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## NAPA VALLEY TRANSPORTATION AUTHORITY

### Board Agenda Letter

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**TO:** NVRTA Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Kate Miller, Executive Director  
(707) 259-8634 / Email: [kmiller@nvta.ca.gov](mailto:kmiller@nvta.ca.gov)  
**SUBJECT:** 2020 Federal and State Legislative Advocacy Program and Project Priorities and Legislative and State Bill Matrix Update

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### **RECOMMENDATION**

That the Technical Advisory Committee (TAC) (1) receive the 2020 Federal and State Legislative Advocacy Programs and Project Priorities (Attachment 1), and (2) receive the State Legislative update and bill matrix provided by Platinum Advisors.

### **EXECUTIVE SUMMARY**

Attachment 1 contains the proposed 2020 Federal and State Legislative Program and Project Priorities. The Program and Priorities is a strategy to help focus agency efforts in order to meet agency key goals and objectives. A summary of the revisions from the 2020 Federal and State Legislative Agenda and Project Priorities are included below.

Attachment 2 is the State Legislative Update from Platinum Associates. Attachment 3 is the State Bill Matrix and includes several bills released as part of the extraordinary session with staff recommendations requesting Board action.

### **FISCAL IMPACT**

Is there a Fiscal Impact? No.

### **BACKGROUND AND DISCUSSION**

Each year the NVRTA Board approves the Federal and State Legislative Programs and Project Priorities to establish direction and to authorize staff to advocate for various policy principals and projects.

Attachment 1 is the proposed 2020 Programs and Projects list showing the changes from 2019. A summary of the changes are included in Table 1 below.

Table 1: Summary of Legislative Agenda Changes

Item	Reason
<b>Revenues</b>	
Amend the Federal Department of Transportation (DOT) highway program from Transportation Investments Generating Economic Recover (TIGER) to Better Utilizing Investments to Leverage Development (BUILD)	The DOT changed the name of the program from TIGER to BUILD.
Add the language “or successor legislation” to respond to Fixing America’s Surface Transportation Act.	The FAST Act will expire in 2020 and the next transportation authorization bill may have another title.
Modify language regarding National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) reciprocity	The federal government has modified the language in the law to allow for a 150-day comment period but the DOT has not yet issued the federal register or modified its circular – this revision clarifies that staff would specifically comment on the proposed rulemaking when issued.
Add expanded language under user-based fees to include other congestion pricing mechanisms.	Incorporate other congestion pricing mechanisms that are intended to increase revenues and reduce congestion.
Add mechanisms that secure revenues on excess state-owned highway property for projects in Napa County.	There are roughly 30 acres owned by the California Department of Transportation on SR 29 that will not be needed for Soscol Junction which could be sold to support NVTAs highway improvement priorities.

Table 1: Summary of Legislative Agenda Changes - *Continued*

Support efforts to ensure consistent interpretation of Transportation Development Act (TDA) and State Transit Assistance (STA) and ensure TDA reform benefits the Vine Transit system.	The State Controller's office has in recent years interpreted TDA law in a way that has both distributed revenues to non-transit properties which has reduced the amount of revenues going to public transit systems. In addition, the State Controller's office has recently changed its interpretation of qualifying revenues to calculate STA which has reduced the amount of revenues distributed to certain transit operators. Finally TDA reform is being discussed to alter the qualifying performance metrics which is specifically focused on changing the farebox recovery measure to other metrics.
<b>Congestion Relief</b>	
Add support of transit shoulder running.	Once the SR 29 improvements have been made in American Canyon, running transit on the shoulder of the road would allow it to move past vehicle congestion encouraging additional ridership.
<b>Projects</b>	
Add Resilient SR 37 access to public lands	The SR 37 Resiliency effort includes a number of improvements that would grant additional access to non-auto users to experience the wetlands and natural environments in/around the SR 37.
Add autonomous vehicle infrastructure to technology projects	There has been greater emphasis on autonomous vehicle technology and additional infrastructure on city streets and highways is likely to be needed to accelerate the technology.
Add advocacy for the Sonoma Marin Rail Transit expansion to the Suisun Amtrak/Capital Corridor Station and Vallejo Ferry	The project would improve east/west commute connections and access to the Vallejo Ferry.
Add Vallejo Ferry Operational Improvements	More frequency would improve connections between the Vine Transit system and the Ferry/central Bay Area and encourage non-auto commuting.

## SUPPORTING DOCUMENTS

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## 2020 Federal and State Legislative Advocacy Program and Project Priorities

### Federal Legislative Advocacy Program

- Revenues
  - Support efforts to stabilize and increase revenues that flow to the Highway Trust Fund.
  - Support efforts to expand competitive grant programs.
  - Advocate for grant programs that fund clean fuel technologies, including the FTA Low and No Emission Vehicle Deployment program.
  - Advocate for increased appropriations for the New Starts and Small Starts program, as well as establishing a robust set aside for Small Starts projects in rural areas.
  - Advocate for increased appropriations for the Department of Transportation's (DOT)-DOT's Better Utilizing Investments to Leverage Development (BUILD) Transportation (formerly Transportation Investments Generating Economic Recovery (TIGER) program and preserve eligibility for bicycle and pedestrian projects.
  - Advocate for increased appropriations for Federal Transit Administration (FTA) Bus and Bus Facilities funds (FTA §5339 C).
  - Support efforts that ensure continued protection of transportation programs subject to across-the-board cuts through budget sequestration.
  - Respond to Federal Transit Administration's and Federal Highway Administration's implementation of Fixing America's Surface Transportation Act (FAST) or successor legislation, as rulemakings, circulars, and other administrative actions are issued.
  - ~~Seek modifying language in the FAST Act~~Support efforts to address the National Environmental Policy Act (NEPA) reciprocity language to align the statute of limitation to file a claim to be consistent with the 30-day statute of limitation in the California Environmental Quality Act (CEQA), or at a minimum, to align it with existing NEPA statute of limitations for highway and transit projects which is set a 150 days.
  - Support efforts that increase funding and existing FAST Act programs in anticipation of the 2020 reauthorization of the transportation authorization bill.
  - Support efforts to educate the next Administration on the need for increased investment in transportation infrastructure.
  - Support increased funding for advanced/emerging technologies pilot and demonstration programs.

## **State Legislative Advocacy Program**

- Revenues
  - Work closely with state legislators and agencies to maximize AB 32 Cap and Trade revenues for transportation projects, specifically expanding eligibility to include travel demand management program and traffic congestion relief, grow the transit program, and identify measures to advance funds.
  - Support efforts that would support investments in transit infrastructure projects eligible for Cap & Trade offsets.
  - Support efforts to lower the 2/3rds voting threshold for local transportation sales tax measures.
  - Support efforts to increase Cap & Trade funds for public transit and other transportation programs that reduce emissions.
  - Support funding innovations such as user-based fees (e.g. tolls, parking fees, and other congestion pricing mechanisms) –that reduce congestion and stabilize and or generate new revenues for transportation such as voluntary mileage based program (that might arise from SB 1077 or other).
  - ~~Protect transportation funds from being diverted for other purposes from being conditioned for housing production or other purposes.~~
  - Protect existing formulas that maximize local and regional control of state transportation funds.
  - Support efforts to identify new revenues and mechanisms to implement redevelopment projects and support priority development areas.
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  - Identify and advocate for measures that would preserve and grow local streets and road revenues.
  - Support efforts that encourage and fund affordable housing programs that honor existing urban growth boundaries, preserving agricultural lands and open space areas.
  - Sponsor and support legislation that would condition the sale of excess property in Napa County owned by the California Department of Transportation to be used for highway transportation projects in Napa County as identified by NVTAs Countywide Transportation Plan.
  - Support consistent interpretation of the Transportation Development Act (TDA) which guides both TDA and State Transit Assistance (STA) specific to qualifying revenues and eligible recipients and support TDA reform that would benefit the Vine Transit system.
- Project Delivery
  - Support efforts to streamline project delivery requirements and reduce costs for delivering projects, including efforts that streamline CEQA processes.
  - Support efforts to expand local and regional authority to enter into public-private partnerships for transportation improvement projects.
- Environment
  - Support regulatory and legislative efforts to encourage van pools, transit use, and alternative commute options.

- Support programs that assist employers in meeting the SB 1339 requirements.
- Congestion Relief
  - Support efforts to establish and maintain HOV lanes on State Highways.
  - Support efforts that allow Express Bus and Regional Routes to operate on highway shoulders.
  - Support Caltrans efforts to expand traveler information and other solutions that reduce congestion and increase throughput.
- Regulatory Reform
  - Support legislation to exempt public transit vehicles from state and local truck route ordinances.
  - Support efforts that ease compliance for small operators, and provide financial assistance for infrastructure investments and vehicle purchases associated with to the California Air Resources Board's Innovative Clean Transit Rule.
  - Support Regional Housing Needs Allocation reform that expands the definition of acceptable dwelling units.

### **Project Priorities**

- Improvements to State Route 29, including improvements to key intersections such as Soscol Avenue (SR 29/SR121/SR12), Carneros (SR 221/SR 29/SR12), Airport (SR 29/SR 12), and improvements on SR 29 in American Canyon between Napa Junction and American Canyon Road.
- Congestion relief projects and sea level rise mitigation on State Route 37 including Resilient SR 37 access to public lands.
- Projects located in the County's two Priority Development Areas
- Transit Maintenance Facility
- Technology projects that increase transit operating efficiencies and reduce emissions.
- Technology projects that improve highway and local street and road operations, including autonomous vehicle infrastructure.
- Projects included in Plan Bay Area and successor Regional Transportation Plans for Napa's jurisdictions.
- Pedestrian and Bicycle Infrastructure, Wayfinding, and Safety
- Rapid Bus corridor improvements on major corridors including project in NVTa's 2017 Express Bus Plan
- Upgrades to Soscol Gateway Transit Center
- Major Corridor Management, Operations and Control Center Projects
- Vine bus fleet electrification
- Countywide electric vehicle charging network
- Safe and accessible routes and infrastructure to transit and schools
- Sonoma Marin Area Rail Transit expansion to Suisun Amtrak/Capital Corridor Station and Vallejo Ferry Terminal.
- Vallejo Ferry operational improvements/service frequencies.





October 30, 2019

TO: Kate Miller, Executive Director  
Napa Valley Transportation Authority

FR: Steve Wallauch  
Platinum Advisors

**RE: Legislative Update**

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**New Director:** Last week CalSTA Secretary David Kim swore in the next Caltrans Director, Adetokunbo “Toks” Omishakin. Director Omishakin brings with him a strong background in active transportation and multimodal planning to Caltrans at a time when the Department is working to implement a wider view of transportation by incorporating complete streets policies and an effort to reduce vehicle miles travelled (VMT). Born and raised in Tennessee, Toks previously served as the Deputy Commissioner for Environment & Planning at the Tennessee Department of Transportation, and prior to that he was the Director of Healthy Living in the Nashville Mayor’s Office. A goal of the new Director is to develop strong local partnerships to implement safe, sustainable, multimodal projects. At his swearing in ceremony, Director Omishakin stressed the need to improve multimodal operations and improve the safety of the transportation system, particularly for the most vulnerable users.

**Climate Resiliency Executive Order:** Prior to departing for Climate Week in New York, Governor Newsom issued a wide-ranging executive order making climate resiliency and greenhouse gas (GHG) reductions a priority for state investments. The executive order contains broad declarations on spending and investing funds in the following areas:

- **Transportation Systems:** Directs California State Transportation Agency (CalSTA) to align transportation spending, programming and mitigation with the state’s climate goals to achieve the objectives of the state’s Climate Change Scoping Plan, where feasible. The executive order also specifies the following actions on transportation:
  - Reduce VMTs by directing discretionary transportation funds to support housing production near jobs.
  - Reduce congestion through innovative strategies that encourage people to shift from cars to other modes.
  - Fund transportation options that contribute to overall health and GHG reductions, such as transit, walking, and biking.

- Mitigate increases in transportation costs for lower income individuals.
- **State Investments:** Directs the Department of Finance to create a Climate Investment Framework to measure and manage climate risk across the state's investment portfolio, with the goal of driving investment toward carbon-neutral and climate resilient technologies. The State's investment portfolio includes over \$700 billion through CalPERS, CalSTRs, and the University of California Retirement System.
- **State Assets and Operations:** Directs Department of General Services (DGS) to identify opportunities to lower emissions and mitigate climate risk from the state's owned and leased assets, primarily buildings and vehicles, and to implement sustainable purchasing policies across state agencies that prioritize the purchase of environmentally preferable goods, consistent with state climate policies.
- **Vehicles and Electric Vehicle Infrastructure:** Directs California Air Resources Board (CARB) to push automakers to produce even more clean vehicles, and to find ways for more Californians to purchase these vehicles on the new and used markets. Also, directs CARB to strengthen existing or adopt new regulations to achieve greenhouse gas reductions within the transportation sector.

***Draft ITIP:*** Shortly after the Governor issued the Climate Resiliency Executive Order, Caltrans took a step toward implementing it with the release of the draft Interregional Transportation Improvement Plan (ITIP). This document outlines how Caltrans plans to spend its share of funds on transportation improvement projects. The draft ITIP has infuriated some legislators by deleting funding for some highway expansion projects and setting aside funds for unspecified rail improvements.

The draft ITIP proposes to delete funding for three existing projects that have not started planned work. These include widening projects on Highway 99 in Madera and Tulare Counties, and a project on Highway 46 in San Luis Obispo County. This action frees up \$32.5 million for other priorities. The ITIP also proposes to hold in reserve \$61.3 million in uncommitted funds for priority rail projects and other priorities that are consistent with Governor's Climate Resiliency Order. The ITIP does not indicate how or when these reserve funds would be allocated; however, it is safe to assume that these funds will be used to compliment awards made in the next round of Transit and Intercity Rail Capital Project grants.

**Low Carbon Transportation Funding:** On October 24<sup>th</sup> the Air Resources Board is scheduled to adopt an updated expenditure plan for 2019-20 cap & trade funds. The 2019-20 state budget provides \$182 million for clean trucks, buses and off-road equipment programs. Of this amount CARB will dedicate \$142 million for the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) rebate program and \$40 million for competitive programs.

With respect to the HVIP rebates, the Board adopted the following changes:

- Discontinue voucher enhancements for infrastructure. This eliminates the only fueling infrastructure funding pot for battery charging systems or hydrogen fueling needs.
- Discontinue all vehicle voucher enhancements except for the Disadvantaged Communities Plus Up. The disadvantaged communities enhancement provides \$15,000 per vehicle.
- Clarify policies surrounding stacking/combining other State funds with HVIP. The proposal will keep in place the public fleet option of combining funds up to 100 percent of the vehicle cost.
- Reinstate fleet limits for zero emission vehicles. Staff proposes to reinstate the 200-voucher limit per fleet per calendar year to prevent a single fleet or manufacturer from reserving a large portion of project funds.

The \$40 million in FY 2019-20 for pilot projects is limited to freight and goods movement projects. This includes \$20 million for a Zero-emission drayage truck pilot, \$10 million for Ocean-going vessels at berth capture and control system projects, and \$10 million for a Golden State Carbon Challenge.

**TIRCP Cycle 4:** CalSTA has released the call for projects for the next round of Transit and Intercity Rail Capital Program (TIRCP) funds. The 2020 TIRCP grant cycle will program funds starting with the 2020-21 fiscal year through 2024-25 fiscal year. Any project awarded funds in the current Cycle 3 that have not been fully funded will be rolled into this new cycle. CalSTA has scheduled several dates for option pre-application meetings to discuss projects. In northern California the dates are November 4 in Sacramento, November 8<sup>th</sup> in Stockton, and November 7<sup>th</sup> and 12<sup>th</sup> in Oakland. Availability for the discussion meetings is limited so interested applicant are encouraged to RSVP as soon as possible. In initial discussions with staff, there is strong interest in funding zero emission bus purchases and fueling infrastructure.

Information about the Cycle 4 guidelines can be found at:

<https://calsta.ca.gov/subject-areas/transit-intercity-rail-capital-prog>



October 17, 2019

*Saying “No:” Sunday, October 13<sup>th</sup> was the last day for Governor Newsom to sign or veto legislation. It is always interesting to us wonks to see where the Governor’s actions fall in terms of sign/veto rates of prior administrations. In his first year as Governor, Newsom considered 1,042 bills and signed into law 870 of them. This leaves him with a veto rate of 16.5%, which is similar to Governor Brown’s last year in office, and is basically the average veto rate over the past 50 years. Governor Brown continues to hold the record for the lowest veto rate of 1.8% in 1982, and Governor Schwarzenegger had the highest veto rate at 35% in 2008. However, the most bills vetoed in a single year was 436 by Governor Deukmejian in 1990.*

## **Existing Positions**

<b>Bills</b>	<b>Subject</b>	<b>Status</b>	<b>Client - Position</b>
<b><u>AB 11</u></b> <b><u>(Chiu D)</u></b> Community Redevelopment Law of 2019.	AB 11 would enact the Community Redevelopment Act of 2019 and allow local governments to form a housing and infrastructure agency that would focus on affordable housing and infrastructure investments. The bill requires a seat on the governing board for each affected taxing entity, and it allows an affected taxing entity to elect to contribute to the Redevelopment Agency (RDA) or not. In addition, the bill also allows an RDA to capture the growth on the schools’ share (i.e. Educational Revenue Augmentation Fund [ERAF]) of the property tax growth.  AB 11 does require any new RDA to be approved by the Strategic Growth Council, which must find that the redevelopment plan furthers greenhouse gas (GHG) reduction goals and the fiscal impact to the state for backfilling the lost ERAF growth does not exceed a yet to be specified amount. The new RDA could finance housing, transit, transit priority projects, interchanges, bridges, parks and port infrastructure, to name a few. The projects do need to be located within the redevelopment area, but must have a nexus to the project area.	ASSEMBLY APPR – Held on Suspense  Two-Year Bill	WATCH

<p><b><u>AB 147</u></b> <b><u>(Burke D)</u></b> Use taxes: collection: retailer engaged in business in this state.</p>	<p>AB 147 was signed into law, and took effect immediately. This bill enacts changes to implement the South Dakota v. Wayfair decision. Under Wayfair, the U.S. Supreme Court found that online retailers are required to collect and remit sales tax regardless of whether the online retailer has a physical presence in the state where the order is delivered.</p> <p>AB 147 imposes a \$500,000 statewide threshold. State and local sales taxes would both be collected once a statewide total of \$500,000 in sales is reached. This bill would also require sales tax to be collected on all sales made through an intermediary, such as eBay or Amazon. Under AB 147 an entity that sales items through “marketplace facilitator,” such as eBay, the marketplace facilitator is required to collect and remit the tax on all sales regardless of the threshold. The local sales tax revenue would be allocated to the local tax districts.</p>	<p>Signed Into Law</p> <p>Chapter #5, Statutes of 2019</p>	<p>SUPPORT</p>
<p><b><u>AB 252</u></b> <b><u>(Daly D)</u></b> Department of Transportation: environmental review process: federal program.</p>	<p>AB 252 repeals the sunset date on current law that delegates to Caltrans the authority for National Environmental Policy Act (NEPA) decision making. The existing NEPA Assignment Program authority would sunset on January 1, 2020. This program started as part of a pilot program under federal Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) legislation and has been extended twice so far. AB 252 would make it a permanent program. The NEPA Assignment Program has streamlined the environmental process for both state and local transportation projects without compromising compliance with environmental laws and regulations.</p>	<p>Signed Into Law – Chapter 160, Statutes of 2019</p>	<p>SUPPORT</p>
<p><b><u>AB 285</u></b> <b><u>(Friedman D)</u></b> California</p>	<p>AB 285 updates requirements of the California Transportation Plan (CTP) to reflect the state’s recent environmental legislation. In particular, the bill requires</p>	<p>Signed Into Law, Chapter 605, Statutes of 2019</p>	<p>WATCH</p>

<p>Transportation Plan.  <b><u>AB 285</u></b>  <b>(Friedman D)</b>  <b>(Continued)</b></p>	<p>Caltrans to include in the CTP the following:</p> <ul style="list-style-type: none"> <li>• Adds environmental justice as one of the subject areas.</li> <li>• Updates the greenhouse gas emissions target and air quality goals.</li> <li>• A forecast of the impacts of advanced and emerging technologies, including shared, autonomous, connected, and electric transportation options.</li> <li>• Review of the progress made implementing past CTPs, including actions taken by each of Caltrans' districts.</li> </ul> <p>The bill also requires the Strategic Growth Council to submit a report to the Legislature by January 31, 2022, an overview of the CTP and sustainable communities' strategies, and a review of the potential impacts and opportunities for coordination of specified transportation funding programs, such as the Transit and Intercity Rail Capital Program and the Low Carbon Transit Operations Program.</p>		
<p><b><u>AB 314</u></b>  <b>(Bonta D)</b>  Public employment:  labor relations:  release time.</p>	<p>This bill would consolidate and uniformly apply existing laws to grant reasonable time-off with compensation for public employees for activities related to employee-employer relations.</p> <p>Existing law on release time does not cover public transit employees, but AB 314 would expand these release time provisions to include public transit employees.</p> <p>The bill would require a public employer to grant reasonable time off for employee representatives to testify at hearings before the personnel boards, participate in labor/management committees, investigate</p>	<p>Vetoed</p>	<p>WATCH</p>

<b>AB 314</b> <b>(Bonta D)</b> <b>(Continued)</b>	<p>grievances, or participate at new employee orientations.</p> <p>In his veto message, the Governor stated, <i>“This issue is best left to the collective bargaining process so that governing authorities and public employee unions can best determine their priorities and needs at the bargaining table.”</i></p>		
<b>AB 659</b> <b>(Mullin D)</b> Transportation: emerging transportation technologies: California Smart City Challenge Grant Program.	<p>AB 659 requires the CTC to form a working group, consisting of local governments and transportation entities that would develop the guidelines and selection criteria for the Smart City Challenge Grants. The bill envisions funding projects that use intelligent transportation systems and applications that would reduce congestion, enhance mobility, safety, and spurring innovation. The bill does not currently identify or appropriate funds for this program.</p>	<p>ASSEMBLY APPR – Held on Suspense</p> <p>Two-Year Bill</p>	<p>WATCH</p>
<b>AB 752</b> <b>(Gabriel D)</b> Public transit: transit centers: lactation rooms.	<p>AB 752 was substantially amended to clarify its application to multimodal transit facilities. As amended the bill lists existing intercity rail stations, as well as the Sales Force Transit Center and the Anaheim Regional Transportation Intermodal Center. It would also apply to any intercity rail station, or station proposed to be served by high-speed rail with an enclosed lobby of 5,000 square feet or more.</p> <p>The bill would require these multimodal transit stations that commence operations or a renovation on or after January 1, 2021, to include a lactation room.</p>	<p>Signed Into Law, Chapter 616, Statutes of 2019</p>	<p>WATCH</p>
<b>AB 784</b> <b>(Mullin D)</b> Sales and use taxes: exemption: California Hybrid and	<p>AB 784 would exempt medium and heavy duty zero emission transit vehicles from the state’s sales tax. Locally imposed sales taxes would still apply, as well as specified statewide taxes.</p>	<p>Signed Into Law, Chapter 684, Statutes of 2019</p>	<p>SUPPORT</p>

Zero-Emission Truck and Bus Voucher Incentive Project: transit bus vehicles. <b><u>AB 784</u></b> <b>(Mullin D)</b> <b>(Continued)</b>	Specifically, AB 784 would exempt from the state sales tax any zero-emission technology medium or heavy-duty transit bus vehicle that is eligible for a rebate from the Hybrid and Zero Emission Truck and Bus Voucher Incentive Program (HVIP). This sales tax exemption would sunset on January 1, 2024.		
<b><u>AB 847</u></b> <b>(Grayson D)</b> Transportation finance: priorities: housing.	As introduced, AB 847 would create a funding incentive for cities and counties to produce housing by reallocating non-Article 19 transportation funds and provide bonuses for certain funding programs.  However, the bill was gutted and amended to now create a new competitive grant program. This bill does not provide a funding source, but it directs the Department of Housing and Community Development to create a grant program that would offset up to 100% of any local transportation impact fees imposed on housing project that includes at least 20% affordable units.	ASSEMBLY H & C. D. – Two-Year Bill	WATCH
<b><u>AB 1350</u></b> <b>(Gonzalez D)</b> Youth Transit Pass Pilot Program.	AB 1350 would create the Youth Transit Pass Pilot Program. This bill is similar to prior efforts to create a funding program to provide free transit passes to persons under 25 years old. AB 1350 does not include an appropriation, but points to a future appropriation of greenhouse gas reduction funds.  The bill directs Caltrans to create the program that would allocate grants to eligible entities. The grants would be capped at \$5 million and be no smaller than \$20,000.  This bill might be a little premature. UCLA is currently undertaking a study to examine and summarize the various types of student transit pass programs in California. As you may recall, former Governor Brown	ASSEMBLY TRANS. – Two-Year Bill	WATCH



	vetoed a similar bill because of the need for additional information on existing programs. The UCLA study is not expected to be completed until the end of this year.		
<b><u>AB 1402</u></b> <b><u>(Petrie-Norris D)</u></b> Active Transportation Program.	<p>AB 1402 was not heard in the Assembly Committee on Transportation and is now a two-year bill.</p> <p>This bill would revise the allocation process for Active Transportation Funds. AB 1402 is substantively similar to the changes made to the ATP in SB 152 (Beall), but the bills are structured a little differently.</p>	ASSEMBLY TRANS. Two-Year Bill	SUPPORT
<b><u>AB 1568</u></b> <b><u>(McCarty D)</u></b> General plans: housing element: production report: withholding of transportation funds	<p>AB 1568 was held by the Appropriations Committee and is now a 2-year bill. This bill would, if on or before January 1, 2025, a city or county is found to be out of compliance with existing housing element requirements then that city or county would be prohibited from applying for state grants. This prohibition would not apply to grants protected under Article 19 of the Constitution, which covers most transportation funds, or if the grant would assist the city or county in complying with housing element laws.</p> <p>As introduced this bill would have withheld SB 1 local streets and roads funds from a city or county that is found to be out of compliance with existing housing element laws.</p>	ASSEMBLY APPR – Held on Suspense  Two-Year Bill	OPPOSE
<b><u>AB 1633</u></b> <b><u>(Grayson D)</u></b> Regional transportation plans: traffic signal optimization plans.	AB 1633 would authorize any city within the MTC region to develop and implement a traffic signal optimization plan intended to reduce greenhouse gas (GHG) emissions and particulate emissions and to reduce travel times. The bill would also require signals that are operated by Caltrans to be adjusted and operated consistent with a city's plan.	Signed Into Law, Chapter 633, Statutes of 2019	WATCH

<p><b><u>ACA 1</u></b> <b>(Aguiar-Curry D)</b> Local government financing: affordable housing and public infrastructure: voter approval.</p> <p><b><u>ACA 1</u></b> <b>(Aguiar-Curry D)</b> <b>(Continued)</b></p>	<p>ACA 1 failed passage on the Assembly Floor. Reconsideration was granted, and another attempt is possible, but the measure was 8 votes short of the 54 needed for passage. A few Democrat members voted No, and several others abstained. Given the stigma that this measure erodes Prop 13 protections makes it unlikely it will secure the needed support to move to the Senate.</p> <p>ACA 1 would lower the voter threshold for property tax increases, parcel taxes and sales taxes to 55% if the funds are used for affordable housing and infrastructure projects. This includes capital improvements to transit and streets and highways.</p> <p>However, ACA 1 does not allow for the 55% local measure to use the tax revenue for transit operations.</p>	<p>ASSEMBLY FLOOR</p> <p>Failed Passage – Reconsideration Granted</p>	<p>SUPPORT</p>
<p><b><u>SB 5</u></b> <b>(Beall D)</b> Local-State Sustainable Investment Incentive Program.</p>	<p>SB 5 creates the Affordable Housing and Community Development Investment Program (Program), which would allow an Enhanced Infrastructure Finance District (EIFD) the authority to divert a portion of the ERAF property tax share to the EIFD. SB 5 would require any EIFD that wants to capture the ERAF share to apply to the Sustainable Investment Incentive Committee, which SB 5 creates. The bill would limit the amount of ERAF tax revenue the Committee can approve to \$200 million each year, with the annual impact not to exceed \$1 billion. These limits are increased in future years.</p> <p>SB 5 generally promotes the construction of housing and infill development that promotes transit use. In veto this measure Governor Newsom explained, “...<i>this bill would increase costs by \$2 billion annually once fully implemented. Legislation with such a significant fiscal impact needs to be part of budget deliberations so that it can be considered in light of other priorities.</i> I</p>	<p>Vetoed</p>	<p>SUPPORT</p>

	<i>will continue to work collaboratively with the Legislature next year to continue to support increased housing production at all income levels across our state.”</i>		
<b><u>SB 20</u></b> <b><u>(Dodd D)</u></b> Surplus state property: Napa County Regional Park and Open Space District.	SB 20 extends the sunset date, which expired on January 1, 2015, to January 1, 2026, for the state to sell the area known as the Skyline Wilderness Park (Skyline Park) in the County of Napa. The bill also revises the current authorization for the state to sell the Skyline Park to also include the Napa County Regional Park and Open Space District in addition to the County of Napa.	Signed Into Law Chapter 240, Statutes of 2019	WATCH
<b><u>SB 50</u></b> <b><u>(Wiener D)</u></b> Planning and zoning: housing development: equitable communities incentive.	SB 50 would require local governments to provide a specified “equitable communities incentive” to developers that construct residential developments in “jobs-rich” and “transit-rich” areas, which may include certain exceptions to specified requirements for zoning, density, parking, height restrictions, and floor area ratios.	SENATE APPR – Held on Suspense  Two-Year Bill	WATCH
<b><u>SB 127</u></b> <b><u>(Wiener D)</u></b> Transportation funding: active transportation: complete streets	<p>SB 127 (Wiener) aims to update existing laws relating to the programing of funds in the State Highway Operation and Protection Program (SHOPP) to require the state to consider and invest in bicycle, pedestrian, and transit facilities when programing SHOPP projects. The bill would focus these complete street investments on urban arterials and where a state highway serves as the main street.</p> <p>The Governor’s veto message explained, <i>“By implementing my Executive Order N-19-19, Caltrans is increasing and accelerating its investments in active transportation where appropriate and feasible. I am committed to holding the department accountable to deliver more alternatives to driving while continuing to maintain our state’s highways and bridges.</i></p>	Vetoed	WATCH

	<i>The new leadership we are putting in place at Caltrans will be key in implementing this vision and approach."</i>		
<b><u>SB 137</u></b> <b><u>(Dodd D)</u></b> Federal transportation funds: state exchange programs.	SB 137 would allow any city or county to swap federal transportation funds for state funds. The current exchange program is limited to regional transportation planning agencies with a population below 200,000. This measure is sponsored by CSAC, and it is aimed at streamlining project delivery by removing the federal review process associated with using federal funds. With the additional SB 1 funds in state accounts, the resources should be enough to allow interested cities and counties to exchange federal funds for state dollars, thus eliminating the need to complete both NEPA and CEQA reviews.	Signed Into Law Chapter 639, Statutes of 2019	SUPPORT
<b><u>SB 152</u></b> <b><u>(Beall D)</u></b> Active Transportation Program.	<p>This bill would implement some of the findings made by the Legislative Analyst's Office (LAO) regarding the administration of the Active Transportation Program (ATP). The goal is to streamline the administrative process for awarding ATP funds. The bill includes the following changes:</p> <ul style="list-style-type: none"> <li>• Modified the distribution formula to increase from 40% to 75% that is allocated to metropolitan planning organizations (MPO), increase the rural county share from 10% to 15%, and reduce the statewide pot that is administered by the California Transportation Commission (CTC) from 50% to 10%.</li> <li>• Shift greater administrative control for the regional share to the MPOs.</li> <li>• Increase reporting requirements from the MPOs to the CTC.</li> </ul>	SENATE APPR – Held on Suspense  Two-Year Bill	SUPPORT

<b>SB 235</b> <b>(Dodd D)</b> Planning and zoning: housing production report: regional housing need allocation	SB 235 allows the City of Napa and County of Napa to reach an agreement under which the county would be allowed to count certain housing units built within the city toward the county's regional housing needs assessment (RHNA) requirement. The Napa Pipe project is the genesis for this bill.	Signed Into Law Chapter 844, Statutes of 2019	SUPPORT
<b>SB 277</b> <b>(Beall D)</b> Road Maintenance and Rehabilitation Program: guidelines.	<p>SB 277 would amend existing law to require 85% of SB 1 Local Partnership Program (LPP) funds be allocated by formula, and 15% for a small county competitive program. Under current CTC guidelines half the LPP funds are allocated by formula and half are reserved for a competitive program. Current law provides the CTC administrative control over LPP funds. Starting with Cycle 3 of the LPP, SB 277 directs the CTC to adopt guidelines and implement the apportionment formula specified in the bill to allocate the funds with 85% allocated by formula and 15% allocated via a competitive program for small counties.</p> <p>Governor Newsom's veto message stated the following when rejecting this bill,  <i>"The current approach to administer the Local Partnership Program provides a formulaic share for all entities that qualify, but also gives the Commission the flexibility to award funds on a competitive basis to ensure the program achieves statewide goals. Additional statutory limitations inhibit the state's ability to responsibly address emerging needs within the constitutionally defined parameters of SB 1, especially for small urban and rural communities."</i></p>	Vetoed	SUPPORT
<b>SB 336</b> <b>(Dodd D)</b> Transportation:	SB 336 aims to address safety and customer service issues by requiring at least one public transit employee to be present on any fully automated transit	ASSEMBLY TRANSP – Two-Year Bill	SUPPORT

fully-automated transit vehicles.	<p>vehicle. The public transit employee shall be trained in passenger safety, communications, emergency preparedness, and assisting the disabled and elderly.</p> <p>SB 336 would also require any transit operator that deploys an autonomous vehicle to submit a report to the legislature on that deployment by March 31<sup>st</sup>, 2025. SB 336 would sunset on January 1, 2025.</p>		
<p><b><u>SB 397</u></b> <b><u>(Glazer D)</u></b> Public transit operators: passengers with pets: evacuation orders.</p>	<p>SB 397 requires the Office of Emergency Services and the Department of Food &amp; Agriculture, in consultation with public transit operators and county emergency management officials, to develop best practices for allowing pets on public transit vehicles when serving evacuation areas.</p> <p>The bill previously directed each transit operator to develop best practices for allowing pets on public transit vehicles serving evacuation areas. The bill limits pets to cats or dogs.</p>	Signed Into Law, Chapter 702, Statutes of 2019	SUPPORT