Members
Steve Vaus, Chair
Mayor, City of Poway
(Representing North County Inland)
Catherine Blakespear, Vice Chair
Mayor, City of Encinitas
(Representing North County Coastal)
Georgette Gomez
Council President, City of San Diego
Jim Desmond
Vice Chair, County of San Diego
Chair, Transportation Committee
Bill Wells
Mayor, City of El Cajon
(Representing East County)
Mary Salas
Mayor, City of Chula Vista
(Representing South County)
Chair, Regional Planning Committee
Alternates
Rebecca Jones
Mayor, City of San Marcos
(Representing North County Inland)
David Zito
Councilmember, City of Solana Beach
(Representing North County Coastal)
Barbara Bry
Councilmember, City of San Diego
Monica Montgomery
Councilmember, City of San Diego
Kristin Gaspar
Supervisor, County of San Diego
John Minto
Mayor, City of Santee
(Representing East County)
Chair, Public Safety Committee
Serge Dedina
Mayor, City of Imperial Beach
(Representing South County)
Chair, Borders Committee
Hasan Ikhrata
Executive Director, SANDAG

Executive Committee
Friday, September 11, 2020
9 to 10 a.m.
**Teleconference Meeting**

MEETING ANNOUNCEMENT AMIDST COVID-19 PANDEMIC:
The Executive meeting scheduled for Friday, September 11, 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. 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:
- At the time of the meeting, listen to the audio stream through sandag.org
- Observe the meeting via Zoom
- To participate via Zoom webinar, click the link to join the meeting: https://zoom.us/j/95291517797
- To participate via iPhone one-tap, dial a number based on your current location: US: +13017158592, 95291517797# or +13126266799, 95291517797#
- To participate via Telephone (for higher quality, dial a number based on your current location): US: +1 301 715 8592 or +1 312 626 6799 or +1 346 248 7799 or +1 669 900 6833 or +1 929 205 6099 or +1 253 215 8782
- Webinar ID: 952 9151 7797
- International numbers available: https://zoom.us/u/aezr032yCb

SANDAG is relying on commercial technology to broadcast the meeting via Zoom. 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 sandag.org.

Public Comments: Persons who wish to address the members on an item to be considered at this meeting, or on non-agendized issues, may email comments to the Clerk at clerk@sandag.org (please reference: “September 11, 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, September 10, will be provided to members prior to the meeting. If you desire to provide a live verbal comment during the meeting, please join the Zoom meeting either by computer or phone. At the time for public comments, members of the public will be advised to ‘Raise Hand’ if they wish to provide comments. The ‘Raise Hand’ feature can be found on the Zoom toolbar for those who are joining via computer or by entering *9 for those who joining via telephone only. The Chair will call on members of the public by name for those joining via a computer and by the last three digits of your telephone number for those joining via telephone. 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.

SANDAG operates its programs without regard to race, color, and national origin in compliance with Title VI of the Civil Rights Act. SANDAG has developed procedures for investigating and tracking Title VI complaints, and the procedures for filing a complaint are available to the public upon request. Questions concerning SANDAG nondiscrimination obligations or complaint procedures should be directed to the SANDAG General Counsel, John Kirk, at (619) 699-1997 or john.kirk@sandag.org. Any person who believes himself or herself or any specific class of persons to be subjected to discrimination prohibited by Title VI also may file a written complaint with the Federal Transit Administration.

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: click the closed caption icon on the toolbar at the top of your screen and follow the prompts. The closed captioning will be shown at the bottom of your screen. Or, open your browser and paste the link: 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, September 11, 2020

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Action</th>
<th>Title/Description</th>
</tr>
</thead>
</table>
| +1.      | Approve| Approval of Meeting Minutes  
The Executive Committee is asked to approve the minutes from its July 10, 2020, 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 SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” |
| 3.       |        | Executive Director’s Report  
Hasan Ikhrata  
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. |
| +4.      | Approve| Review of Draft Board Agendas  
Victoria Stackwick, SANDAG  
The Executive Committee is asked to approve the draft agenda for the September 25, 2020, Board Business meeting. A verbal update on the October 9, 2020, Board Policy meeting will be presented. |
| 5.       | Discussion/ Possible Action| Board Policy: Campaign Contributions  
The Executive Committee is asked to discuss and consider the development of a Board Policy regarding campaign contributions by the SANDAG Executive Director. |
| +6.      | Approve| Proposed FY 2021 Program Budget Amendment: Potential Litigation Related to 6th Cycle Regional Housing Needs Assessment Plan  
Seth Litchney, SANDAG  
The Executive Committee is asked to approve an amendment to the FY 2021 Program Budget, transferring $100,000 from the Overall Work Program Contingency Reserve Fund to Work Element No. 3100400 to fund litigation expenses for potential legal action related to the 6th Cycle Regional Housing Needs Assessment Plan. |
| +7.      | Information| Legislative Status Report  
Robyn Wapner, Hector Vanegas, and Victoria Stackwick, SANDAG  
An update on SANDAG legislative and policy activities will be presented. |
8. **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.

9. **Upcoming Meetings Information**  
The next Executive Committee meeting is scheduled for Friday, October 9, 2020, at 9 a.m.

10. **Adjournment**
July 10, 2020, Executive Committee Meeting Minutes

Chair Steve Vaus (North County Inland) called the meeting of the Executive Committee to order at 8:30 a.m.

1. Approval of Meeting Minutes (Approve)

Action: Upon a motion by Chair Vaus and a second by Mayor Mary Salas (South County), the Executive Committee voted to approve the minutes from its June 12, 2020, meeting.

The motion passed.

Yes: Chair Vaus, Vice Chair Catherine Blakespear (North County Coastal), Mayor Bill Wells (East County), 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.

Consent

3. FY 2019 SourcePoint Basic Financial Statements and Independent Auditors' Report

This report presented the FY 2019 SourcePoint Basic Financial Statements and Independent Auditors' Report for the year ending June 30, 2019.

Action: Information only.

Reports

4. Review of Draft Board Agendas (Approve)

Director of Government Relations Victoria Stackwick presented the July 24, 2020, Board Business agenda, and a verbal update on the August 14, 2020, Board Policy agenda.

Action: Upon a motion by Chair Vaus and a second by Mayor Wells, the Executive Committee voted to approve the draft agenda for the July 24, 2020, Board Business meeting, as amended to modify the Caltrans Planning Grants item and to take the Specialized Transportation Grant Program item under consent; and the August 14, 2020, Board Policy agenda.

The motion passed.

Yes: Chair Vaus, Vice Chair Blakespear, Mayor Wells, Mayor Salas, and Supervisor Desmond.

No: None.
Abstain: None.
Absent: City of San Diego.

5. **Annual Review of Proposed Amendments to Board Policies and Bylaws**  
   *(Discussion/Possible Action)*

The Executive Committee was asked to discuss the proposed Bylaws and Board Policy amendments, and either recommend that the Board of Directors approve the proposed amendments, or direct staff to return to the Executive Committee for further discussion or review.

**Action:** Chair Vaus directed staff to return to the Executive Committee in September 2020 for further discussion and review.

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, Friday, August 14, 2020, at 9 a.m.

9. **Adjournment**

Chair Vaus adjourned the meeting at 9:19 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>
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<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>
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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>John Minto</td>
<td>Alternate</td>
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<tr>
<td>City of San Diego</td>
<td>Georgette Gomez</td>
<td>Primary</td>
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<td>County of San Diego</td>
<td>Jim Desmond</td>
<td>Primary</td>
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<td></td>
<td>Kristin Gaspar</td>
<td>Alternate</td>
<td>No</td>
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</tbody>
</table>
Executive Committee

September 11, 2020

Draft September 25, 2020, Board of Directors Meeting Agenda

Item No.  

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.” Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

2. **Policy Advisory Committee Chairs' Report**

   Policy Advisory Committee chairs will provide updates on key Committee activities.

3. **Executive Director's Report**

   *Hasan Ikhrata*

   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.

   **Consent**

4. **Approval of Meeting Minutes**

   The Board of Directors is asked to approve the minutes from its July 10, 2020, Board Policy meeting, July 24, 2020, Board Business meeting, and August 14, 2020, Board Policy meeting.

5. **Policy Advisory Committee Actions**

   *Francesca Webb, SANDAG*

   The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees.

6. **Proposed FY 2021 Program Budget Amendment: Old Town Transit Center**

   *John Dorow, SANDAG*

   The Transportation Committee recommends that the Board of Directors accept funding for the construction of transit improvements at the Old Town Transit Center West.
+7. **2018 Regional Transportation Improvement Program Amendment No. 14: TransNet Program of Projects**  
   *Sue Alpert, SANDAG*  

   The Transportation Committee recommends that the Board of Directors adopt Regional Transportation Commission (RTC) Resolution No. RTC-2021-01, approving Amendment No. 14 to the 2018 Regional Transportation Improvement Program and adopting the TransNet Program of Projects for FY 2021 through FY 2025.

+8. **Senate Bill 1 State of Good Repair Program: North County Transit District Project List**  
   *Sue Alpert, SANDAG*  

   The Board of Directors is asked to adopt Resolution No. 2021-XX, authorizing the submittal of the North County Transit District project list under the FY 2020-2021 Senate Bill 1 State of Good Repair Program.

+9. **Federal Transit Administration Section 5311 Program of Projects - Cares Act**  
   *Michelle Smith, SANDAG*  

   The Board of Directors is asked to approve the apportionment of CARES Act FTA 5311 Federal Fiscal Year 2020 funding for the San Diego region.

+10. **FY 2020 State Transit Assistance Claim Amendment and FY 2020 State of Good Repair Claim**  
    *Sue Alpert, SANDAG*  

    The Board of Directors is asked to adopt Resolutions No. 2021-XX and 2021-XX, approving the FY 2020 State Transit Assistance claim amendment and FY 2020 State of Good Repair claims for North County Transit District.

+11. **Executive Director Delegated Actions**  
    *Kim Monasi, 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.

+12. **Meetings and Events Attended on Behalf of SANDAG**  
    *Francesca Webb, SANDAG*  

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

    *André Douzdjian and Ray Major, SANDAG*  

    This quarterly report provides various finance-related items to the Board of Directors, including: (1) a quarterly report of investments, including all money under the direction or care of SANDAG; and (2) an annual report and evaluation of all outstanding interest rate swaps.
Quarterly Progress Report on Transportation Projects – Through June 2020

Michelle Smith, SANDAG

This quarterly report summarizes the status of major transit, highway, arterial, traffic management, and transportation demand management projects in the SANDAG five-year Regional Transportation Improvement Program.

Chair’s Report

iCommute Diamond Award Employer Recognition

The Board of Directors will recognize the recipients of the 2020 Diamond Awards for their commitment to sustainable transportation choices that reduce regional traffic congestion and greenhouse gas emissions.

Report

Proposed Management Agreement – Rancho Lilac Mitigation Property

Keith Greer

The Board of Directors is asked to authorize the Executive Director to execute an agreement for the transfer and long-term management of mitigation land.

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.

Upcoming Meetings

The next Board Policy meeting is scheduled for Friday, October 9, 2020, at 10 a.m. The next Board Business meeting is scheduled for Friday, October 23, 2020, at 9 a.m.

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
Proposed FY 2021 Program Budget Amendment: Potential Litigation Related to 6th Cycle Regional Housing Needs Assessment Plan

Overview

In anticipation of legal action against SANDAG related to the 6th Housing Element Cycle Regional Housing Needs Assessment Plan, up to $100,000 may be necessary to cover the initial costs of outside counsel and staff time to respond to a potential lawsuit.

The FY 2021 Program Budget did not include funds related to this expense; therefore, contingency funds would be needed to cover these costs.

Key Considerations

Pending approval of the proposed amount, the projected remaining balance for the Contingency Reserve Fund would be $5.2 million. This projected balance represents 11% of the FY 2021 Overall Work Program budget, exceeding the 10% minimum requirement as set forth in Board Policy No. 30.

Next Steps

Upon approval, staff will transfer the funds and take any steps necessary to prepare and respond to legal action taken against SANDAG. SANDAG staff will return to the Executive Committee to request additional funds, if necessary.

Coleen Clementson, Director of Regional Planning

Key Staff Contact:  Seth Litchney, (619) 699-1943, seth.litchney@sandag.org

Action: Approve

The Executive Committee is asked to approve an amendment to the FY 2021 Program Budget, transferring $100,000 from the Overall Work Program Contingency Reserve Fund to Work Element No. 3100400 to fund litigation expenses for potential legal action related to the 6th Cycle Regional Housing Needs Assessment Plan.

Fiscal Impact:

If approved, an additional $100,000 would be allocated to Overall Work Program Element No. 3100400.

Schedule/Scope Impact:

The Regional Housing Needs Assessment Plan was approved by the Board of Directors on July 10, 2021, and local government Housing Element updates are due April 2021.
Executive Committee

September 11, 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 August 2020.

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.
TO: SANDAG BOARD OF DIRECTORS  
FROM: ELLISON WILSON ADVOCACY, LLC  
SUBJECT: SANDAG LEGISLATIVE ACTIVITY REPORT – AUGUST 2020

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**LEGISLATIVE UPDATE**

**Legislative Overview**

After a highly unusual COVID-condensed legislative year, the Legislature adjourned the 2019-20 Legislative Session after midnight on August 31. The Governor has until September 30 to sign or veto all bills sent to him. Barring bills with urgency clauses that go into effect immediately, all other signed bills will go into effect on January 1, 2021. The Legislature is scheduled to reconvene at the Capitol on December 7 for an Organizational Session to commence the 2021-22 Legislative Session; however, there is a chance that the Governor will call a special session in the interim.

**AB 2731 (Gloria) Passed by the Legislature**

AB 2731, authored by Assembly Member Todd Gloria, will strengthen environmental mitigation efforts for the redevelopment of the 70.5-acre Naval Base Point Loma Old Town Campus – including the possible development of a multimodal transportation Central Mobility Hub to serve as a connection to link regional transit to the San Diego International Airport – as well as enhance public participation and government transparency while providing certainty of process to allow the project to begin construction in relatively short order. The bill was passed by the Senate Environmental Quality Committee on August 15, the Senate floor on August 30, and the Assembly floor on August 31, all without a single “no” vote. The bill will now head to the Governor, who must act on the bill by September 30.

**Senate Housing Bill Package Fails**

In May, Senate President Pro Tem Toni Atkins prioritized a package of five housing bills “to spur affordable housing production and aid California’s economic recovery due to the COVID-19 crisis,” including:

- **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 (MEIR) 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.

Ultimately, none of these five bills were passed by the Legislature this year. SB 1385 failed to be passed by the Assembly Local Government Committee, SB 902 was held by the Assembly Appropriations Committee, and SB 995, SB 1120, and SB 1085 were passed by the Assembly without sufficient time to be passed by the Senate prior to its midnight deadline. There’s still a chance that a special session will be called by the Governor, in which case these concepts could be re-explored before next year. However, the Assembly did pass a density bonus bill, AB 2345 (Gonzalez), which revises density bonus law to increase the maximum allowable density and the number of concessions and incentives a developer can seek.

**ACTIVITY REPORT**

8/3: Reviewed/analyzed AB 2731 draft language from Legislative Counsel.

8/4: Reviewed and distributed AB 2731 amendments in print; reviewed stakeholder position letter on AB 2731; Reviewed/analyzed amendments to pertinent legislation and provided update to SANDAG staff.

8/5: Communicated with policy committee consultant on AB 2731; Provided SANDAG staff with updated legislative calendar; communicated with SANDAG staff on HCD matter.

8/6: Reviewed/analyzed stakeholder comments on AB 2731; monitored policy committee hearing on key CEQA bills and provided subsequent update to SANDAG staff.

8/7: Conference call with stakeholders on AB 2731; Reviewed/analyzed fiscal committee procedures; communicated with Senate Environmental Quality committee member’s staff on AB 2731; reviewed/analyzed amendments to pertinent legislation and provided update to SANDAG staff.

8/10: Communicated with Senate Environmental Quality committee member’s staff on AB 2731.

8/11: Reviewed/analyzed pertinent LAO report and provided update to SANDAG staff; provided SANDAG staff with policy committee update on pertinent legislation.

8/12: Reviewed/analyzed policy committee analysis on AB 2731; reviewed/analyzed amendments to pertinent legislation and provided update to SANDAG staff.

8/13: Conference call with author’s office on AB 2731; reviewed/analyzed stakeholder position letter on AB 2731; reviewed/analyzed amendments to pertinent legislation and provided update to SANDAG staff; provided SANDAG staff with policy committee update on pertinent legislation.

8/14: Attended/Monitored Senate Environmental Quality Committee hearing on AB 2731; reviewed/analyzed stakeholder proposed amendments to AB 2731.

8/17: Reviewed/analyzed stakeholder proposed amendments to AB 2731.

8/18: Reviewed and distributed AB 2731 amendments in print; conference call with stakeholders on AB 2731; reviewed/analyzed stakeholder proposed amendments to AB 2731.

8/19: Conference call with SANDAG staff on AB 2731; reviewed/analyzed stakeholder proposed amendments to AB 2731.

8/20: Attended/monitored fiscal committee hearing on pertinent bills and provided update to SANDAG staff.

8/21: Reviewed/analyzed stakeholder proposed amendments to AB 2731.

8/22: Reviewed/analyzed stakeholder proposed amendments to AB 2731.

8/23: Reviewed/analyzed stakeholder proposed amendments to AB 2731.
8/24: Reviewed/analyzed stakeholder proposed amendments to AB 2731; reviewed/analyzed amendments to pertinent legislation and provided update to SANDAG staff.

8/25: Conference call with author’s office on AB 2731; reviewed/analyzed AB 2731 draft language from Legislative Counsel; provided SANDAG staff with legislative calendar update.

8/26: Reviewed and distributed AB 2731 amendments in print; reviewed/analyzed stakeholder proposed amendments to AB 2731; reviewed and submitted SANDAG position letter on AB 2731 to Legislature; reviewed/analyzed amendments to pertinent legislation and provided update to SANDAG staff; provided SANDAG staff with an updated list of active pertinent bills.

8/27: Conference call with team on AB 2731.

8/28: Reviewed and distributed AB 2731 amendments in print; reviewed/analyzed amendments to pertinent legislation and provided update to SANDAG staff.

8/29: Attended/monitored legislative floor sessions on AB 2731 and other pertinent legislation; provided subsequent updates to SANDAG staff.

8/30: Attended/monitored legislative floor sessions on AB 2731 and other pertinent legislation; provided subsequent updates to SANDAG staff.

8/31: Attended/monitored legislative floor sessions on AB 2731 and other pertinent legislation; provided subsequent updates to SANDAG staff.
Transportation Update from Peyser Associates
August 7, 2020

Talks On COVID-19 Package on A Knife’s Edge

As this report goes to press on Friday morning, there are no talks scheduled for today between the key players in the negotiations over a COVID-19 relief and response package. After a week when the negotiators mostly offered positive assessments of progress in the talks, the mood turned decidedly sour of a meeting in the Capitol late yesterday. When the meeting ended, the two sides could not agree on when to meet next. Instead, they agreed to talk today to decide if it makes sense to meet.

Earlier in the week, the principals had set today as the deadline for them to have an agreement in place so that staff could prepare legislative language for consideration next week. Absent a sudden breakthrough, that is not going to happen.

It is not clear why the tenor of talks changed late in the week. However, one factor may have been President Trump’s public statements against aid to state and local governments and his continued insults to the Democratic negotiators, House Speaker Nancy Pelosi (D-CA) and Senate Minority Leader Chuck Schumer (D-NY). His drawing a hard line on the state and local aid in public may have caused the White House negotiators, Chief of Staff Mark Meadows and Treasury Secretary Stephen Mnuchin, to dig in deeper on their opposition to that Democratic priority. When last night’s meeting wrapped-up, Speaker Pelosi said “We are very far apart. It’s most unfortunate.”

President Trump, who has not been directly involved in the negotiations, has declared his intention to deal with several issues via executive orders to be issued tomorrow if there is no agreement on a package. He is planning to extend the federal unemployment benefit, extend the moratorium on foreclosure on Federal Housing Administration (FHA) and Veterans Affairs (VA) mortgages, suspend collection of a portion of employer payroll taxes, and some form of student loan forgiveness. It is unclear if he has legal authority to do all those things by executive order. The payment of unemployment benefits, in particular, is problematic because it would require the use of funds that have not been appropriated for that purpose.

Aid to transit authorities is still in play, according to comments Schumer made at a virtual rally for transit aid on Wednesday. He also said Republicans don’t see the need for such aid and that he is working to overcome that.

Experience teaches us that even on a complicated package like this, agreement can be reached within a matter of hours once the parties decide it is time to make a deal. So we could be headed for a very up-and-down kind of weekend ahead.

Likelihood of Extension of Surface Transportation Programs Grows

Conversations with Senate staffers this week drove home the point that a one-year extension of surface transportation programs is emerging as the most likely option for dealing with the upcoming expiration of those programs. The opening position of the Senate appears to be to just “change the dates” on the authorizations. That would mean no policy changes and no funding increases. The House position is likely to be to enact the fiscal 2021 provisions in H.R. 2 for the highway, transit and rail programs. Especially where the highway and transit programs are concerned, those provisions include significant policy changes for fiscal
2021 and emergency funding related to COVID-19 recovery. For rail programs, it includes significant funding increases and new grant programs.

When Congress returns from August recess after Labor Day, we can anticipate discussions to begin in earnest about the contours of an extension.

August 14, 2020

Talks on COVID-19 Relief Stall Delay Until September Possible

The talks between House and Senate Democratic Leaders and the White House over a potential COVID-19 relief and recovery process have essentially ground to a halt. Neither side appears ready to make a deal.

The major sticking point continues to be aid to state and local governments. The White House has apparently offered $150 million for that purpose – only 15% of the funding in the House-passed HEROES Act. Another emerging issue is aid to the US Postal Service. The President this week directly tied the debate over funding for the US Postal Service to his effort to limit mail-in voting in the upcoming election. That has further incensed Democrats are now digging in deeper on their demand for $25 billion in aid to the post office. So, if anything, the divide between the negotiators is wider now than it was when negotiations began three weeks ago.

In an indication that the impasse may well extend beyond Labor Day, Senate Majority Leader Mitch McConnell yesterday said that the Senate will hold no votes until September 8 – essentially sending his Members home. Like the House, the Senate will be on standby in case the impasse breaks before then. Given that the next two weeks feature the national conventions of both parties, it seems a deal may be elusive during that time.

FTA Announces FY 2020 Bus Grants

The Federal Transit Administration (FTA) on Tuesday announced the award of the FY 2020 discretionary grants from the Buses and Bus Facilities program. This round allocated funds to 96 projects in 49 states and territories.

The biggest winner, by far, was Washington State, with five grants totally $28.45 million. By contrast, California received $11.3 million and New York received $11.6 million.

Click HERE to see a list of the projects receiving funds.

August 21, 2020

No Report this week.

August 28, 2020

Triple Witching Hour for Transportation Funding Setting Up for September

Congress will return on September 8 with a very busy four weeks in store before they head home for the final weeks of the Fall campaign. Hanging in the balance will be three key pieces of legislation for transportation programs: the next COVID-19 relief package, the FY 2021 appropriations bill, and an extension of authorization laws for transportation programs.

At this juncture, it appears that neither the Democrats nor the Republicans have an appetite to negotiate a COVID-19 package even close to the $3 trillion HEROES Act enacted by the House in May. House Democrats are now talking about getting a $2.2 trillion package this fall that would be a short-term package. While that is their official position, the rumor mill says they would accept a compromise at $1.5 trillion. Their behavior is indicative of a high level of confidence that next year will bring a more favorable environment for Democrats and that a larger COVID-19 package could be enacted in the first quarter of 2021.
While the new approach by Democrats increases the chances for a deal in September, it will make it more difficult to gain approval in this package for aid to transit. The Democrats’ highest priorities at this juncture are unemployment benefits, small business loans, state and local aid, education aid and support for COVID-19 testing and health care facilities. It will be a challenge to find room for the $15.75 billion in transit funds included in the CARES Act, much less the $32 billion being sought by transit advocates.

With regard to the annual appropriations bill, most conversation now revolves around the length of a Continuing Resolution (CR) to be enacted before Congress recesses for the election. We are hearing a lot of conversation on Capitol Hill about a CR until next March.

For the reauthorization of surface transportation programs, a five-year reauthorization is off the table at this point. They key question is how long will an extension be and how much funding and policy will be included in it. The House Committee on Transportation and Infrastructure will be pushing to include significant funding increases and policy changes they included for FY 2021 in their reauthorization bill passed last month. The Senate appears more inclined to a simple extension.

It will be a couple of weeks before we have a better picture of how these three major issues will be resolved. It is possible they could all be rolled up into an enormous package including an Omnibus CR, the COVID-19 package, and miscellaneous policy bills. It’s going to be a wild month.

**FTA Announces $500 Million in Capital Investment Grants to Five Projects**

In two separate announcements this week the Federal Transit Administration released $500 million in Capital Investment Grant funds for five projects. All five projects are expected to receive either funding agreements by the end of this calendar year.

Most notable was the release of $248 million in FY 2018 and 2019 funds for the Portal North Bridge project. This project is part of the Gateway Program of projects that has been the source of political conflict between New York, New Jersey, and Amtrak on one side and the Trump Administration on the other. The release of funding for Portal North does not, however, mean the other major project in the Gateway Program – new Hudson River Tunnels – will move anytime soon.

The other four projects were:

- Phoenix Northwest Extension Phase II Project -- $50.6 million in FY 2020 funds.
- Northwest Indiana Double Track Project -- $50.6 million in FY 2020 funds.
- Kansas City Streetcar Main Street Extension -- $50.8 million in FY 2020 funds.
- Miami-Dade South Corridor Rapid Transit Project -- $99.9 million in FY 2020 Funds.