Board of Directors

- Committee on Binational Regional Opportunities
- Interagency Technical Working Group on Tribal Transportation Issues
<table>
<thead>
<tr>
<th>Committee or Working Group</th>
<th>Membership</th>
<th>Responsibilities</th>
<th>Applicable laws</th>
<th>Current status</th>
<th>Chief</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Active Transportation Working Group</td>
<td>Staff members from local jurisdictions and representatives from Caltrans, Civic San Diego, San Diego County Air Pollution Control District (APCD), Metropolitan Transit System (MTS), North County Transit District (NCTD), Bike San Diego, San Diego County Bicycle Coalition, Circulate San Diego, Public Health Stakeholders Working Group, San Diego Safe Routes to School Coalition, San Diego County Department of Education, Post-Secondary Education</td>
<td>Provides input on regional active transportation policy, planning, and implementation activities</td>
<td>Brown Act Conflicts laws</td>
<td>Standing</td>
<td>Jim</td>
</tr>
</tbody>
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*Changes from last year are marked in red line*
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<thead>
<tr>
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<th>Applicable laws</th>
<th>Current status</th>
<th>Chief</th>
</tr>
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<tbody>
<tr>
<td>2 Bayshore Bikeway Working Group</td>
<td>San Diego County Supervisor Greg Cox (Chair); San Diego Councilmember David Alvarez; Vivian Moreno, Chula Vista Councilmember Patricia Aguila; Jill Galvez, Coronado Councilmember Mike Donovan, Imperial Beach Councilmember Mark West (Councilmember Robert Patton – Alternate), National City Councilmember Albert Mendivil; Mona Rios, Port of San Diego Chairman Robert “Dukie” Valderrama (Ann Moore – Alternate); Andy Hanshaw, San Diego County Bicycle Coalition, and Mike Woiwode, Public Member</td>
<td>Reviews and supports improvements to the Bayshore Bikeway</td>
<td>Brown Act Conflicts laws</td>
<td>Temporary – will dissolve upon project completion Established: 1989 Meeting schedule: Periodically</td>
<td>Jim</td>
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<tr>
<td>3 Cities/County Transportation Advisory Committee (CTAC)</td>
<td>Public works directors from local jurisdictions and staff from Caltrans, MTS, and NCTD</td>
<td>Provides recommendations to the Transportation Committee regarding local street projects and programs, including local freeway interchanges; and highway, transit, rail, bicycle, and pedestrian issues and policies that affect local street and road projects and programs</td>
<td>Brown Act Conflicts laws</td>
<td>Standing Established: 1993 Meeting schedule: Monthly</td>
<td>Ray Jim</td>
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## List of Committees and Working Groups

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<tr>
<th>Committee or Working Group</th>
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<th>Applicable laws</th>
<th>Current status</th>
<th>Chief</th>
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<tr>
<td>4 Coordinated Transit and Human Services Transportation Plan Working Group</td>
<td>Voluntary members making up less than a quorum of the Social Services Transportation Advisory Council (representatives of transit users who are 60 years or older, disabled, and/or with limited means)</td>
<td>Provides input to the development of the Coordinated Plan</td>
<td>None</td>
<td>Standing Established: 2008 Meeting schedule: As needed</td>
<td>Ray</td>
</tr>
<tr>
<td>5 Freight Stakeholders Working Group</td>
<td>Members include one representative from CTAC and the Regional Planning Technical Working Group, and members from Caltrans, Port of San Diego and Port users, Federal Highway Administration (FHWA), California Trucking Association, American Trucking Association, San Diego County Regional Airport Authority, shippers and carriers using the airport, San Diego and Arizona Eastern Railway, Burlington North Santa Fe Railroad, Union Pacific Railroad, regional truckers, warehouse operators, San Diego Regional and Otay Mesa Chambers of Commerce, San Diego World Trade Center, ADMICARGA Baja California short line rail operator, Imperial County Transportation Commission, Southern California Association of Governments, Environmental Health Coalition (EHC), and others interested in efficient goods movement in the San Diego region</td>
<td>Provides a forum for freight-related information exchange. Provides input and feedback to SANDAG staff and the Transportation Committee regarding the Freight Gateway Study Update and Goods Movement Strategy portion of the 2021 Regional Plan</td>
<td>None</td>
<td>Temporary - In FY 2021, will participate in the Regional Plan update development, implementation of the 2020 California Freight Mobility Plan and California Sustainable Freight Strategy, other federal/state funding programs, and development of the Truck Visualization Tool 2021 Freight Gateway Study Update</td>
<td>Ray</td>
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<td>Committee or Working Group</td>
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<td><strong>6</strong> Regional Short-Range Transit Planning Task Force</td>
<td>FACT, MTS, NCTD, and SANDAG planning staff</td>
<td>Assists in developing annual Regional Short-Range Transit Plan and Productivity Improvement Program; fulfills Transportation Development Act requirement for a Productivity Improvement Committee</td>
<td>None</td>
<td>Standing Established: 2003 Meeting schedule: Quarterly</td>
<td>Ray</td>
</tr>
<tr>
<td><strong>7</strong> San Diego Region Conformity Working Group</td>
<td>Staff from the U.S. Environmental Protection Agency, FHWA, Federal Transit Administration (FTA), California Air Resources Board, Caltrans, and San Diego County APCD</td>
<td>Reviews and comments on Regional Transportation Plan and Regional Transportation Improvement Program transportation conformity and State Implementation Plan development or updates, and fulfills federal and state requirements for interagency consultation</td>
<td>None</td>
<td>Standing Established: 1994 Meeting schedule: Monthly</td>
<td>Ray</td>
</tr>
<tr>
<td><strong>8</strong> San Diego Regional Traffic Engineers Council</td>
<td>Membership consists of one representative from the 18 cities, County of San Diego, Caltrans, MTS, NCTD, and SANDAG</td>
<td>Discusses, reviews, and/or recommends items associated with regional transportation goals and policies; provides technical review and input on CTAC recommendations for the Transportation Committee</td>
<td>Brown Act Conflicts laws</td>
<td>Standing Established: 1989 Meeting schedule: Monthly</td>
<td>Jim Ray</td>
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<tr>
<td>Committee or Working Group</td>
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<td>Responsibilities</td>
<td>Applicable laws</td>
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<tr>
<td>9 Social Services Transportation Advisory Council</td>
<td>Representatives of transit users who are seniors (aged 60 years or older), disabled, and/or persons with limited means; staff from social service providers serving seniors, persons with disabilities, and persons of limited means; representatives from the Consolidated Transportation Services Agency; and representatives from MTS and NCTD</td>
<td>Designated as the Local Review Committee for FTA Section 5310 grant applications, holds required unmet needs hearings, and advises on regional issues of accessible transportation provided by the public and private sector; fulfills state Public Utilities Code requirement; also, reviews and advises on transit capital improvement projects for Americans with Disabilities Act compliance</td>
<td>Brown Act <a href="#">Conflicts laws</a></td>
<td>Standing</td>
<td>Jim</td>
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<tr>
<td><strong>10 Environmental Mitigation Program (EMP) Working Group</strong></td>
<td>La Mesa Vice Mayor Kristine Alessio (Chair), County of San Diego staff member LeAnn Carmichael (Vice Chair); and staff representatives from City of San Diego, County of San Diego, North County Coastal, North County Inland, East County, and South County; representatives from the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, U.S. Forest Service, California Wildlife Conservation Board, Caltrans, the Nature Conservancy, Conservation Resource Network, U.S. Geological Survey, Endangered Habitats League, Building Industry Association, San Diego Foundation, California Coastal Conservancy, and Alliance for Habitat Conservation</td>
<td>Advises on issues related to the coordination and implementation of the TransNet EMP</td>
<td>Brown Act Conflicts laws</td>
<td>Standing Established: 2005 Meeting schedule: Quarterly Bimonthly</td>
<td>Ray</td>
</tr>
<tr>
<td><strong>11 San Diego Regional Military Working Group</strong></td>
<td>SANDAG Board Member, Port of San Diego Commissioner Garry Bonelli (Chair), five representatives from the armed forces: Navy Region Southwest; Navy Facilities Engineering Command; Marine Corps Installation West; Marine Corps Recruitment Depot; and U.S. Coast Guard San Diego Sector. In addition, the membership will include one representative from the following jurisdictions and agencies: City of Coronado, City of Imperial Beach, City of Oceanside, City of National City, City of San Diego, County of San Diego, the Port of San Diego, the Metropolitan Transit System (MTS), and North County Transit District (NCTD)</td>
<td>Provides a collaborative forum for the various branches of the military and SANDAG to address areas of mutual interest, including growth management, habitat, transportation, regional growth, housing, water, energy, and other related topics</td>
<td>Brown Act</td>
<td>Standing Established: 2012 Meeting schedule: Quarterly</td>
<td>Ray</td>
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### List of Committees and Working Groups

#### REGIONAL PLANNING COMMITTEE

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<tr>
<td>12 Regional Energy Working Group</td>
<td>Carlsbad Councilmember Carrie Downey, Coronado Councilmember Cori Schumacher (Chair), Encinitas Mayor Catherine Blakespear, La Mesa Councilmember Colin Parent, Vista Councilmember Amanda Rigby, Lemon Grove Councilmember Jennifer Mendoza, Santee Councilmember Ronn Hall, Encinitas Councilmember Joe Mosca, Chula Vista Councilmember Mike Diaz; and representatives from San Diego Gas &amp; Electric, City of San Diego, County of San Diego, City of Carlsbad, City of Oceanside, Port of San Diego, San Diego County Regional Airport Authority, MTS, Center for Sustainable Energy, Energy Policy Initiatives Center at University of San Diego School of Law, San Diego Regional Chamber of Commerce, regional economic development councils (North County and South County), San Diego Regional Clean Cities Coalition, EHC, Sierra Club, San Diego State University, UC San Diego, MTS, and CleanTECH San Diego</td>
<td>Advises on the coordination and implementation of the Regional Energy Strategy, including measures to reduce energy consumption and greenhouse gas emissions related to electricity, natural gas, and transportation fuels, align regional energy planning activities align with objectives of San Diego Forward and serves as a forum for discussion of regional energy and related issues.</td>
<td>Brown Act</td>
<td>Standing</td>
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<tr>
<th>Regional Planning Technical Working Group</th>
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<tr>
<td>Staff leads: Seth Litchney</td>
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<tr>
<td>Allison Wood, Audrey Porcella</td>
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<td>Planning directors from local jurisdictions and staff from other agencies, including Port of San Diego, MTS, NCTD, Caltrans, San Diego County Water Authority, San Diego County APCD, San Diego County Regional Airport Authority, U.S. Department of Defense, and Local Agency Formation Commission</td>
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| Responsibilities                                                                 |
|--------------------------------------------------------------------------------|---|
| Advises on key regional planning and implementation activities, including preparation of the Regional Plan, the development/update of the Smart Growth Concept Map, Smart Growth Incentive Program/Active Transportation Grant Program, land use, housing, and transportation efforts, Regional Housing Needs Assessment, public health as related to the built environment, social equity and environmental justice, and other related items; assists with public outreach activities; focuses on land use, transportation, and environmental planning activities of regional significance |

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<tr>
<th>Applicable laws</th>
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<tr>
<td>Brown Act Conflicts laws</td>
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<td>Standing Established: 1990</td>
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<td>Meeting schedule: Monthly</td>
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<th>Chief</th>
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<tr>
<td><strong>14</strong> Shoreline Preservation Working Group</td>
<td>Imperial Beach Mayor Serge Dedina (Chair), San Diego, Del Mar Councilmember Dwight Worden (Vice Chair), Carlsbad Councilmember Loren Zepf (Vice Chair), Carlsbad Councilmember Mayor Pro Tem Priya Bhat-Patel, Mike Backlund, Chula Vista Councilmember Steve Padilla, Coronado Councilmember Bill Sandke, County of San Diego Supervisor Kristin Gaspar, Del Mar Deputy Mayor Dwight Worden, Encinitas Deputy Mayor Kellie Hinz, Encinitas Councilmember Tasha Boerner Horwath, National City Vice Mayor Albert Mandel, Councilmember Ron Morrison, Oceanside Councilmember Esther Sanchez, Ryan Keim, City of San Diego Councilmember Jennifer Campbell, Solana Beach Deputy Mayor, Councilmember Judy Hegenaau, David Zito, Port of San Diego Commissioner Dan Malcolm, and Walter Wilson, U.S. Navy.</td>
<td>Advises on the implementation of the Shoreline Preservation Strategy, the Coastal Regional Sediment Management Plan, and San Diego Forward: The Regional Plan. Supports the region’s ongoing and future beach nourishment efforts and other sea-level rise adaptation strategies</td>
<td>Brown Act</td>
<td>Standing</td>
<td>Ray</td>
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<tr>
<td><strong>15</strong> 2021 Regional Plan Community-Based Organizations Working Group</td>
<td>122 representatives from community-based organizations (CBOs) or community collaboratives serving underserved/disadvantaged communities</td>
<td>Reviews and provides input that will be used to develop and adopt the 2018-2021 Regional Plan as well as provides a social equity perspective on other agency initiatives or planning efforts, including Public Participation Plan, and assists with associated public outreach and helps inform and encourage diverse, inclusive and active, public involvement in the 2021-2024 Regional Plan</td>
<td>None</td>
<td>Temporary – sunsets with adoption of 2021 Regional Plan</td>
<td>Ray</td>
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<tr>
<td><strong>Regional Planning Committee</strong></td>
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<tr>
<td>16 Committee on Binational Regional Opportunities</td>
<td>Stakeholders from both sides of the United States/Mexico border, including representatives from local jurisdictions, businesses, and academia</td>
<td>Provides input on binational-related planning and project development issues</td>
<td>Brown Act</td>
<td>Standing</td>
<td>Ray</td>
</tr>
<tr>
<td>16</td>
<td>Staff lead: Hector Vanegas</td>
<td></td>
<td>Established: 1995</td>
<td>Meeting schedule: Bimonthly</td>
<td></td>
</tr>
<tr>
<td>17 Interagency Technical Working Group on Tribal Transportation Issues</td>
<td>Representatives from each of the 17 federally recognized tribal governments and California tribes in San Diego County</td>
<td>Discusses and coordinates tribal transportation issues of mutual concern with the various public planning agencies in the region, including SANDAG, Caltrans, the County of San Diego, and the transit operators</td>
<td>None</td>
<td>Standing</td>
<td>Ray</td>
</tr>
<tr>
<td>17</td>
<td>Staff lead: Jane Clough</td>
<td></td>
<td>Established: 2006</td>
<td>Meeting schedule: Quarterly</td>
<td></td>
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<tr>
<td>18 Airport Connectivity Subcommittee</td>
<td>This subcommittee was sunset in 2019.</td>
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<tr>
<td>18</td>
<td>Staff Lead: Coleen Clementson</td>
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<tr>
<td>19 RHNA Subcommittee</td>
<td>Representatives from East County, North County-Coastal, North County-Inland, South County, the City of San Diego, the County of San Diego, and the Regional Planning Committee</td>
<td>The purpose of the RHNA Subcommittee is to provide input and guidance to the Board of Directors regarding the RHNA Plan. The RHNA Subcommittee will review and provide input and guidance on potential policy and technical options for developing the RHNA methodology for allocation of housing units to each jurisdiction in the RHNA Plan.</td>
<td>Brown Act Conflict Laws</td>
<td>Temporary, Will sunset when the SANDAG portion of the RHNA process is complete.</td>
<td>Ray</td>
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<tr>
<td>Committee or Working Group</td>
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<tr>
<td>Census 2020 Complete Count Stakeholder Working Group</td>
<td>Please fill in Representatives from each of the subregions: East County, North County-Coastal, North County-Inland, South County, the City of San Diego, and the County of San Diego are voting members, with advisory members from key stakeholder groups (i.e., the Count Me 2020 Coalition, elected officials, K-12 education, higher education, philanthropy, the business community, taxpayers, workforce development, transit agencies, libraries, the California Complete Count – 2020 Census office, and the U.S. Census Bureau)</td>
<td>Involve community leaders throughout the San Diego region in developing a strategic plan and implementation plan for how the $1.56 million in county-allocated funds provided by the California Complete Count Census 2020 Office will be used to best encourage all people to respond to the 2020 census, particularly those who have historically been difficult to count. Please fill in</td>
<td>Brown Act Conflict Laws</td>
<td>Please fill in Temporary – sunsets with the completion of the 2020 Census</td>
<td>Jim</td>
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<tr>
<td>21 ARJIS Business Working Group</td>
<td>Appointed staff members from each agency represented on the Chiefs'/Sheriff's Management Committee (CSMC)</td>
<td>Provides input to the CSMC on ARJIS matters relating to criminal justice information-sharing, business practices, crime statistics, data quality, and budget</td>
<td>None</td>
<td>Standing Established: 1998 Meeting schedule: Bimonthly</td>
<td>Jim</td>
</tr>
<tr>
<td>22 ARJIS Technical Working Group</td>
<td>Appointed staff members from each agency represented on the CSMC</td>
<td>Provides input to the CSMC on ARJIS matters relating to state-of-the-art information technology that enhances both officer and public safety</td>
<td>None</td>
<td>Standing Established: 1998 Meeting schedule: Bimonthly</td>
<td>Jim</td>
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# List of Committees and Working Groups

## PUBLIC SAFETY COMMITTEE

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<tr>
<td>23 Chiefs'/Sheriff's Management Committee</td>
<td>Sheriff and police chiefs from around the region</td>
<td>Reviews, evaluates, and provides recommendations and input to the Public Safety Committee on issues relating to the SANDAG ARJIS and Criminal Justice work programs and budgets; and evaluates and recommends regional public safety initiatives</td>
<td>Brown Act Conflicts laws</td>
<td>Standing Established: 1981 Meeting schedule: Monthly</td>
<td>Jim</td>
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Revised June 2020
Executive Committee

June 12, 2020

Legislative Status Report

Status reports on SANDAG legislative activities are provided to the Executive Committee on a regular basis. Attachments 1 and 2 include summaries from Ellison Wilson Advocacy, LLC on state legislative activity, and from Peyser Associates LLC on federal legislative activity related to SANDAG for May 2020.

Key Considerations

Consistent with the approved 2020 SANDAG Legislative Program, the Executive Director submitted a letter of support for Senate Bill 1291 (SB 1291) (Beall). This bill would suspend the requirements of California Code 182.6 Section (e), which requires an update to the Statewide Transportation Improvement Program (STIP) every even year.

The federal Safer Affordable Fuel-Efficient Vehicles Rule created significant uncertainty regarding how conformity requirements could be met as part of the development of the STIP. Suspending the state requirement for this year will provide regional agencies like SANDAG the necessary time to comply with federal air quality conformity and public outreach requirements and enable ongoing funding for key regional projects.

SB 1291 passed unanimously out of the Senate Transportation Committee on May 29 and is scheduled to be considered by the Senate Appropriations Committee on June 9.

This bill is consistent with Goal No. 6 of the 2020 SANDAG Legislative Program Goal – pursue policy and/or legislative changes to improve the planning and implementation of the Regional Plan.

Victoria Stackwick, Director of Government Relations

Key Staff Contacts:  
Robyn Wapner, (619) 699-1994, robyn.wapner@sandag.org  
Hector Vanegas, (619) 699-1972, hector.vanegas@sandag.org  
Laurie Gartrell, (619) 595-5388, laurie.gartrell@sandag.org

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

Action: Information

An update on SANDAG legislative and policy activities will be presented.
LEGISLATIVE UPDATE

Legislative Overview – COVID-19

On May 4, the Assembly was called back to the Capitol for the first time since it adjourned on March 16 due to the current pandemic. The Senate subsequently returned on May 11. There have been extensive changes to the Legislature’s focus, as well as its procedures, as it deals with critical coronavirus legislation and a potential budget shortfall of up to $54 billion.

Legislators normally would have been busy with first house policy and fiscal committees during April and May. Now, in light of a condensed calendar, the direction from leadership has been for authors to pare the number of bills dramatically down and for committees to focus on only the most critical items. For example, the Assembly Privacy and Consumer Protection Committee is requiring all authors to submit an “Author’s Statement of Criticality” with his or her request to hear a bill, which must detail one or more of the following criteria:

1) The bill addresses a problem that was created by, or has been significantly exacerbated by, the ongoing public health crisis due to COVID-19, or the response thereto.

2) The bill addresses an urgent problem that presents a threat to the safety and security of Californians and must be resolved immediately.

3) The bill makes a technical change to an existing program or function that must be immediately adopted to preserve the utility of that program or function.

As far as committee processes, the Assembly has released a memo entitled “Measures to Facilitate Public Health and Participation in the Legislative Process During the COVID-19 Pandemic,” which establishes that all committees will share three hearing rooms that are large enough for legislators and a very limited number of public participants to maintain social distancing guidelines. Additionally, anyone entering the Capitol will get their temperature taken, while remote testimony – both by phone and dedicated “Witness Videoconference Rooms” throughout the Capitol – is being strongly encouraged. Most legislative staff will still be required to work remotely.

AB 2731 (Gloria) Passed by the Assembly Natural Resources Committee

AB 2731, authored by Assembly Member Todd Gloria, clarifies and strengthens certain public participation provisions and government transparency in the California Environmental Quality Act (CEQA) process for a major transit and transportation facilities project in San Diego. The bill was heard by the Assembly Natural Resources Committee on May 13 and was ultimately passed 9-0. The bill will be heard next by the Assembly Appropriations Committee.
State Budget – May Revise

On May 14, based on a projected COVID-19-related $54 billion shortfall, Governor Newsom released his May Revision budget proposal, which scaled down his January proposal from $222.2 billion to $203 billion. The May Revision proposes to use $16.2 billion in the Budget Stabilization Account (Rainy Day Fund) over three years, cancel planned or previously proposed program expansions, spend available federal funds, and build automatic budget controls in the event that new federal funds are approved. On June 3, legislative leaders from both the Assembly and Senate announced a budget deal between the houses, which anticipates $14 billion of additional federal support that was not included in the Governor’s proposal. Under the Legislature’s proposal, if this federal money does not arrive by October 1, 2020, a number of “trigger solutions” will be implemented. The Legislature has until June 15 to pass a budget.

Senate Housing Bill Package

Following the failure of SB 50 (Wiener) earlier this year, Senate President Pro Tem Toni Atkins has released a package of five housing bills “to spur affordable housing production and aid California’s economic recovery due to the COVID-19 crisis.” The package includes the following bills:

- SB 902 (Wiener): Allows local governments to pass a zoning ordinance that is not subject to CEQA for projects that allow up to 10 units, provided they are located in a transit-rich area, a jobs-rich area, or an urban infill site.
- SB 995 (Atkins): Would streamline the CEQA process for smaller housing projects that include at least 15% affordable housing and would broaden application and utilization of the Master Environmental Impact Report process, which allows cities to do upfront planning that streamlines housing approvals on an individual project level.
- SB 1085 (Skinner): Would modify current Density Bonus Law by increasing the number of incentives provided to developers in exchange for providing more affordable housing units.
- SB 1120 (Atkins): Would streamline the process for a homeowner to create a duplex or subdivide an existing lot in all residential areas, provided certain qualifications are met, including protections of local zoning and design standards, historic districts, environmental quality, and existing tenants vulnerable to displacement.
- SB 1385 (Caballero): Would allow office and retail buildings that have sat vacant for at least three years to become eligible for housing projects.

ACTIVITY REPORT

5/1: Conference call with SANDAG staff and legislative staff on AB 2731; drafted proposed amendments to AB 2731; provided SANDAG staff with pertinent bill amendments, updates on legislative budget actions, and revised Assembly procedures.

5/4: Conference call with SANDAG staff and legislative staff on AB 2731; drafted proposed amendments to AB 2731; Provided SANDAG staff with pertinent bill amendments.

5/5: Conference call with SANDAG staff, legislators, and committee staff on AB 2731; research and draft responses to committee questions on AB 2731.

5/6: Conference call with SANDAG staff on AB 2731; review proposed amendments and SANDAG materials on AB 2731; provided SANDAG staff with revised legislative calendars.

5/7: Conference call with SANDAG staff and legislative staff on AB 2731; conference call with committee staff on AB 2731; review proposed responses to committee questions on AB 2731; provided updated budget information to SANDAG staff.

5/8: Conference call with SANDAG staff on AB 2731.

5/11: Conference call with SANDAG staff and Legislative Analyst’s Office on state economic outlook; conference all with SANDAG staff on AB 2731, including preparing for committee testimony; provided updated budget information to SANDAG staff.
5/12: Communicated with committee member staff on AB 2731 committee hearing; conference call with SANDAG staff and legislative staff on AB 2731.

5/13: Attended/monitored AB 2731 committee hearing; conference call with SANDAG staff on AB 2731; provided SANDAG staff with updates on pertinent bill activity.

5/14: Communicated with SANDAG staff and legislative staff on upcoming schedule on AB 2731; provided SANDAG staff with updated budget information.

5/15: Provided SANDAG staff with updated budget information.

5/18: Communicated with SANDAG staff and legislative staff on AB 2731; provided SANDAG staff with updated budget information.

5/19: Conference call with SANDAG staff on AB 2731; draft materials for legislative staff on AB 2731.

5/20: Provided SANDAG staff and legislative staff with materials on AB 2731; provided SANDAG staff with pertinent bill amendments.

5/21: Testified at Assembly Budget Subcommittee No. 3 on pertinent budget matters; provided SANDAG staff with updates on Senate housing package; communicated with SANDAG staff on matter with State Water Resources Control Board.

5/22: Communicated with State Water Resources Control Board; conference call with stakeholders on AB 2731.


5/26: Conference call with SANDAG staff on AB 2731.
Transportation Update from Peyser Associates

May 1, 2020

Infrastructure Continues to Slip in Priority as COVID-19 Recovery Measure

This week saw further slippage in the potential that infrastructure will be included in the next legislative package responding to the COVID-19 crisis. The broad outlines of the next package have started to emerge and there does not appear to be room for a $1 trillion infrastructure measure such as was being discussed just a couple of weeks ago.

Last week, this report detailed how infrastructure appeared to have fallen off the list of priorities for the Democratic leaders of the House and Senate. By then, we had already seen GOP leaders taking a “go-slow” approach to infrastructure. This week, the “go-slow” changed to “no-go.” On Tuesday, in a conference call with GOP Senators, Majority Leader Mitch McConnell (R-KY) said he would oppose including infrastructure in the next package. Reports on the call said that McConnell told Senators it was their duty to “keep the White House in the box” on spending and that both the “Democrats and the White House need to get the message.”

Senator McConnell has given voice over the past two weeks to the concern that the more than $3 trillion in spending and tax breaks already approved by Congress to respond to COVID-19 is pushing the federal fiscal position into unchartered and dangerous territory. Initially, he was using that concern as a reason to block aid to state and local governments. This week, he appeared to see a reason to grudgingly get behind that aid – as trading bait to get Democrats to accept sweeping liability protections for business preparing to re-open. McConnell appears to be trying to engineer a one-for-one trade on those two issues and limit the number of additional items that will find their way into the next package.

House Speaker Nancy Pelosi (D-CA) yesterday put an exclamation point on the Democrats’ demand for funding for state and local government by saying she believed the total “ask” from those entities is $1 trillion. She noted that the National Governors’ Association had requested $500 billion and said that cities are asking for a like amount. It is hard to imagine the next package including a figure like that for states and localities and a like figure for infrastructure.

In conversations with House committee staffers this week, your reporter detected the reverberations of these maneuverings on the process of developing a transportation infrastructure package centered on reauthorization of the FAST Act. Without prompting, staffers offered up that they may need to fall back to a one-year extension of the FAST Act. If that were the direction the T&I Committee is forced to take, their leadership would push to at least boost funding levels to those included in the House Democrats’ infrastructure plan from January, the staffers said.

There may be high-level discussions on these matters next week, but no package will be approved until the following week at the earliest. Senenator McConnell is calling Senators back on Monday, but there is a very light legislative schedule for the week. House Democratic leaders announced on Wednesday that they would not have Members return next week, since there is nothing to vote on.

In the meantime, congressional staff will continue gamely preparing for a five-year FAST Act reauthorization and possibly an add-on in early years as a more direct response to COVID-19. The effort is taking on the feeling of “running out all ground balls,” but you never know when the ball may scoot under the infielder’s glove.
May 8, 2020

“CARES 2.0” Taking Shape in the House – Infrastructure NOT on the Table

House Democratic leaders are expected to release within a few days the details of their proposal for the next round of COVID-19 relief funding. They are calling the package “CARES 2.0.” Recent statements by House Speaker Nancy Pelosi (D-NY) indicate the package may be as large as $2 trillion with almost half of that for aid to state and local governments. It is possible that aid to public transit and state DOT’s may also be included. See below for further information on the push for transit aid.

Reports on Pelosi’s discussion with Senate Minority Leader Chuck Schumer point to several potential additional elements to the package. Those may include another round of payments to individuals, additional funding and some program changes for the Paycheck Protection Program and more funding for vote-by-mail programs, SNAP (also known as Food Stamps) and further extension of unemployment benefits.

There is no discussion of including a significant infrastructure package in CARES 2.0. See below for a discussion of where infrastructure may fit in the legislative program for the balance of the year.

The schedule for consideration of CARES 2.0 in the House has not been announced, but it appears the week of May 18 is the target. House Majority Leader Steny Hoyer (D-MD) this week said Members should not expect to come back before then. That would leave next week for leadership to assemble the legislative language for the package.

Over on the Senate side, Majority Leader McConnell has not indicated when he might take up the next COVID-19 bill. What he has indicated is that his top priority for the measure is liability relief for business as they re-open.

Where each of the previous packages of COVID-19 relief have been approved based on a broad bipartisan consensus, it appears this one will be more difficult to get through. GOP resistance to state and local aid has hardened in the last two weeks and President Trump continues to talk about his opposition to “bailing out” Democratic-run states. On their part, Democrats have long opposed relaxation of liability laws and will put up a fight on that issue at least until the number for state and local aid goes high enough. Getting to an agreement may take a few weeks

Transit Aid Gets a Push from APTA and Major Transit Agencies

Both the American Public Transportation Association (APTA) and a coalition including the largest public transit agencies this week asked Congress to approve additional COVID-19 relief funding for public transit. This request is in addition to APTA’s earlier request that the next COVID-19 package contain a five-year reauthorization of the FAST Act.

The APTA request is for $23.8 billion. They asked that 80% of that money be allocated to transit agencies based on their pro rata share of national revenue losses and COVID-19 response costs. The other 20% would go out on existing formulae.

In a separate letter to congressional leaders, the CEO’s of 15 large transit agencies asked for significant additional assistance to replace lost revenues and support both operating and capital needs of their systems. The group included the CEO’s of transit agencies in New York, Los Angeles, Chicago, Philadelphia, Washington, DC, the Bay Area, Seattle and others. The letter did not name a specific figure but did point out the level of revenue loss through fiscal 2021 is estimated at $8.9 billion in for the NY MTA, $1.3 billion in the Bay Area and $629 million for Sound Transit in Seattle.

In legislative language included as an attachment to their letter, APTA called for transit service data from fiscal 2020 to not be used as the basis for allocating formula funds in the future. They noted that data from this fiscal year would skew transit aid in ways not contemplated by the legislation that created the formula. The practical effect of this would first be felt in fiscal 2022 due to the normal lag time in applying data from the National Transit Data base to formula allocations.
Congressional Agenda Still May Have a Slot for Infrastructure – But Later

Congressional leaders are working to lay out an agenda for the balance of the pre-election session of Congress. It appears there may still be an opening for an infrastructure package, but that opening looks like it will not come until late summer.

Congressional appropriators are getting started on their plans for fiscal 2021 spending bills. They have some significant issues to work out – in particular, the application of spending caps agreed to only last year. To many Members (Democrats mostly) those spending caps are looking inadequate in the nation’s current circumstances.

Subcommittee Chairs on the House side are working to prepare their drafts of spending bills and will be sharing those with House Democratic leaders in the coming days. Committee action could well begin this month with floor action occurring in the summer. The Senate calendar will also likely be absorbed by spending bills during the summer months on a schedule several weeks behind the House.

All of this means the window for getting an infrastructure package to the floor may not open until September. This could be accelerated if Congress decides to cancel its traditional August recess. That idea is reportedly being discussed.

In the meantime, the House Transportation and Infrastructure Committee continues its work of drafting a five-year reauthorization of the FAST Act for inclusion in the infrastructure package. But staff are also continuing to say this week that a one-year extension to the act.

Your reporter is reminded of a stock phrase frequently uttered by the original Frank Underwood in the BBC Series “House of Cards.” When asked to predict the outcome of a given issue he would say “It depends on who you talk to and who you believe.” Such is the case in predicting what will happen this year on an infrastructure package.

May 15, 2020

House Democrats Propose $3 Trillion in Additional COVID-19 Response – Transit Included

House Democrats on Monday released a $3 trillion package of COVID-19 relief. The bill is called the HEROES Act (“Health and Economic Recovery Omnibus Emergency Solutions Act”). Its centerpiece is $1 trillion for state, local, and tribal governments. Other major provisions include:

- **Heroes Fund** – $200 billion for hazard pay for essential workers – including transit workers.
- **Testing, Treatment and Tracing** – $75 billion for coronavirus testing, contact tracing and isolation measures.
- **Relief Checks** – Another round of direct payments to individuals of $1,200 up to a maximum of $6,000 per household.
- **Housing Assistance** – $175 billion for rental and homeowner assistance for monthly payments, utilities, etc.
- **Unemployment Compensation** – Extends the special COVID-19 unemployment benefit of $600 per week through January 2021.
- **Increase SNAP (Food Stamp) Benefit** – Increases the SNAP benefit by 15%.
- **Education Aid to the States** – $100 billion additional aid to states.
- **Public Health Service** – $175 billion additional support to reimburse for COVID-19 related costs.
- **SALT** – Reinstatement of full federal tax deductibility for state and local taxes.

The above are just the highlights of the more than 60 programmatic funding and benefit provisions in the bill. The total cost of the measure is estimated at $3 billion. Click [HERE](#) for a full summary of the measure.

Of course, of primary interest to readers of this report is the funding included for transportation. The proposed bill includes $15.75 billion for assistance to public transportation authorities. This funding is broken down as follows:
$11.75 billion for transit agencies in Urbanized Areas with more than 3 million population in the 2010 Census. This funding would be allocated by a formula based 15% on the Section 5307 Urbanized Area Formula Program and 85% based on the Section 5337 State of Good Repair program. The Eno Foundation produced estimated allocations under this section as follows:

- New York/New Jersey - $4.4 billion
- Los Angeles - $783 million
- Chicago - $1.526 billion
- Miami - $311.995 million
- Philadelphia - $872.7 million
- Dallas-Fort Worth - $209.8 million
- Houston - $87.1 million
- District of Columbia - $995.7 million
- Atlanta - $334.16 million
- Boston - $865.97 million
- Detroit - $35.825 million
- Phoenix - $76.7 million
- San Francisco - $848.3 million
- Seattle - $441.867 million

$4 billion on a discretionary grant basis to transit agencies under the FTA Emergency Relief Program rules. Preference would be given to applicants based on their revenue loss and a share of their operating budget.

There is no provision in the language for the $4 billion pot of funds that prevents agencies who receive formula assistance from the $11.75 billion pot from “double dipping.” However, it is possible that in the exercise of its discretionary authority, FTA could restrict access to these funds to agencies who do not received funding from the larger pot.

The bill also includes $15 billion for State DOT’s. There is no provision for suballocation of those funds to Metropolitan Planning Organizations or local governments. The funds will be allocated to each state based on its share of the total Highway Trust Fund Obligation Ceiling for fiscal year 2020. Funds could be used for all the purposes allowed under the Surface Transportation Block Grant program.

A House vote is expected on the bill today. It appears that it will pass on a party-line vote.

The HEROES Act would be the fifth coronavirus response measure enacted by Congress. The other four were developed by leadership offices in the House and Senate with an eye towards producing bipartisan legislation that could be passed and implemented quickly. This one is headed down a much different path. House Democrats clearly intend this bill as a marker at the beginning of a long process. Its huge price tag and long list of programs funded are indicative of an effort by leaders to bring on board their caucus and prepare for a partisan struggle.

Senate Republicans were quick to denounce the proposed House bill. Majority Leader Mitch McConnell (R-KY) last night called it a “$3 trillion left-wing wish list.” However, he did say there will be another COVID-19 response package. He did not say when he would take up such a bill. The Leader has been consistent in recent weeks calling for a “pause” in legislation responding to the virus so Congress can determine how the packages enacted to date are working. The only legislation for which he has expressed any enthusiasm in recent weeks is liability protection for businesses as they re-open after COVID-19-related closures.

For its part, the White House indicated yesterday the President would veto the HEROES Act if it arrived on his desk. You would be hard-pressed to find anyone in Washington who thinks the bill would make it that far.
House Still Hopes to Advance Fiscal Year 2021 Appropriations

House Appropriations Committee Chair Nita Lowey (D-NY) said this week she is pushing to complete her committee’s work on fiscal year 2021 spending bills before the end of June. That could be a tall order given all the difficulties – political, logistical, and fiscal – the committee is facing. Given the delays in getting the appropriations process going, it is looking less and less likely Congress will take its annual August recess. It is hard to imagine getting appropriations bills through the House and Senate and then through conference committees by the end of September if Congress is gone in August.

May 22, 2020

Senate and Administration Signal Delay in Next COVID-19 Package

Last week’s passage of a $3 trillion COVID-19 relief package in the House did not serve as a call to action in the United States Senate. After declaring the House measure “dead on arrival” Senate GOP leaders set an agenda for the week that focused on confirmations of judges and federal officials. Majority Leader Mitch McConnell was largely silent on the prospects for a future aid package.

At the White House, the signals were even more negative about a potential follow-on aid package. The President’s top economic advisor, Larry Kudlow said yesterday, “I do not believe more government spending is going to give us a strong and durable economy.” He indicated he opposes extending special unemployment benefits past July and that tax cuts for businesses would be a better way to go. Treasury Secretary, Stephen Mnuchin, speaking at an event yesterday on Capitol Hill said, “We’re going to step back for a few weeks and think very clearly how we need to spend more money and if we need to do that.” Previously, Mnuchin had been saying another package would be necessary. Now there is an “if” in his statements.

Your reporter’s guess is that the pause in action in the Senate and the Administration’s statements are part of a negotiating strategy to limit the size of the next package. The GOP still seeks liability protection for businesses which are re-opening and they know they will have to give something on the spending side to get that.

Representative Moulton Introduces $205 Billion High-Speed Rail Funding Bill

Representative Seth Moulton (D-MA) on Tuesday unveiled proposed legislation to authorize $205 billion over the next five years for high speed rail development. Of that amount $140 Billion ($35 billion per year) would be available for grants to develop high-speed rail corridors.

Besides super-charging the funding for High Speed Rail, the Moulton bill would also eliminate the requirement for non-federal match on grants. It creates an incentive for non-federal match by giving priority to applications that include at least 20% match. TIFIA or RRIF loans used to support a project would be counted towards the non-federal match.

The bill would also provide funding of $100 million per year for FTA Transit Oriented Development grants and give priority for grant applications that also benefit high-speed rail projects.

Moulton’s bill came along with a 30-page white paper he has been developing for several months. The WHITE PAPER makes the policy argument for bold investments in high-speed rail.

Representative Moulton is an influential, relatively moderate, Member of the House Democratic Caucus. He was briefly a candidate for President last year. While he does not sit on the Transportation and Infrastructure Committee, the fact that he is staking out this turf on high-speed rail may create some room for committee members to be bold in providing funding for passenger rail when they consider a reauthorization of federal surface transportation programs.

Senator Thune Introduces RRIF Program Legislation

Former Senate Commerce Committee Chair John Thune (R-SD) on Thursday teamed with Senator Maggie Hasan (D-NH) to introduce legislation to make significant changes to the Railroad Rehabilitation and Improvement Financing (RRIF) program.

The “Railroad Rehabilitation of Financing Innovation Act” re-writes the RRIF statutory language, but makes only a few important changes. As described in the PRESS RELEASE issued by the Senators the bill would:
“Streamline the application process:” Building on the work done by the Department of Transportation (DOT) in creating the RRIF Express pilot program, the bill establishes an expedited credit review process for loans meeting certain financial and operational criteria. The bill also reduces applicant uncertainty by requiring DOT to provide applicants with regular updates on the status of their application.

“Improve program flexibility:” The bill makes several changes to improve program flexibility, including longer loan terms for certain rail infrastructure projects and increased flexibility for DOT to evaluate collateral and creditworthiness.

“Provide dedicated funding for RRIF financing costs:” Similar to the Transportation Infrastructure Finance and Innovation Act loan program, the legislation authorizes funding to cover financing costs associated with providing RRIF loans. Half of the funding is dedicated solely to shortline railroads, while the remainder is reserved for passenger rail projects.

The funding provided in the bill to cover “financing costs” does not include federal support for Credit Risk Premiums. Rather it provides federal funding to pay for outside consultants and other costs usually borne by RRIF borrowers in the credit review process. Funding support for these costs is limited to RRIF loans under $200 million.

Another important change not touted in the press release is a provision that would mimic the TIFIA program’s provision allowing for Master Credit Agreements. This allows for a streamlined process to approve multiple loans to the same borrower using the same credit resource. Only one Master Credit Agreement, for Sound Transit in Seattle, has been executed under the TIFIA program.

One curious thing about the introduced bill is its provision related to Transit Oriented Development RRIF loans. The bill borrows existing statutory language relating to TOD loans – including the sunset of TOD loan authority on December 15, 2019. As readers of this report will recall, last year’s appropriation bill extended the TOD Authority through September 30, 2020 to make it co-terminus with the FAST Act. If the bill’s authors intended TOD loan authority not to be extended, all they would have to do is strike all TOD language from their proposed bill. It may be that the provisions in the introduced bill are in error. Your reporter is working to get more information on that. It is also worth noting that last fall the current Commerce Committee Chair Roger Wicker (R-MS) introduced legislation to extend TOD authority for two years.

May 29, 2020

New CDC Guidance Encourages Commuting by Single Occupancy Vehicle

The Centers for Disease Control this week issued guidance for employers preparing to re-open their workplaces. Included in their recommendations was the following:

“Offer employees incentives to use forms of transportation that minimize close contact with others, such as offering reimbursement for parking or single-occupancy ride shares.”

US DOT Announces Award of $302 Million in Rail Grants

Secretary of Transportation Elaine Chao on Wednesday announced the award of $302 million in Federal-State Partnership for State of Good Repair rail grant for Fiscal Year 2019. The awards went to 12 projects in 9 states.

Among the notable awards are:

- $11.75 million for the Del Mar Bluffs Track Bed Stabilization project sponsored by the San Diego Association of Governments and the North County Transit District.
- $55 million for the Portal North Bridge project in New Jersey to support the intercity rail portion of the project. This is part of the Gateway program and the award is another signal of the softening of the Trump Administration’s position on Gateway projects.
- $104 million for four additional Northeast Corridor projects in Connecticut, New York, New Jersey and Maryland. With the Portal North funding, this brings the NEC total to $159 million – more than half the national total.
- $17.5 million to the Long Island Railroad for improvements to platforms at Penn Station in New York.
Click [HERE](#) for the press release and the complete list of funded projects.

**Behind-the-Scenes Work Continues on FAST Act Reauthorization**

The staff of the House Committee on Transportation and Infrastructure appears to have virtually finished their work in drafting a five-year reauthorization of the FAST Act. As originally conceived, this legislation would be wrapped into a larger infrastructure package. The prospects for such a package are cloudy at present, but the deadline for reauthorizing or extending FAST Act programs is just four months away and it may be necessary for the FAST Act reauthorization process to begin as a stand-alone measure. Leadership of the Transportation and Infrastructure Committee is awaiting a signal from House Democratic Leaders as to how to proceed. They are hoping to get that signal as early as next week.

On the Senate side, your reporter talked with staff at the Senate Commerce Committee this week about their work on a rail title for FAST Act reauthorization. Staff confirmed they are working on that, but that they have no guidance on timing for committee action. The same can be said of the Banking Committee, which has jurisdiction over the transit program. As you will recall, the Environmental and Public Works Committee approved last fall a five-year reauthorization of the highway and TIFIA programs.

With each week that passes without more clarity on key legislative issues like additional COVID-19 response and appropriations bills, it becomes less and less likely that room can be found in the congressional schedule for a five-year FAST Act reauthorization to be passed before Congress’ scheduled adjournment in October. If leaders decide to cancel the traditional August recess that could add some space on the legislative calendar and improve the chances for reauthorization to go forward. Stay tuned.

**DOT and FEMA Team up to Send 4.8 Million Masks to Transit and Rail Workers**

The Department of Transportation announced yesterday that more 15.5 million cloth masks obtained by FEMA will be shipped to transportation service providers shortly. Of that total 4.8 million are for “mass transit and passenger rail” providers. The other modes receiving masks are aviation (3.8 million), Maritime (2.4 million), Freight Rail (2.2 million), Highway and Motor Carrier (2.1 million) and Pipeline Systems (258,000).