

AGENDA
Legislative Policy Committee Meeting

April 14, 2021
9:30 AM

MEETING ASSESSIBLE VIA ZOOM AT: <https://gosbcta.zoom.us/j/96572629846>

Teleconference
Dial: 1-669-900-6833
Meeting ID: 965 7262 9846

**This meeting is being conducted in accordance with Governor Newsom's
Executive Order N-29-20.**

Legislative Policy Committee Membership

Chair - President

Mayor Frank Navarro
City of Colton

Council Member Art Bishop
Town of Apple Valley

Mayor Pro Tem Larry McCallon
City of Highland

Vice Chair – Vice President

Supervisor Curt Hagman
County of San Bernardino

Mayor Pro Tem Alan Wapner
City of Ontario

Past President

Mayor Darcy McNaboe
City of Grand Terrace

Supervisor Janice Rutherford
County of San Bernardino

**San Bernardino County Transportation Authority
San Bernardino Council of Governments**

AGENDA

Legislative Policy Committee

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Interested persons may submit Public Comment in writing to the Clerk of the Board at clerkoftheboard@gosbcta.com. Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 pm on April 13, 2021.

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional ***“Meeting Procedures”*** and agenda explanations are attached to the end of this agenda.

CALL TO ORDER

(Meeting Chaired by Frank Navarro)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications - Julie Perales

Possible Conflict of Interest Issues

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

1. Information Relative to Possible Conflict of Interest

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Presenter: Otis Greer

This item is prepared for review by Board and Committee members.

Pg. 9

DISCUSSION ITEMS

Discussion - Legislative/Public Outreach

2. State Legislative Update

Pg. 10

Receive and file the April 2021 State Legislative Update and provide direction as appropriate.

Presenter: Louis Vidaure

This item is not scheduled for review by any other policy committee or technical advisory committee.

3. Federal Legislative Update

Pg. 33

Receive and file the April 2021 Federal Legislative Update and provide direction as appropriate.

Presenter: Louis Vidaure

This item is not scheduled for review by any other policy committee or technical advisory committee.

4. Bill Positions - Support

Pg. 36

That the Legislative Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority / San Bernardino Associated Governments (SBCOG):

Approve a recommendation to take Support positions on the following state legislation:

- A. Senate Bill 266 by Senator Josh Newman
- B. Senate Bill 623 by Senator Josh Newman
- C. Assembly Bill 703 by Assembly member Blanca Rubio
- D. Assembly Bill 744 by Assembly member Freddie Rodriguez

Presenter: Louis Vidaure

This item is not scheduled for review by any other policy committee or technical advisory committee.

5. Senate Bill 278

Pg. 59

That the Legislative Policy Committee recommend the Board, acting as the San Bernardino Associated Governments (SBCOG):

Approve a recommendation to take no position on Senate Bill 278 by Senator Connie Leyva at this time and direct staff to provide an update to the Legislative Policy Committee on the status of legislation at a later date for reconsideration of a position by SBCOG.

Presenter: Otis Greer

This item is not scheduled for review by any other policy committee or technical advisory committee.

6. Assembly Bill 840

Pg. 72

That the Legislative Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

Approve a recommendation to take an Oppose position on Assembly Bill 840 by Assemblyman Chris Holden.

Presenter: Otis Greer

This item is not scheduled for review by any other policy committee or technical advisory committee.

Public Comment

Brief Comments from the General Public

Interested persons may submit Public Comment in writing to the Clerk of the Board at clerkoftheboard@gosbcta.com. Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 pm on April 13, 2021.

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance

Acronym List

Mission Statement

Pg. 80

Pg. 81

Pg. 83

The next Legislative Policy Committee Meeting is scheduled for May 12, 2021.

Meeting Procedures and Rules of Conduct During COVID-19 'Stay in Place' Orders

Meeting Procedures - The Ralph M. Brown Act is the state law which guarantees the public's right to participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees. California Governor Gavin Newsom has issued Executive Order N-29-20 waiving portions of the Brown Act requirements during the COVID-19 State of Emergency.

Accessibility – During the COVID-19 crisis, meetings are being held virtually using web-based or telephone technologies. If accessibility assistance is needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk can be reached by phone at (909) 884-8276 or via email at clerkoftheboard@gosbcta.com.

Agendas – All agendas are posted at www.gosbcta.com/board/meetings-agendas/ at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed online at that web address.

Agenda Actions – Items listed on both the “Consent Calendar” and “Discussion” contain recommended actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors or unanimous vote of members present as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

Closed Session Agenda Items – Consideration of closed session items excludes members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Public Comment may be submitted in writing to the Clerk of the Board via email at clerkoftheboard@gosbcta.com. Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 pm the day before the meeting. Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should indicate their request when Public Comment is called for during the meeting. This request to speak can be achieved by either using the ‘Raise Hand’ feature in Zoom platform or by verbally stating interest when the Chair calls for Public Comment. When recognized by the Chair, speakers should be prepared to announce their name for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Members of the public requesting information be distributed to the Board of Directors must provide such information electronically to the Clerk of the Board via email at clerkoftheboard@gosbcta.com no later than 5:00 pm the day before the meeting. The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board’s authority. Matters raised under “Public Comment” may not be acted upon at that meeting. “Public Testimony on an Item” still applies.

Disruptive or Prohibited Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to be removed from the virtual meeting. Disruptive or prohibited conduct includes without limitation: addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, posting profane or rude content in the virtual meeting environment, or otherwise preventing the Board from conducting its meeting in an orderly manner. Your cooperation is appreciated!

General Practices for Conducting Meetings of Board of Directors and Policy Committees

Attendance.

- The Chair of the Board or a Policy Committee (Chair) has the option of taking attendance by Roll Call or Self-Introductions. If attendance is taken by Roll Call, the Clerk of the Board will call out by jurisdiction or supervisorial district. The Member or Alternate will respond by stating his/her name. If attendance is by Self-Introduction, the Member or Alternate will state his/her name and jurisdiction or supervisorial district.
- A Member/Alternate, who arrives after attendance is taken, shall announce his/her name prior to voting on any item.
- A Member/Alternate, who wishes to leave the meeting after attendance is taken but before remaining items are voted on, shall announce his/her name and that he/she is leaving the meeting.

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.
- The “aye” votes in favor of the motion shall be made collectively. Any Member who wishes to oppose or abstain from voting on the motion, shall individually and orally state the Member’s “nay” vote or abstention. Members present who do not individually and orally state their “nay” vote or abstention shall be deemed, and reported to the public, to have voted “aye” on the motion.

The Vote as specified in the SANBAG Bylaws.

- Each Member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he or she would like to amend his or her motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is voted upon first, and if it fails, then the original motion is considered.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a Member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008

Revised March 2014

Revised May 4, 2016

Minute Action

AGENDA ITEM: 1

Date: April 14, 2021

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Background:

In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Principals & Agents	Subcontractors
		None	

Financial Impact:

This item has no direct impact on the budget.

Reviewed By:

This item is prepared for review by Board and Committee members.

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Approved
Legislative Policy Committee
Date: April 14, 2021
Witnessed By:

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 2

Date: April 14, 2021

Subject:

State Legislative Update

Recommendation:

Receive and file the April 2021 State Legislative Update and provide direction as appropriate.

Background:

STATE UPDATE

On March 24th, Governor Gavin Newsom announced he submitted to the State Legislature the nomination of Assembly member Rob Bonta (D-Alameda) as the next California State Attorney General. Bonta will fill the seat vacated by Xavier Becerra, who was sworn in as Secretary of the U.S. Department of Health and Human Services. The Assembly and the Senate now have 90 days to confirm him as Attorney General. The expectation is that Bonta will be easily confirmed by the Legislature.

If Bonta is confirmed by the Legislature, his 18th Assembly District seat will be vacated. This will start the process on the fourth scheduled special election since November 2020. Governor Newsom announced that the special election in the 54th Assembly District, which was most recently held by now-Senator Sydney Kamlager, will take place on May 18, 2021.

On the state budget front, the Governor announced that California continues its strong economic recovery. General Fund revenues are running \$14.34 billion above January's \$111.518 billion revenue forecast, with receipts for February exceeding the month's projection by \$3.8 billion.

The bulk of these revenue gains can be attributed to lower refunds caused by the later enactment of the \$600 one-time Golden State Stimulus than expected in the budget, as well as fewer-than-expected state tax refunds due to the delayed federal state to that tax filing season.

The State Legislature returned from their Spring Recess on April 5, 2021. Upcoming legislative deadlines for the 2021 legislative session include:

- April 7 Last day for policy committees to hear and report to Fiscal Committees fiscal bills introduced in their house.
- May 7 Last day for policy committees to hear and report to the Floor non-fiscal bills introduced in their house.
- May 14 Last day for policy committees to meet prior to June 7th.
- May 21 Last day for fiscal committees to hear and report to the Floor bills introduced in their house. Last day for fiscal committees to meet prior to June 7th.

Attachment A contains a list of legislative bills that the San Bernardino County Transportation Authority (SBCTA) / San Bernardino Associated Governments (SBCOG) have taken a position on. Attachment B reflects bills of interest to SBCTA and SBCOG.

Financial Impact:

This item has no financial impact on the Fiscal Year 2020/2021 Budget.

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Legislative Policy Committee Agenda Item

April 14, 2021

Page 2

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Louis Vidaure, Management Analyst II

Approved
Legislative Policy Committee
Date: April 14, 2021

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY (SBCTA) / COUNCIL OF GOVERNMENTS (SBCOG)
LEGISLATIVE BILL POSITIONS - April 2021

Legislation / Author	Description	Bill Status	Position	Date Position Adopted
AB 1260 (Chen)	Exempt from the requirements of the California Environmental Quality Act (CEQA) projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.	Referred to the Assembly Committee on Natural Resources. (3/04/21)	Support / Sponsor	03/10/2021
SB 9 (Atkins)	Would require a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Would also require local governments to ministerially approve urban lot splits.	Referred to the Senate Committee on Housing. (1/28/21)	Oppose	03/10/2021
AB 1296 (Kamlager)	Would increase the number of members of the board of the South Coast Air Quality Management District to 15 members by adding 2 environmental justice appointees, one appointed by the Senate Committee on Rules and one appointed by the Speaker of the Assembly.	Referred to the Assembly Committee on Natural Resources. (3/04/21)	Oppose	03/10/2021

Attachment: Bill position matrix 4-21 (7393 : State Legislative Update)

SBCTA Bill Report

4/01/2021

[AB 5](#)**(Fong R) Greenhouse Gas Reduction Fund: High-Speed Rail Authority: K-12 education: transfer.****Current Text:** Amended: 3/17/2021 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 3/18/2021-Re-referred to Com. on TRANS.

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Current law requires all moneys, except for fines and penalties collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain purposes. This bill would suspend the appropriation to the High-Speed Rail Authority for the 2023-24 and 2024-25 fiscal years and would require the transfer of those amounts from moneys collected by the state board to the General Fund.

[AB 43](#)**(Friedman D) Traffic safety.****Current Text:** Amended: 3/22/2021 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 3/23/2021-Re-referred to Com. on TRANS.

Summary: Current law establishes various default speed limits for vehicles upon highways, as specified. Current law authorizes state and local authorities to adjust these default speed limits, as specified, based upon certain findings determined by an engineering and traffic survey. Current law defines an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. This bill would require local authorities to consider other factors, including pedestrian and bicycle safety, that are allowed but not required to be considered under existing law. The bill would also allow local authorities to consider additional factors, including the current or immediately prior speed limit, as specified.

[AB 261](#)**(Seyarto R) Authorized emergency vehicles.****Current Text:** Introduced: 1/15/2021 [html](#) [pdf](#)**Introduced:** 1/15/2021**Status:** 1/28/2021-Referred to Com. on TRANS.

Summary: Would permit an authorized emergency vehicle to operate on an HOV lane if specified conditions are met, including, among others, that the vehicle is being driven while responding to, or returning from, an urgent or emergency call and the driver of the vehicle determines that the use of the HOV lane will likely improve the arrival time of the authorized emergency vehicle and its delivery of essential public safety services.

[AB 339](#)**(Lee D) State and local government: open meetings.****Current Text:** Introduced: 1/28/2021 [html](#) [pdf](#)**Introduced:** 1/28/2021**Status:** 1/29/2021-From printer. May be heard in committee February 28.

Summary: Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

[AB 346](#)**(Seyarto R) Privacy: breach.****Current Text:** Introduced: 1/28/2021 [html](#) [pdf](#)**Introduced:** 1/28/2021**Status:** 2/12/2021-Referred to Com. on P. & C.P.

Summary: The Information Practices Act of 1977 requires an agency, which includes a local agency, that owns or licenses computerized data that includes personal information, as defined, to disclose expeditiously and without unreasonable delay a breach in the security of the data to a resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person, or whose encrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person, and the encryption key or security credential was, or is reasonably believed to have been, acquired by an unauthorized person, and the agency that owns or licenses the encrypted information has a reasonable belief that the encryption key or security credential could render that personal information readable or useable. Current law also requires an agency that maintains computerized data that includes personal information that the agency does not own to notify the owner or licensee of the information of any breach of the security o

the data immediately following discovery, if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person. This bill would make the above-described requirements applicable if the information is accessed by an unauthorized person.

AB 361 (Rivas, Robert D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 2/12/2021-Referred to Com. on L. GOV.

Summary: Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

AB 387 (Lee D) Social Housing Act of 2021.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Introduced: 2/2/2021

Status: 3/25/2021-Referred to Com. on H. & C.D. From committee chair, with author's amendments: Amend, and re-refer to Com. on H. & C.D. Read second time and amended.

Summary: Would require the council to report to the Legislature by January 1, 2024, on the council's recommended policy proposals and all input received. The bill would make related findings and declarations.

AB 464 (Mullin D) Enhanced Infrastructure Financing Districts: allowable facilities and projects.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 3/25/2021-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community, including, but not limited to, the acquisition, construction, or repair of industrial structures for private use. Current law authorizes a district to finance the ongoing or capitalized costs to maintain facilities financed in whole or in part by the district, but prohibits the use of proceeds of bonds issued to finance maintenance of any kind. This bill would remove the prohibition on the use of proceeds of bonds issued to finance maintenance of any kind. The bill would remove, from the list of facilities and projects the district may fund, the acquisition, construction, or repair of industrial structures for private use.

AB 473 (Chau D) California Public Records Act.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 3/24/2021-Read second time. Ordered to Consent Calendar.

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

AB 474 (Chau D) California Public Records Act: conforming revisions.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 3/24/2021-Read second time. Ordered to Consent Calendar.

Summary: Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

AB 482 (Ward D) Housing authorities: City of San Diego, County of San Bernardino, and County of Santa Clara: middle-income housing projects pilot program.

Current Text: Amended: 3/17/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 3/25/2021-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com

on RLS. for assignment.

Summary: The Housing Authorities Law authorizes a housing authority of a city or county to, among other things, prepare, carry out, acquire, lease, and operate housing projects and housing developments for persons of low income, as provided. Current law, until January 1, 2022, authorizes a housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement a pilot program to develop and finance a middle-income housing project, as defined, if the project receives gap financing, as defined. Current law requires any gap financing to be approved by the housing authority's legislative body, as provided. Current law requires the housing authority to provide a report to the Legislature, as specified, on and before January 1, 2020, and on or before January 1, 2022. This bill would extend the authority of a housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement the above-described pilot program from January 1, 2022, to January 1, 2026.

AB 550 (Chiu D) Vehicles: speed safety system pilot program.

Current Text: Amended: 3/22/2021 [html](#) [pdf](#)

Introduced: 2/10/2021

Status: 3/23/2021-Re-referred to Com. on TRANS.

Summary: Would require the Secretary of Transportation to, on or before July 1, 2022, develop and adopt guidelines for the implementation of pilot programs that, in the judgment of the secretary, are designed to promote the safe operation of vehicles and the reduction of speed-related fatalities and injuries by authorizing the limited use of speed safety systems, as defined. In developing the guidelines, the bill would require the secretary to, among other things, consult with certain entities, including the Department of Transportation and local governments, and work collaboratively with privacy stakeholders to consider and adopt guidelines regarding privacy and use of data, as specified. The bill would require the secretary to post the final adopted guidelines on the Transportation Agency's internet website and submit the guidelines to the appropriate policy committees of the Legislature.

AB 564 (Gonzalez, Lorena D) Biodiversity Protection and Restoration Act.

Current Text: Introduced: 2/11/2021 [html](#) [pdf](#)

Introduced: 2/11/2021

Status: 2/18/2021-Referred to Coms. on A. & A.R. and W.,P., & W.

Summary: Would establish the Biodiversity Protection and Restoration Act and would provide that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. The bill would require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in carrying out their statutory mandates. The bill would require strategies related to the goal of the state to conserve at least 30% of California's land and coastal waters by 2030 to be made available to the public and provided to certain legislative committees by no later than June 30, 2022.

AB 571 (Mayes I) Planning and zoning: density bonuses: affordable housing.

Current Text: Amended: 3/24/2021 [html](#) [pdf](#)

Introduced: 2/11/2021

Status: 3/25/2021-Re-referred to Com. on H. & C.D.

Summary: The Density Bonus Law requires a city or county to provide a developer that proposes a housing development in the city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to, among other things, construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents, including lower income students. Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. This bill would prohibit affordable housing impact fees, including inclusionary zoning fees, in-lieu fees, and public benefit fees, from being imposed on a housing development's affordable units.

AB 604 (Daly D) Road Maintenance and Rehabilitation Account: apportionment of funds: accrued interest

Current Text: Introduced: 2/11/2021 [html](#) [pdf](#)

Introduced: 2/11/2021

Status: 2/18/2021-Referred to Com. on TRANS.

Summary: Would continuously appropriate interest earnings derived from revenues deposited in the Road Maintenance and Rehabilitation Account to the Department of Transportation for maintenance of the state highway system or for purposes of the State Highway Operation and Protection Program.

AB 605 (Villapudua D) Department of Housing and Community Development: program administration: bonus points: housing element.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 3/15/2021-Re-referred to Com. on H. & C.D.

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. Current law requires that the housing element include, among other things, an inventory of land suitable and available for residential development that identifies sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels, as specified. This bill would require the Department of Housing and Community Development to develop and implement a bonus point system for competitive grant and loan programs that are administered by the department and that facilitate the development of housing.

AB 617 (Davies R) Planning and zoning: regional housing needs: exchange of allocation.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Coms. on H. & C.D. and L. GOV.

Summary: Would authorize a city or county, by agreement, to transfer all or a portion of its allocation of regional housing need to another city or county. The bill would allow the transferring city to pay the transferee city or county an amount determined by that agreement, as well as a surcharge to offset the impacts and associated costs of the additional housing on the transferee city. The bill would also require the transferring city or county and the transferee city or county to report to the council of governments and the department specified information about the transfer, as provided.

AB 634 (Carrillo D) Housing zones: restrictions: timelines.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Coms. on H. & C.D. and L. GOV.

Summary: Current law generally requires a local government to approve a development that satisfies certain criteria. Under current law, after adoption of the zone, a lead agency is not required to prepare an environmental impact report or negative environmental declaration for a housing development located on land within that zone that satisfies all of specified criteria, including, among others, that (A) at least 5% of the total units constructed or substantially rehabilitated in the zone will be restricted for a term of 55 years for very low income households, as defined, and (B) the developer provides sufficient legal commitments to ensure continued availability of units for very low, low-, moderate-, or middle-income households for 55 years for rental units. This bill would revise the above-described requirements of "55 years" in these provisions to instead specify that they apply for "at least 55 years."

AB 637 (Lackey R) Enabling Youth to Access Workforce Training Grant Program.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Com. on L. & E.

Summary: Would create the Enabling Youth to Access Workforce Training Grant Program. Upon appropriation by the Legislature, the bill would require the California Workforce Development Board to create the program, which would fund supportive services, as specified, that are necessary for homeless youth and current or former foster youth to enable their participation in the workforce development program, as defined. Under the bill, grants would be awarded on a competitive basis. The bill would require the board to conduct outreach activities and to provide technical assistance to eligible applicants to ensure that grants are awarded to qualified applicants providing a broad spectrum of supportive services.

AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Summary: Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

AB 712 (Calderon D) Local Agency Public Construction Act: change orders.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Summary: The Local Agency Public Construction Act regulates contracting by local agencies, including counties and special districts. The act, for a county, imposes a \$5,000 cap when the total amount of the original contract does not exceed \$50,000. For any original contract that exceeds \$50,000, but does not exceed \$250,000, the cap is 10% of the amount of the original contract. For contracts whose original cost exceeds \$250,000, the cap is \$25,000 plus 5% of the amount of the original contract cost in excess of \$250,000, and prohibits a change or alteration cost from exceeding \$210,000. This bill would require that the existing caps be adjusted annually to reflect the percentage change in the California Consumer Price Index. The bill would modify the cap applicable to contracts exceeding \$250,000 to apply only to contracts exceeding that amount but not exceeding \$25,000,000. The bill would add a new change order cap of \$500,000 for contracts whose original cost exceeds \$25,000,000 and of \$1,000,000 for contracts whose original cost exceeds \$50,000,000, both of which would be adjusted annually to reflect the percentage change in the California Consumer Price Index.

AB 713 (Garcia, Cristina D) Health analysis: transportation policies, programs, and funding allocations: greenhouse gas emissions scoping plan.

Current Text: Amended: 3/22/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 3/23/2021-Re-referred to Com. on TRANS.

Summary: Would require the Transportation Agency, in collaboration with specified state agencies, to develop an action plan no later than January 1, 2023, to better integrate health analysis broadly into the design and implementation of the state's transportation policies, programs, and funding allocation with the goal of maximizing health and health equity benefits. The bill would require the California Transportation Commission and the Department of Transportation to incorporate the action plan into the design and implementation of the transportation policies and programs under their jurisdiction.

AB 721 (Bloom D) Covenants and restrictions: affordable housing.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Coms. on H. & C.D. and JUD.

Summary: Would make any private recorded covenants, conditions, restrictions, or private limits on the use of private or publicly owned land contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale that restricts the number or size of the residences that may be built on the property, or that restricts the number of persons who may reside on the property unenforceable against the owner of an affordable housing development, as defined.

AB 744 (Rodriguez D) State highways: State Route 83: reduction.

Current Text: Amended: 3/8/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 3/9/2021-Re-referred to Com. on TRANS.

Summary: Current law establishes the state highway system throughout the state and designates State Route 83 from Route 71 to Route 10 near the City of Upland. This bill would delete from the state highway system a portion of State Route 83, as specified.

AB 773 (Nazarian D) Street closures and designations.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Summary: Would authorize a local authority to adopt a rule or regulation to close a portion of a street under its jurisdiction to through vehicular traffic if it determines closure is necessary for the safety and protection of persons who are to use that portion of the street during the closure. The bill would also authorize a local authority to adopt a rule or regulation to designate a local street within its jurisdiction as a slow street.

AB 786 (Cervantes D) California Transportation Commission: executive director.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on TRANS.

Summary: Current law establishes within the Transportation Agency the California Transportation Commission. Current law requires the commission to appoint an executive director for the commission who serves at the pleasure of the commission. This bill would instead require the executive director of the commission to be appointed by the Governor, subject to confirmation by the Senate, and subject to removal at the discretion of the Governor.

AB 811 (Rivas, Luz D) Los Angeles County Metropolitan Transportation Authority: contracting.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Coms. on L. GOV. and TRANS.

Summary: Current law authorizes the Los Angeles County Metropolitan Transportation Authority to enter into contracts with private entities that combine into a single contract all or some of the planning, design, permitting, development, joint development, construction, construction management acquisition, leasing, installation, and warranty of some or all components of transit systems and certain facilities. Current law authorizes the authority to award a contract under these provisions after a finding, by a 2/3 vote of the members of the authority, that awarding the contract will achieve for the authority, among other things, certain private sector efficiencies in the integration of design, project work, and components. This bill would eliminate the requirement to make the above-described finding by a 2/3 vote of the members of the authority in order to award contracts under these provisions.

AB 819 (Levine D) California Environmental Quality Act: notices and documents: electronic filing and posting.

Current Text: Amended: 3/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 3/24/2021-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The act requires the lead agency to mail certain notices to persons who have filed a written request for notices. This bill would require a lead agency to submit to the State Clearinghouse, in an electronic form, the above-described environmental review documents for all projects and would require the lead agency to post those documents on its internet website.

AB 821 (Cooper D) Sexually violent predators: placement outside county of domicile: notice and hearing

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 3/22/2021-Re-referred to Com. on PUB. S.

Summary: Current law requires a sexually violent predator who is conditionally released to be placed in the county that was the person's county of domicile prior to the person's incarceration, unless extraordinary circumstances exist requiring placement outside the county, as specified. This bill would require advance notice, as specified, if a sexually violent predator is to be released to a county other than their county of domicile. The bill would require the local jurisdiction to give public notice of the intended release and allow for public comment, as specified. The bill would require the court to hold an evidentiary hearing to determine if extraordinary circumstances exist.

AB 823 (Gray D) High-Speed Rail Authority: trains powered by fossil fuel combustion engines.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on TRANS.

Summary: Would prohibit the High-Speed Rail Authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority-owned rail infrastructure designed for speeds in excess of 125 miles per hour, except as specified.

AB 833 (Quirk-Silva D) State government: grants: administrative costs.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on A. & A.R.

Summary: Would require any state grants to a local government to include a maximum allocation of funds that may be expended for administrative costs, as defined, and would prohibit a local government, as defined, from expending more than 5% of grant funds for administrative costs, except as provided. The bill would specify that it is not intended to affect federal funding.

AB 840 (Holden D) County transportation commissions: regional transit service: airports.

Current Text: Amended: 3/15/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 3/16/2021-Re-referred to Com. on TRANS.

Summary: Would require the county transportation commissions in the Counties of Los Angeles and

San Bernardino to jointly develop, in consultation with certain governmental agencies, a funding implementation program for regional transit services to include service to international airports within the multicounty region, as provided. The bill would require the initial regional transit services draft program under these provisions to be completed on or before December 1, 2022. The bill would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to hold a joint public hearing in each county in their jurisdiction on the draft program no earlier than 30 days after the draft has been completed.

AB 897 (Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on NAT. RES.

Summary: Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion of agencies with land use planning authority into regional climate networks.

AB 950 (Ward D) Department of Transportation: sales of excess real property: affordable housing.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on H. & C.D.

Summary: Would authorize the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing affordable housing, as specified. The bill would exempt these transfers and sales from the California Environmental Quality Act.

AB 955 (Quirk D) Highways: encroachment permits: broadband facilities.

Current Text: Amended: 3/22/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 3/23/2021-Re-referred to Com. on TRANS.

Summary: Would establish additional procedures for the Department of Transportation's review of an application for an encroachment permit for a broadband facility. Under the bill, these procedures would require the department, among other things, to notify an applicant in writing whether the application is complete within 30 days of receiving an application, to take certain actions if it deems an application incomplete, and to approve or deny an application that requires supplemental information within 30 days after receiving that information. If the department fails to notify the applicant that the application is incomplete or denied, as applicable, within those 30-day time periods, the bill would deem the department's failure to notify to constitute approval of the permit.

AB 976 (Rivas, Luz D) Resilient Economies and Community Health Pilot Program.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/25/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (March 24). Re-referred to Com. on APPR.

Summary: Would establish the Resilient Economies and Community Health Pilot Program, which would be administered by the Strategic Growth Council from January 1, 2022, through December 31, 2026, as a grant pilot program for eligible community-based organizations, as defined, to provide a comprehensive suite of coordinated incentives and services to disadvantaged communities, as defined at the resident household level to provide economic savings, reduce greenhouse gas emissions and air pollution, and improve resiliency to the impacts of climate change. The bill would require the council to evaluate the program and submit specified reports to the Legislature on the program no later than January 1, 2026. The bill would repeal these provisions as of January 1, 2027.

AB 1035 (Salas D) Transportation: Road Maintenance and Rehabilitation Program: recycled material standards.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on TRANS.

Summary: Current law creates the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Current law requires the Department of Transportation and cities and counties receiving funds under the program, to the extent possible and cost effective, and where feasible, to use advanced technologies and material

recycling techniques that reduce the cost of maintaining and rehabilitating the streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. This bill would delete the condition in that requirement imposed on the department and those cities and counties to use advanced technologies and material recycling techniques to the extent possible.

AB 1037 (Grayson D) Infrastructure construction: digital construction technologies.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on J., E.D., & E.

Summary: Would require an infrastructure project that receives any state funding to deploy digital construction technologies, as defined, to reduce waste, inefficiency, rework, cost overruns, and embodied carbon, and to improve delivery times and project quality.

AB 1047 (Daly D) Road Repair and Accountability Act of 2017: reporting internet website.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on TRANS.

Summary: Would require the Transportation Agency to oversee the development and implementation of a comprehensive one-stop reporting interface available to the public through an internet website maintained by the agency. The bill would require the interface to provide timely fiscal information regarding the development and implementation status of each transportation program or project funded, at least in part, by revenues from the Road Repair and Accountability Act of 2017.

AB 1049 (Davies R) Public Transportation Account: loan repayment.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on TRANS.

Summary: Current law requires the transfer of a specified portion of the sales tax on diesel fuel to the Public Transportation Account, a trust fund in the State Transportation Fund. Current law requires funds in the account to be allocated to various public transportation and transportation planning purposes, with specified revenues in the account to be allocated by the Controller to specified local transportation agencies for public transportation purposes, pursuant to the State Transit Assistance (STA) Program. Current law provides for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator, as defined. The Budget Act of 2013 and the Budget Act of 2014 require the Controller, upon the order of the Director of Finance, to transfer specified amounts totaling up to \$55,515,000 as loans from the Public Transportation Account to the High-Speed Passenger Train Bond Fund. This bill would require \$54,000,000 from these loans to be repaid to the Public Transportation Account and would provide that these repaid funds are available, upon appropriation by the Legislature, to help offset the loss of revenues incurred by transit operator during the COVID-19 pandemic.

AB 1099 (Rivas, Robert D) Environmental equity: principles: bond and fund expenditures.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/25/2021-Referred to Com. on NAT. RES. From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Summary: The State General Obligation Bond Law contains procedures for use in authorizing the issuance, sale, and providing for the repayment of, state general obligation bonds. Current law establishes various funds in the State Treasury for purposes of providing financial incentives to eligible entities for specified purposes. This bill would require the administration of proceeds from the sales of bonds issued under a bond act that is enacted by the Legislature and is approved by the voters on or after January 1, 2022, pursuant to the State General Obligation Bond Law and that addresses environmental issues, and the administration of certain funds established on or after January 1, 2022, that provide financial assistance to eligible entities to incorporate certain principles of environmental equity.

AB 1116 (Friedman D) High-Speed Rail Authority: oversight: Legislative Analyst's Office.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on TRANS.

Summary: Would require the Legislative Analyst's Office, for the purpose of reviewing the planning, financing, expenditures, and other elements of the statewide high-speed rail system, to review any materials submitted to the authority and documents the authority requests from contractors, consultants, or external parties, as specified, and to provide recommendations to the policy and budget committees of the Legislature regarding the statewide high-speed rail system and the development of shared mobility systems statewide. The bill would require the authority, and any entity

contracting with the authority, to provide to the Legislative Analyst's Office any information that the authority requests and to permit representatives of the Legislative Analyst's Office to attend the authority's internal meetings. The bill would repeal these requirements on January 1, 2031.

AB 1147 (Friedman D) Regional transportation plan: Active Transportation Program.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/22/2021-Re-referred to Com. on TRANS.

Summary: Current law requires the Strategic Growth Council, by January 31, 2022, to complete an overview of the California Transportation Plan and all sustainable communities strategies and alternative planning strategies, an assessment of how implementation of the California Transportation Plan, sustainable communities strategies, and alternative planning strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified funding programs. This bill would require the council to convene key state agencies, metropolitan planning agencies, and local governments to assist the council in completing the report.

AB 1154 (Patterson R) California Environmental Quality Act: exemption: egress route projects: fire safety.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on NAT. RES.

Summary: Would, until January 1, 2029, exempt from CEQA egress route projects undertaken by a public agency that are specifically recommended by the State Board of Forestry and Fire Protection to improve the fire safety of an existing subdivision if certain conditions are met. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt. The bill would require the lead agency, if it determines that a project is not subject to CEQA and approves or carries out that project, to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project will be located.

AB 1157 (Lee D) Controller: transportation funds: distribution and reporting requirements.

Current Text: Amended: 3/15/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/16/2021-Re-referred to Com. on TRANS.

Summary: Current law, for purposes of the State Transit Assistance Program, requires local transportation agencies to report to the Controller by June 15 of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. This bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year.

AB 1180 (Mathis R) Local governments: surplus land: tribes.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on L. GOV.

Summary: Current law prescribes requirements for the disposal of surplus land by a local agency, as defined. Current law defines "exempt surplus land" for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided. Current law categorizes as "exempt surplus land," surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use. This bill would add to the definition of "exempt surplus land," land transferred by a local agency to a tribe, as defined.

AB 1183 (Ramos D) California Desert Conservation Program.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on W., P., & W.

Summary: Would establish the California Desert Conservation Program under the administration of the Wildlife Conservation Board to protect, preserve, and restore desert lands, water, and wildlife by the acquisition of interests and rights in real property and waters, as specified.

AB 1189 (Bloom D) Transportation: indirect cost recovery: wildlife crossing projects.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on TRANS.

Summary: Would, on and before June 30, 2024, prohibit the Department of Transportation from charging for administration indirect cost recovery, as outlined in the department's Indirect Cost Recovery Proposal, for any wildlife crossing project that receives private funding for more than 50% of

the project cost, and would require the department to charge these projects for functional over. The bill would require the department to report, on or before July 1, 2024, to the Legislature on the amount of private funding invested in wildlife crossing projects for the 2020–21, 2021–22, 2022–23, and 2023–24 fiscal years.

- AB 1190 (Mayes I) Parks and recreation: County of San Bernardino: Big Morongo Canyon Preserve.**
Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)
Introduced: 2/18/2021
Status: 3/4/2021-Referred to Com. on W.,P., & W.
Summary: Would authorize the County of San Bernardino to convey fee title in lands within the Big Morongo Canyon Preserve acquired with grant moneys from The Cameron-Unruh Beach, Park, Recreational, and Historical Facilities Bond Act of 1964, the Z'berg-Collier Park Bond Act and the The Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, as provided, to the United States Bureau of Land Management, as specified.
- AB 1235 (Patterson R) High-speed rail: legislative oversight.**
Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 3/11/2021-Referred to Com. on TRANS.
Summary: Would create the Joint Legislative High-Speed Rail Oversight Committee consisting of 3 Members of the Senate and 3 Members of the Assembly to provide ongoing and independent oversight of the high-speed rail project by performing specified duties, and would require the committee to make recommendations to the appropriate standing policy and budget committees of both houses of the Legislature to guide decisions concerning the state's programs, policies, and investments related to high-speed rail. The bill would require the authority to provide the committee with certain documents and information within prescribed timelines, and would require the authority to permit the chairperson of the committee, or the chairperson's designee, to attend meetings of any internal governance committees related to project oversight, as provided.
- AB 1238 (Ting D) Pedestrian access.**
Current Text: Amended: 3/25/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 3/25/2021-Referred to Com. on TRANS. From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended.
Summary: Current law prohibits a pedestrian from entering the roadway if the pedestrian is facing a steady circular yellow or yellow arrow warning signal unless otherwise directed by a pedestrian control signal, as specified. This bill would delete that prohibition.
- AB 1258 (Nguyen R) Housing element: regional housing need plan: judicial review.**
Current Text: Amended: 3/22/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 3/23/2021-Re-referred to Com. on H. & C.D.
Summary: Under current law the Department of Housing and Community Development, in consultation with each council of governments, determines each region's existing and projected housing needs. Under existing law, upon making that determination, the council of governments may object to the determination, and the department is required to respond to an objection by making a final written determination. Current law requires that, based on the determination of the department, a council of governments, or for cities and counties without a council of governments, the department, adopts a final regional housing need plan that allocates a share of the regional housing need to each locality in the region. This bill would subject the department's final written determination of a region's housing needs to judicial review in an action brought by the council of governments. The bill would also subject the final regional housing need plan adopted by the council of governments or the department, as the case may be, to judicial review.
- AB 1260 (Chen R) California Environmental Quality Act: exemptions: transportation-related projects.**
Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)
Introduced: 2/19/2021
Status: 3/4/2021-Referred to Com. on NAT. RES.
Summary: CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses. This will would further exempt from the requirements of CEQA projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.
- AB 1291 (Frazier D) State bodies: open meetings.**
Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)
Introduced: 2/19/2021

Status: 3/4/2021-Referred to Com. on G.O.

Summary: Current law provides that, subject to certain exceptions and reasonable regulations, the state body shall provide members of the public an opportunity to directly address the state body on agenda items. Current law authorizes the state body to limit the amount of time allotted for each member of the public to speak, but specifies that members of the public who use translators shall be given twice that allotted amount of time. This bill would also require a state body, when it limits time for public comment, to provide at least twice the allotted time to a member of the public who utilizes translating technology to address the state body. The bill would additionally make technical, nonsubstantive changes.

AB 1297 (Holden D) California Infrastructure and Economic Development Bank: public and economic development facilities: housing.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on J., E.D., & E. and H. & C.D.

Summary: The Bergeson-Peace Infrastructure and Economic Development Bank Act defines "public development facilities" for specified purposes to mean real and personal property, structures, conveyances, equipment, thoroughfares, buildings, and supporting components thereof, excluding any housing, that are directly related to providing, among other things, housing-related infrastructure, as specified. The act defines "economic development facilities" for these purposes to mean real and personal property, structures, buildings, equipment, and supporting components thereof that are used to provide industrial, recreational, research, commercial, utility, goods movement, or service enterprise facilities, community, educational, cultural, or social welfare facilities and any parts or combinations thereof, and all necessary facilities or infrastructure, excluding any housing. This bill would specify that public development and economic development facilities do not include housing that is financed by any tax-exempt bonds issued by the California Infrastructure and Economic Development Bank and subject to a state allocation of private activity bond volume.

AB 1312 (Rodriguez D) Vehicular fuels: renewable and clean hydrogen: income tax: credit.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on NAT. RES. and REV. & TAX.

Summary: Would allow a green hydrogen, as defined, production facility and distribution credit against the personal income and corporate income taxes for each taxable year beginning on or after January 1, 2023, and before January 1, 2033, to a qualified taxpayer for qualified building or qualified distribution costs, or both, as defined. The bill would also allow a hydrogen infrastructure credit against those taxes for each taxable year beginning on or after January 1, 2023, and before January 1, 2033, to a qualified taxpayer for qualified building costs, as defined. The bill would decrease the green hydrogen production facility and distribution credit as the amount of green hydrogen produced on average per day in the state increases and would decrease the hydrogen infrastructure credit as the number of public hydrogen fueling stations in operation in the state increases.

AB 1337 (Lee D) Transportation: transit district policing responsibilities.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on PUB. S. and TRANS.

Summary: Under current law, a person who enters or remains upon any land, facilities, or vehicles owned, leased, or possessed by specified transit entities that are used to provide public transportation by rail or passenger bus, or are directly related to that use, without permission, or whose entry, presence, or conduct upon the property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor. This bill would specify that a person who enters or remains upon any property, facilities, or vehicles upon which the applicable transit entity owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement without permission, or whose entry, presence, or conduct upon that property interferes with, interrupts, or hinders the safe and efficient operation of the transit-related facility, is guilty of a misdemeanor.

AB 1384 (Gabriel D) Resiliency Through Adaptation, Economic Vitality, and Equity Act of 2022.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Com. on NAT. RES.

Summary: Would require the Strategic Growth Council to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts modeled for 2025, 2050, and beyond, among other goals. The bill would require state agencies identified in the strategic resiliency framework to collaboratively engage with regional entities to enhance policy and funding coordination and promote regional solutions and implementation and to proactively engage vulnerable communities whose planning and project development efforts have been disproportionately impacted by climate change,

as provided. The bill would authorize the Treasurer, and the financing authorities that the Treasurer chairs, to assist state agencies by leveraging public and private capital investment to help with loans and other incentives to attain the goals identified in the strategic resiliency framework.

AB 1445 (Levine D) Planning and zoning: regional housing need allocation: climate change impacts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Coms. on H. & C.D. and L. GOV.

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that includes, among other mandatory elements, a housing element. For the 4th and subsequent revisions of the housing element, current law requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region. Current law requires the appropriate council of governments, or the department for cities and counties without a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county, as provided. Current law requires that the final regional housing plan adopted by a council of governments, or a delegate subregion, as applicable, be based on a methodology that includes specified factors, and similarly requires that the department take into consideration specified factors in distributing regional housing need, as provided. This bill would require that a council of governments, a delegate subregion, or the department, as applicable, additionally consider among these factors emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change.

AB 1499 (Daly D) Transportation: design-build: highways.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Com. on TRANS.

Summary: Current law authorizes regional transportation agencies, as defined, to utilize design-build procurement for projects on or adjacent to the state highway system. Current law also authorizes those regional transportation agencies to utilize design-build procurement for projects on expressways that are not on the state highway system, as specified. Current law repeals these provisions on January 1, 2024, or one year from the date that the Department of Transportation posts on its internet website that the provisions described below related to construction inspection services for these projects have been held by a court to be invalid. This bill would delete the January 1, 2024, repeal date, thus extending the above provisions indefinitely.

AB 1519 (Gallagher R) Forestry: fuels transportation program: biomass energy facility: grant program.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/15/2021-Re-referred to Com. on NAT. RES.

Summary: Would require the Natural Resources Agency to develop and implement a fuels transportation program that provides competitive grants or other financial incentives for projects in eligible communities to offset the costs of transporting fuels to a biomass energy facility, as specified. The bill would authorize the agency to allocate moneys from the Greenhouse Gas Reduction Fund consistent with the purposes of the fund. The bill would exempt these provisions from the Administrative Procedure Act.

AB 1544 (Nazarian D) Cultural heritage: protection of items and places of cultural and historical interest.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Summary: Would express the intent of the Legislature to later enact legislation to protect precious and irreplaceable items and places of cultural and historical interest by prohibiting public entities from, and urging private entities to refrain from, engaging with individuals and entities who have destroyed, vandalized, scavenged, stolen from, or otherwise despoiled, artifacts, items, or structures in any place of cultural and historical interest anywhere in the world.

AB 1547 (Reyes D) Air pollution: warehouse facilities.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/25/2021-Referred to Coms. on NAT. RES. and L. GOV. From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Summary: Current law regulates the emissions of air pollution. Current law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, subject to the powers and duties of the State Air Resources Board. Existing law designates the state board as having the primary responsibility for the control of air pollution from vehicular sources. This bill would authorize the State Air Resources Board to regulate indirect sources, as defined.

[ACA 1](#)**(Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.****Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 12/8/2020-From printer. May be heard in committee January 7.**Summary:** The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.[ACA 5](#)**(Voepel R) Motor vehicles: fuel taxes, sales and use taxes, and fees: expenditure restrictions.****Current Text:** Introduced: 2/19/2021 [html](#) [pdf](#)**Introduced:** 2/19/2021**Status:** 2/22/2021-Read first time.**Summary:** The California Constitution restricts the expenditure of revenues from taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. These restrictions do not apply to revenues from taxes or fees imposed under the Sales and Use Tax Law or the Vehicle License Fee Law. This measure would explicitly restrict the expenditure of all interest earned and other increment derived from the investment of those tax revenues and any proceeds from the lease or sale of real property acquired using those tax revenues only for the purposes described above.[SB 5](#)**(Atkins D) Affordable Housing Bond Act of 2022.****Current Text:** Amended: 3/10/2021 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 3/18/2021-Re-referred to Coms. on HOUSING and GOV. & F.**Summary:** Would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of \$6,500,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to fund affordable rental housing and homeownership programs. The bill would state the intent of the Legislature to determine the allocation of those funds to specific programs. This bill would provide for submission of the bond act to the voters at the November 8, 2022, statewide general election in accordance with specified law.[SB 7](#)**(Atkins D) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.****Current Text:** Amended: 2/18/2021 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 3/1/2021-Read third time. Urgency clause adopted. Passed. (Ayes 34. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.**Summary:** Would enact the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which would reenact the former leadership act, with certain changes, and would authorize the Governor, until January 1, 2024, to certify projects that meet specified requirements for streamlining benefits related to CEQA. The bill would additionally include housing development projects, as defined, meeting certain conditions as projects eligible for certification. The bill would, except for those housing development projects, require the quantification and mitigation of the impacts of a project from the emissions of greenhouse gases, as provided. The bill would revise and recast the labor-related requirements for projects undertaken by both public agencies and private entities. The bill would provide that the Governor is authorized to certify a project before the lead agency certifies the final EIR for the project.[SB 44](#)**(Allen D) California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects.****Current Text:** Amended: 3/1/2021 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 3/25/2021-Set for hearing April 13.**Summary:** Would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for an environmental leadership transit project, as defined, proposed by a public or private entity or its affiliates. The bill would require the Judicial Council, on or before April 1, 2022, to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to an environmental leadership transit

SB 66

(Allen D) California Council on the Future of Transportation: advisory committee: autonomous vehicle technology.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 2/25/2021-Re-referred to Com. on TRANS.

Summary: Would require the Secretary of Transportation to establish an advisory committee, the California Council on the Future of Transportation, to provide the Governor and the Legislature with recommendations for changes in state policy to ensure that as autonomous vehicles are deployed, they enhance the state's efforts to increase road safety, promote equity, and meet public health and environmental objectives. The bill would require the council to be chaired by the secretary and consist of at least 22 additional members, selected by the chair or designated, as specified, who represent, among others, transportation workers, various state and local agencies, and a disability rights organization.

SB 95

(Skinner D) Employment: COVID-19: supplemental paid sick leave.

Current Text: Chaptered: 3/19/2021 [html](#) [pdf](#)

Introduced: 12/16/2020

Status: 3/19/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 13, Statutes of 2021.

Summary: Would provide for COVID-19 supplemental paid sick leave for covered employees, as defined, who are unable to work or telework due to certain reasons related to COVID-19, including that the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. The bill would entitle a covered employee to 80 hours of COVID-19 supplemental paid sick leave if that employee either works full time or was scheduled to work, on average, at least 40 hours per week for the employer in the 2 weeks preceding the date the covered employee took COVID-19 supplemental paid sick leave. The bill would provide a different calculation for supplemental paid sick leave for a covered employee who is a firefighter subject to certain work schedule requirements and for a covered employee working fewer or variable hours, as specified.

SB 210

(Wiener D) Automated license plate recognition systems: use of data.

Current Text: Amended: 3/15/2021 [html](#) [pdf](#)

Introduced: 1/12/2021

Status: 3/25/2021-Set for hearing April 5.

Summary: Current law authorizes the Department of the California Highway Patrol to retain license plate data captured by license plate reader technology, also referred to as an automated license plate recognition (ALPR) system, for not more than 60 days unless the data is being used as evidence or for the investigation of felonies. Current law authorizes the department to share that data with law enforcement agencies for specified purposes and requires both an ALPR operator and an ALPR end-user, as those terms are defined, to implement a usage and privacy policy regarding that ALPR information, as specified. Current law requires that the usage and privacy policy implemented by an ALPR operator or an ALPR end-user include the length of time ALPR information will be retained and the process the ALPR operator and ALPR end-user will utilize to determine if and when to destroy retained ALPR information. This bill would include in those usage and privacy policies a requirement that, if the ALPR operator or ALPR end-user is a public agency and not an airport authority, ALPR data that does not match a hot list be destroyed within 24 hours.

SB 261

(Allen D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 3/16/2021-From committee: Do pass and re-refer to Com. on TRANS. (Ayes 5. Noes 2.) (March 15). Re-referred to Com. on TRANS.

Summary: current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

SB 274

(Wieckowski D) Local government meetings: agenda and documents.

Current Text: Introduced: 1/29/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Status: 3/25/2021-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (March 25).

Summary: The Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by mail or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of a other documents constituting the agenda packet, as specified.

SB 290

(Skinner D) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 3/18/2021-From committee: Do pass and re-refer to Com. on GOV. & F. (Ayes 6. Noes 1.) (March 18). Re-referred to Com. on GOV. & F.

Summary: Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. This bill would require a unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based. The bill would require a city or county to grant one incentive or concession for a student housing development project that will include at least 20% of the total units for lower income students.

SB 339

(Wiener D) Vehicles: road usage charge pilot program.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 3/10/2021-Set for hearing April 13.

Summary: Current law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Current law requires the technical advisory committee to study RUC alternatives to the gas tax, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program, as specified. Existing law repeals these provisions on January 1, 2023. This bill would extend the operation of these provisions until January 1, 2027.

SB 342

(Gonzalez D) South Coast Air Quality Management District: board membership.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/9/2021

Status: 3/18/2021-Re-referred to Coms. on E.Q. and GOV. & F. Set for hearing April 12.

Summary: Current law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board, consisting of 13 members. This bill would add 2 members to the district board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. The bill would require the 2 additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice.

SB 415

(Melendez R) Transportation finance: motor vehicle fuel tax.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Com. on TRANS.

Summary: Article XIX of the California Constitution restricts the expenditure of revenues from the motor vehicle fuel tax and other taxes imposed by the state on fuels used in motor vehicles upon public streets and highways to street and highway and certain mass transit purposes. Current law requires a portion of the net revenues from that tax on motor vehicle fuel to be apportioned monthly among counties and cities pursuant to a specified formula, which includes a requirement that the base sum be computed using a specified metric. This bill would require the base sum to be calculated, rather than computed, using that metric and that the calculation of the apportionment be disclosed and made available to the public.

SB 439**(Archuleta D) Green hydrogen.****Current Text:** Amended: 3/5/2021 [html](#) [pdf](#)**Introduced:** 2/16/2021**Status:** 3/5/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U. & C.**Summary:** Would authorize a gas corporation that serves an area that will host the 2028 Olympics to identify and propose a green hydrogen project, as defined, or multiple projects, in cooperation with the United States Olympic Paralympic Committee, the City of Los Angeles, or the County of Los Angeles to achieve described purposes. If a green hydrogen project is identified and proposed, the bill would authorize the gas corporation to file an application with the PUC for approval to undertake the project or projects. The bill would require the PUC to approve, or modify and approve, a project or projects and associated investments in green hydrogen and hydrogen-related infrastructure, and to authorize recovery of those expenses incurred through a reasonable cost recovery mechanism.**SB 475****(Cortese D) Transportation planning: sustainable communities strategies.****Current Text:** Amended: 3/10/2021 [html](#) [pdf](#)**Introduced:** 2/17/2021**Status:** 3/18/2021-Re-referred to Coms. on E.Q., TRANS., and HOUSING. Referral to Com. on HOUSING rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.**Summary:** Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.**SB 499****(Leyva D) General plan: land use element: uses adversely impacting health outcomes.****Current Text:** Introduced: 2/17/2021 [html](#) [pdf](#)**Introduced:** 2/17/2021**Status:** 3/25/2021-April 8 set for first hearing canceled at the request of author.**Summary:** Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.**SB 527****(Melendez R) Greenhouse Gas Reduction Fund: high-speed rail: Salton Sea restoration.****Current Text:** Introduced: 2/17/2021 [html](#) [pdf](#)**Introduced:** 2/17/2021**Status:** 3/18/2021-Set for hearing April 12.**Summary:** Would eliminate the continuous appropriation of 25% of the annual proceeds of Greenhouse Gas Reduction Fund to the High-Speed Rail Authority on June 30, 2022. The bill, beginning with the 2022-23 fiscal year, would annually transfer 25% of the annual proceeds of the Greenhouse Gas Reduction Fund to the Salton Sea Restoration Fund. This bill contains other existing laws.**SB 542****(Limón D) Vehicle license fees for zero-emission vehicles: sales and use taxes on medium- or heavy-duty zero-emission trucks.****Current Text:** Amended: 3/25/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/25/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on TRANS.**Summary:** Current sales and use tax laws impose taxes on retailers measured by gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, measured by sales price. The Sales and Use Tax Law defines the terms "gross receipts" and "sales price." This bill would exclude from the terms "gross receipts" and "sales price" for purposes of the Sales and Use Tax Law the amount charged for the purchase of a new on-road medium- or heavy-duty zero-emission truck that is in excess of the amount that would be charged for an equivalent new medium- or heavy-duty diesel or gasoline truck, as determined by the

SB 563**(Allen D) Second Neighborhood Infill Finance and Transit Improvements Act: housing developments: homelessness prevention programs: enhanced infrastructure financing plan adoption process.****Current Text:** Introduced: 2/18/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/24/2021-Set for hearing April 8.

Summary: Current law authorizes the legislative body of a city or county to propose the establishment of an enhanced infrastructure financing district, with a governing body referred to as a public financing authority, to finance public capital facilities or other specified projects of communitywide significance. Current law requires the proceedings for the establishment of the district to be instituted by the adoption of a specified resolution and requires an infrastructure financing plan to be prepared, as specified. Current law requires a copy of the resolution and the plan to be sent to each landowner within the district. Current law requires the public financing authority to consider the adoption of the plan at 3 public hearings and, at the 3rd hearing, terminate the proceedings, adopt the plan, or call an election depending on the percentage of the combined number of landowners and residents in the area who are at least 18 years of age who file a protest. If an election is called, existing law makes adoption of the plan dependent on the vote of that population. This bill, instead, would make the above-described plan adoption process dependent on the percentage of the combined number of registered voters in the area and landowners who file a protest and on the vote of that population.

SB 580**(Hueso D) Department of Transportation: highways and roads: recycled plastics study and specifications.****Current Text:** Introduced: 2/18/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/10/2021-Set for hearing April 13.

Summary: Would authorize the department to conduct a study to assess the feasibility, cost effectiveness, and life-cycle environmental benefits of including recycled plastics in asphalt used as a paving material in the construction, maintenance, or rehabilitation of a highway or road. If the department determines that this use of recycled plastics is feasible and that recycled plastics can be included in asphalt in a manner that is cost effective and provides life-cycle environmental benefits, the bill would authorize the department to establish specifications for including recycled plastics in asphalt used as a paving material in the construction, maintenance, and rehabilitation of a highway or road. The bill would require the department to prepare and submit, on or before January 1 of each year, commencing January 1, 2023, an analysis to the Assembly Committee on Transportation and the Senate Committee on Transportation on its progress studying recycled plastics and its progress toward establishing specifications for including recycled plastics in asphalt, as described above.

SB 606**(Gonzalez D) Workplace safety: violations of statutes: enterprise-wide violations: employer retaliation.****Current Text:** Amended: 3/25/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/25/2021-Set for hearing April 6. From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD.

Summary: Current law requires the Division of Occupational Safety and Health to issue a citation for a violation of provisions relating to the spraying of asbestos, or any standard, rule, order, or regulation established pursuant to specified provisions of the California Occupational Safety and Health Act of 1973 if, upon inspection or investigation, the division believes that an employer has committed a violation. This bill, instead, would require the division to issue a citation for a violation of provisions relating to the spraying of asbestos, certain employment safety related provisions of the Labor Code, or any standard, rule, order or regulation established pursuant to specified provisions of the California Safety and Health Act of 1973 or other safety related provisions of the Labor Code if, upon inspection or investigation, or upon evidence or documents obtained by the division in lieu of or in addition to an on-site inspection, the division believes that an employer has committed a violation.

SB 623**(Newman D) Electronic toll and transit fare collection systems.****Current Text:** Introduced: 2/18/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/10/2021-Set for hearing April 13.

Summary: Current law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system in compliance with specified objectives, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Current law authorizes operators of toll facilities on federal-aid highway engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility. This bill would authorize those operators to provide instead only the information

SB 640 (Becker D) Transportation financing: jointly proposed projects.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/19/2021-Set for hearing April 13.

Summary: Current law provides for the deposit of various funds, including revenues from certain increases in fuel taxes and vehicle fees, for the program into the Road Maintenance and Rehabilitation Account. After certain allocations for the program are made, existing law requires the remaining funds available for the program to be continuously appropriated 50% for allocation to the department for maintenance of the state highway system or for the State Highway Operation and Protection Program and 50% for apportionment to cities and counties by the Controller pursuant to a specified formula. Current law requires a city or county to submit to the California Transportation Commission a list of proposed projects, as specified, to be eligible for an apportionment of those funds. This bill would authorize cities and counties to jointly submit to the commission a list of proposed projects to be funded by the cities and counties' apportionments of those funds, as specified.

SB 643 (Archuleta D) Fuel cell electric vehicle fueling infrastructure and fuel production: working group: statewide assessment.

Current Text: Amended: 3/22/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/24/2021-Re-referred to Coms. on E.Q., TRANS., and E., U. & C.

Summary: Would, until January 1, 2030, require the State Air Resources Board, in consultation with the Energy Commission and the Public Utilities Commission, to create a working group to prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at levels necessary for the state to meet specified goals and requirements relating to vehicular air pollution. The bill would require the assessment to be completed on or before December 31, 2023, and the working group to update the assessment at least once every 2 years.

SB 657 (Ochoa Bogh R) Employment: electronic documents.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/23/2021-Set for hearing April 5.

Summary: Current law regulates the wages, hours, and working conditions of any worker employed in any occupation, trade, or industry, whether compensation is measured by time, piece, or otherwise, except as specified. The bill would also authorize an employee working from home to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically.

SB 662 (Archuleta D) Energy: transportation sector: hydrogen.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/25/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U. & C.

Summary: Current law, enacted as part of the Clean Energy and Pollution Reduction Act of 2015, requires the Public Utilities Commission (PUC), in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission) and the State Air Resources Board (state board), to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification, as defined, to achieve specified results. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if they meet specified requirements. This bill would revise the definition of "transportation electrification" for this purpose to include the use of hydrogen when used as a transportation fuel in fuel cell electric vehicles.

SB 671 (Gonzalez D) Transportation: Clean Freight Corridor Efficiency Program.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/10/2021-Set for hearing April 13.

Summary: Would establish the Clean Freight Corridor Efficiency Program, to be jointly administered by the California Transportation Commission and State Air Resources Board, in coordination with other state entities. The bill would require the program to establish criteria for identifying qualifying freight corridors and define minimum requirements for clean truck corridors, surrounding local streets and roads, and associated facilities. The bill would require the program to identify California's 5 most-used freight corridors and objectives for improving the corridors, as specified, and identify projects and funding opportunities in these corridors.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)**Introduced:** 2/19/2021**Status:** 3/23/2021-From committee: Do pass and re-refer to Com. on TRANS. (Ayes 4. Noes 1.) (March 22). Re-referred to Com. on TRANS.**Summary:** Would require relevant public agencies, as defined, to develop a program, known as the California Jobs Plan Program, to meet specified objectives, including, as a component of applications for covered public contracts, as defined, creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract, and proposed wages, benefits, and investment in training. That component of the application would be known as the California Jobs Plan, as defined. Other objectives of the program, pursuant to the bill, would include supporting the hiring of displaced workers and individuals facing barriers to employment as defined; encouraging the development of the state's long-term green transportation and related infrastructure and manufacturing sector; and protecting public health by supporting the adoption of specific protections for worker health and safety.**(Hertzberg D) Density Bonus Law: purchase of density bonus units by nonprofit housing organizations.****Current Text:** Amended: 3/10/2021 [html](#) [pdf](#)**Introduced:** 2/19/2021**Status:** 3/18/2021-Re-referred to Com. on HOUSING.**Summary:** Current law, commonly referred to as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct, among other options, specified percentages of units for moderate-income or, lower, or very low income households and meets other requirements. Current law requires the developer and the city or county to ensure that the initial occupant of a for-sale unit that qualified the developer for the award of the density bonus is a person or family of very low, low, or moderate income. This bill, as an alternative to ensuring that the initial occupant of a for-sale unit is a person or family of the required income, would authorize the developer and the city or county to ensure that a qualified nonprofit housing organization, as defined, purchases the unit pursuant to a specified recorded contract that includes an affordability restriction, an equity sharing agreement, and a repurchase option that requires a subsequent purchaser that desires to sell or convey the property to first offer the nonprofit corporation the opportunity to repurchase the property.**(Stern D) Wildlife connectivity mitigation credits: Advance Mitigation Program.****Current Text:** Amended: 3/22/2021 [html](#) [pdf](#)**Introduced:** 2/19/2021**Status:** 3/22/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on TRANS.**Summary:** Current law vests the Department of Fish and Wildlife (DFW) with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Existing law vests the Department of Transportation (Caltrans) with full possession and control of the state highway system. This bill would require DFW, in consultation with Caltrans, to provide compensatory mitigation credits to support modifications and planning of projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements.**(Wieckowski D) Trade Corridor Enhancement Account.****Current Text:** Introduced: 2/19/2021 [html](#) [pdf](#)**Introduced:** 2/19/2021**Status:** 3/3/2021-Referred to Com. on RLS.**Summary:** Current law creates the Trade Corridor Enhancement Account to receive revenues attributable to 50% of a \$0.20 per gallon increase in the diesel fuel excise tax imposed by the Road Repair and Accountability Act of 2017 for corridor-based freight projects nominated by local agencies and the state. Current law makes these funds and certain federal funds apportioned to the state available upon appropriation for allocation by the California Transportation Commission for trade infrastructure improvement projects that meet specified requirements. This bill would make nonsubstantive changes to this provision.**(Allen D) Multijurisdictional regional agreements: housing element.****Current Text:** Amended: 3/10/2021 [html](#) [pdf](#)**Introduced:** 2/19/2021**Status:** 3/18/2021-Re-referred to Coms. on HOUSING and GOV. & F.**Summary:** Would authorize a city or county to satisfy part of its requirement to identify zones suitable for residential development by adopting and implementing a multijurisdictional regional agreement. The bill would require the multijurisdictional regional agreement to clearly establish the jurisdiction that

is contributing suitable land for residential development and the jurisdiction or jurisdictions that are contributing funding for that development. The bill would require that a multijurisdictional regional agreement be between 2 or more cities or counties that are located within the same county or within adjacent counties. This bill would require a jurisdiction that is a party to a multijurisdictional regional agreement under these provisions to provide specified information in its housing element, including how the multijurisdictional regional agreement will satisfy the jurisdiction's housing need for a designated income level.

SCA 2

(Allen D) Public housing projects.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 12/8/2020-From printer. May be acted upon on or after January 7.

Summary: The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

SCA 4

(Wilk R) Legislature: 2-year budget.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/18/2021-From printer. May be acted upon on or after March 20.

Summary: Would limit the Legislature, in the first year of the regular session, to considering or acting upon only the Budget Bill and related bills, and up to 5 bills introduced by each of the standing committees of the Legislature, as specified. The measure would require the Governor to submit to the Legislature a budget for the ensuing 2 fiscal years within the first 10 days of the first calendar year of the biennium of the legislative session, and would require the Legislature to adopt by June 15 of the first calendar year of the biennium of the legislative session a Budget Bill that appropriates funds to support state government for the next 2-year fiscal period commencing on July 1. The measure, in the second year of the regular session, would limit the Legislature to considering or acting upon only legislation other than the Budget Bill and related bills. The Legislature, by a 2/3 vote of each house, would be authorized, however, to amend an enacted Budget Bill and related bills in both calendar years of the biennium.

Total Measures: 98

Total Tracking Forms: 98

Minute Action

AGENDA ITEM: 3

Date: April 14, 2021

Subject:

Federal Legislative Update

Recommendation:

Receive and file the April 2021 Federal Legislative Update and provide direction as appropriate.

Background:

1. Recap and Implementation of the American Rescue Plan Act (ARPA) of 2021
 - a. Public Transit Funding, including \$30 billion for Transit Agencies to assist with operating costs, payroll, and the purchase of Personal Protective Equipment (PPE).
2. Fiscal Year (FY) 2022 Appropriations Process update. The President's budget is still expected in May with the skinny budget expected soon.
 - a. Guidance on Community Project Funding (CPF), i.e. earmarks, is as follows:
 1. Total CPF Funding will not exceed 1% of topline discretionary spending.
 - i. At FY 2020 Spending Levels, total CPF Funding would have been roughly \$13 billion.
 2. Total number of requests is capped at 10 CPF requests per Member.
 - i. San Bernardino County Transportation Authority (SBCTA) made CPF requests for \$5 million to Representatives Pete Aguilar and Norma Torres to support Zero-emission fleet charging infrastructure for the West Valley Connector Bus Rapid Transit Project.
 3. Requests will be handled by Appropriations Committee leaders (Chair, Democratic requests & Ranking Member, Republican requests)
 4. Member Priorities for Evaluating Requests
 - i. How does this benefit my district?
 - ii. How does this benefit my region?
 - iii. Is this good policy for the Country?
 - iv. Due to limited funding availability, Members are seeking CPF projects not exceeding \$1-2 million.
 5. Eligible Requests/Projects - Local Transportation Priorities
 - i. Projects Eligible under 23 United States Code (USC) 133(b)
 - ii. Capital projects or project-specific planning/design for a capital project.
 - iii. Supported by the state or local government that would administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement.
 - iv. Administered by public entities.

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

- v. Administrative activities are not eligible.
 - vi. Can the project obligate all appropriated funds 12 months after enactment?
- 6. Senate Republicans still weighing CPF process
 - i. Some Republicans in favor, but many (if not most) are staunchly opposed to participating in earmarks.
- 3. Biden proposes infrastructure package, “American Jobs Plan”
 - a. Funding for Highways and Transit in Biden proposal include the following:
 - 1. \$571 billion in infrastructure spending
 - i. \$115 billion to modernize bridges, highways, roads and main streets in critical need of repair
 - ii. \$20 billion to improve road safety
 - iii. \$85 billion for Transit
 - iv. \$80 billion for Amtrak’s repair backlog
 - v. \$175 billion for investments in domestic Electric Vehicle companies and grants/tax credits for electric vehicle charging station construction
 - vi. \$25 billion for airports
 - vii. \$17 billion for inland waterways
 - viii. \$20 billion for a new program to reconnect neighborhoods and improve racial equity
 - ix. \$50 billion in dedicated investments to improve infrastructure resiliency
 - x. Investments in protection against wildfires, sea level rise, and other climate change effects
 - 2. \$100 billion to expand broadband access, among other investments
 - 3. \$100 billion to build a more resilient electrical grid
 - 4. Would raise the corporate tax rate from 21% to 28% and seek to capture additional corporate tax revenue by taxing offshore tax havens
- 4. Senator Padilla incorporated language, per SBCTA’s request, regarding streamlining the Transportation Infrastructure Finance and Innovation Act (TIFIA) process and increasing highway bridge funding into his submissions to the Committee on Environment and Public Works. As the process moves forward, staff and SBCTA’s federal advocates will be in close contact with Senator Padilla’s office to ensure inclusion in the final Surface Transportation Reauthorization legislation.
- 5. Guidance on Congressional Initiatives for the Highway Bill
 - a. “Member Designated Projects” Guidelines
 - 1. Authorizing and funding projects through Surface Transportation Reauthorization
 - 2. Eligible Projects – Included in State Transportation Improvement Program (STIP)

Legislative Policy Committee Agenda Item

April 14, 2021

Page 3

- i. Capital Projects
 - ii. Federal Transit Administration (FTA) Projects
- 3. Committee is discussing \$15-20 million total cap for each district
 - i. Example: Twenty \$1 million projects, or one \$20 million project
 - ii. Multi-District/Regional projects, process to be determined
- 4. Obligation of funds will be available for the term of the legislation (~4 years) and will come directly from the Highway Trust Fund
- 6. U.S. Department of Transportation (USDOT) Updates
 - a. USDOT Secretary Pete Buttigieg's testimony during House Transportation & Infrastructure Committee hearing.
- 7. Recent Federal Legislation Introduced
 - a. ***Public Transit Capital Investment Relief Act of 2021***. The legislation would provide relief for public transportation agencies through the Capital Investment Grants (CIG) Program by increasing the federal cost share of the total project cost for qualifying projects that are under construction or near completion. Durbin and Murray were joined by U.S. Senators Maria Cantwell (D-WA), Dianne Feinstein (D-CA), Alex Padilla (D-CA), Amy Klobuchar (D-MN), and Tina Smith (D-MN) in introducing the legislation.

Financial Impact:

This item has no financial impact on the Fiscal Year 2020/2021 Budget.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Louis Vidaure, Management Analyst II

Approved
Legislative Policy Committee
Date: April 14, 2021

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 4

Date: April 14, 2021

Subject:

Bill Positions - Support

Recommendation:

That the Legislative Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority / San Bernardino Associated Governments (SBCOG):

Approve a recommendation to take Support positions on the following state legislation:

- A. Senate Bill 266 by Senator Josh Newman
- B. Senate Bill 623 by Senator Josh Newman
- C. Assembly Bill 703 by Assembly member Blanca Rubio
- D. Assembly Bill 744 by Assembly member Freddie Rodriguez

Background:

- A. **Senate Bill (SB) 266 (Newman) – State park system: Chino Hills State Park: expansion.**

Bill status: Passed by Senate Committee on Natural Resources and Water
(Yes 9 – No 0)
Scheduled for hearing by Senate Committee on Appropriations (4/05/21)

Summary:

Chino Hills State Park (CHSP) is located near the intersection of Orange, Riverside, and San Bernardino Counties. Its 14,107 acres encompass stands of oaks, sycamores and rolling, grassy hills that stretch from the Santa Ana Mountains to the Whittier Hills. The park is a refuge to many species of California native plants, and is a link between natural habitat areas essential to the survival of many animal species.

There are three properties (14 parcels) that are the subject of this bill that have been priority acquisitions for this park's supporters since it was initially created in the late 1970s. The parcels would add approximately 1,500 acres to the park. All three properties have willing sellers or donors.

This bill would:

- 1) Provide assistance acquiring and accepting land immediately adjacent to, and that expands, CHSP, by transferring three properties into the state park system. The three properties, consisting of 14 parcels, include the First National Investment Properties, Eastbridge, and Beattie.
- 2) Manage the properties with funds held for that purpose or obtained through the Metropolitan Water District of Southern California settlement agreement. The bill further directs California Department of Parks and Recreation (DPR) to manage 131 acres, including the Beattie property and the northernmost 120-acre parcel of the First National Investment

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Properties, as mitigation lands compliant with the settlement agreement. The bill directs DPR to manage the remaining parcels of the First National Investment Properties and the Eastbridge property as additional parklands.

According to the author, “This legislation will direct the California Department of Parks and Recreation to acquire and preserve three parcels of land adjacent to Chino Hills State Park and incorporate those parcels into the park’s boundaries. Incorporating and protecting open space in this region, which boasts the highest amount of biodiversity of any other area in the lower 48 states, will help in the state’s larger and very admirable recently stated goal of preserving 30% of California’s land and coastal waters for conservation by the year 2030.”

According to supporters, “The vision for the State Park has always been to protect the ridgelines to enhance the water quality for wildlife and maintain the secluded visitor experience. The eastern ridgeline remains in private ownership. Were it to be developed, the investment the State has already made in the Park would be damaged beyond repair. Further, these acquisition priorities are called out in both the Feasibility Study for the Park from 1979, and the Park’s General Plan from 1999.”

Staff Recommendation: SUPPORT

The San Bernardino County Transportation Authority (SBCTA) supported SB 404 (Chang) in the 2019-2020 legislative session. Unfortunately, SB 404 was not heard on the Senate floor by its legislative deadline and was not pursued further in 2020. SB 266 was introduced to pursue the same effort as contained in SB 404. Legislative Affairs staff recommends that SBCTA take a support position on SB 266. Per the SBCTA 2020-2021 State Legislative Platform approved by the Board of Directors, SBCTA supports efforts to “Collaborate with public and private sector stakeholders on policy and funding matters that enhance economic development and quality of life in the Inland Empire.” This bill is firmly in line with this goal.

B. SB 623 (Newman) – Electronic toll and transit fare collection systems.

Bill status: Set for hearing by Senate Committee on Transportation (4/13/21)

Summary:

Current state law provides guidance for how toll facility operators process toll violations and communicate information with other toll operators and customers. Many of these provisions were first enacted in 1996 with the passage of Assembly Bill (AB) 1223 (Chapter 739, Statutes of 1995), and amended as recently as 2018 with the passage of AB 2535 (Chapter 435, Statutes of 2018).

To ensure that information about vehicle owners and drivers acquired by toll agencies in the course of operating toll facilities was not sold to third parties or used for inappropriate purposes, SB 1268 (Chapter 489, Statutes of 2010) was passed in 2010, and revised again in 2013 with the passage of AB 179 (Chapter 375, Statutes of 2013) to protect the personally identifiable information (PII) of customers who use electronic transit fare payment cards, such as the Bay Area’s Clipper card and the Los Angeles (LA) Metro’s TAP card. Members of the California Toll Operators Committee (CTOC), a collaborative organization composed of California’s toll facility operators/owners, maintain that they have been abiding by the law and have never sold customer information to third parties.

Toll agencies across the state are currently involved in various lawsuits alleging that toll agencies are violating restrictions in current law related to sharing PII even though usage of such PII occurs in the normal course of doing business when operating a toll facility, including when:

- Communication with the Department of Motor Vehicles (DMV) to find appropriate contact, information to process toll violations and toll invoices.
- Sending toll notices through the United States Postal Service.
- Communication with other toll agencies in California to ensure they're properly billing customers for intrastate interoperability transactions.
- Communication with the Franchise Tax Board to collect unpaid tolls or penalties.
- Use of contractors or sub-contractors to enforce toll policies, provide statutorily required dispute resolution procedures, and manage toll collection systems.
- Provide information about subscribing to a toll system in a notice related to a toll evasion, toll invoice or toll receipt.

This bill would:

Update SB 1268 to be consistent with the Legislature's intent to protect toll road users' information from being used inappropriately while also ensuring toll agencies can operate their business without litigation. For example, the bill removes any ambiguity about toll agencies' ability to use customer's personally identifiable information to:

- Notify accountholders about emergency alerts and road closures.
- Communicate with the DMV to obtain contact information to process toll violations and toll invoices.
- Communicate with each other to properly bill customers who hold an account with a different toll agency since the state's electronic toll system is interoperable.
- Communicate with account holders about toll facility related information, while providing an opt out option.

Staff Recommendation: SUPPORT

SBCTA supported SB 664 (Allen) in the 2019-2020 legislative session. The bill was passed by the State Senate but failed the deadline to be heard on the Assembly floor by the end of the 2019 session. The bill was not pursued in 2020 due to the limiting of legislation after the onset of the COVID-19 pandemic. SB 623 addresses the same issue as SB 664 and provides clarification on instances PII can be shared, which will aide in avoiding possible privacy lawsuits when the Interstate (I)-10 Express Lanes begin operations. The bill also provides greater specificity on exactly what types of information can be shared as part of the intrastate/interstate interoperability process among toll agencies. Legislative Affairs staff recommends that SBCTA take a support position on SB 623. The bill is consistent with the Board approved 2021/2022 State Legislative Platform which states SBCTA supports efforts to "Establish legislation to protect toll operating agencies from lawsuits associated with the use of personal information for collecting toll fees and citations."

C. AB 703 (Rubio) – Open meetings: local agencies: teleconferences.

Bill status: Referred to the Senate Committee on Local Government

Summary:

Current state law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all

persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction.

Governor Gavin Newsome issued Executive Order N-29-20, which suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill would:

Remove the requirements of the Ralph M. Brown Act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

This bill would declare the Legislature's intent, consistent with the Governor's Executive Order N-29-20, to improve and enhance public access to local agency meetings into the future, and considering the digital age, by allowing broader access through teleconferencing options.

Staff Recommendation: SUPPORT

Legislative Affairs staff recommends that SBCTA take a support position on AB 703. Per the SBCTA 2020-2021 State Legislative Platform, SBCTA supports efforts to "Preserve local flexibility in the administration of programs and services." AB 703 is firmly in line with this goal.

D. AB 744 (Rodriguez) – State highways: State Route (SR) 83: reduction.

Bill status: Referred to the Assembly Transportation Committee

Summary:

Current state law establishes the state highway system throughout the state and designates SR 83 from SR 71 to I-10 near the City of Upland.

SR 83, also known as Euclid Avenue, is a major north-south arterial through the City of Ontario and a key commercial, retail and residential corridor.

This bill would:

Allow the California Department of Transportation to relinquish approximately eight miles of SR 83 to the City of Ontario. It would amend section 383 of the Streets and Highways Code to read:

(a) SR 83 is from SR 71 to *Merrill Avenue and includes the southbound portion between Merrill Avenue and Riverside Drive within the City of Chino.*

(b) *The relinquishment of the former portions of SR 83 within the City of Upland and the City of Ontario are not state highways and are not eligible for adoption under Section 81. For the relinquished former portions of SR 83, the City of Upland and the City of Ontario shall ensure the continuity of traffic flow, including any traffic signal progression, and maintain signs directing motorists to the continuation of SR 83.*

Mayor Paul Leon from the City of Ontario stated, “Allowing for the relinquishment of SR 83 will provide the City the opportunity to fully access the potential of the downtown corridor in a strategic and efficient manner. Not only is downtown home to our City Hall and municipal services, but it also offers historical aspects to the community. Local control over future urban planning along this corridor will help streamline the City Council's vision for our economic development and housing opportunities for our City's future.”

Staff Recommendation: SUPPORT

Legislative Affairs staff recommends that SBCTA take a support position on AB 744. Per the SBCTA 2020-2021 State Legislative Platform, SBCTA supports efforts to “Collaborate with public and private sector stakeholders on policy and funding matters that enhance economic development and quality of life in the Inland Empire.” This bill is firmly in line with this goal.

Text for SB 266, SB 623, AB 703 and AB 744 can be found in Attachments A, B, C and D, respectively.

Financial Impact:

This item has no financial impact on the Fiscal Year 2020/2021 Budget.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Louis Vidaure, Management Analyst II

Approved
Legislative Policy Committee
Date: April 14, 2021

Witnessed By:

AMENDED IN SENATE MARCH 23, 2021

SENATE BILL

No. 266

Introduced by Senator Newman
(Principal coauthors: Senators Allen, Leyva, Min, and Roth)
(Coauthor: Assembly Member Chen)

January 28, 2021

An act to add Section 5015.8 to the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 266, as amended, Newman. State park system: Chino Hills State Park: expansion.

Existing law designates all parks, public campgrounds, monument sites, landmark sites, and sites of historical interest established or acquired by the state, or that are under its control, as the state park system, except as specified. Under existing law, the Department of Parks and Recreation controls the state park system, which is made up of units, one of which is the Chino Hills State Park.

This bill would require the department to provide assistance acquiring and accepting land immediately adjacent to, and that expands, Chino Hills State Park, by transferring 3 specified properties into the state park system. The bill would require the department to manage the acquired properties and parcels with specified funds as part of the Chino Hills State Park, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5015.8 is added to the Public Resources
2 Code, to read:

3 5015.8. (a) The department shall provide assistance acquiring
4 and accepting land immediately adjacent to, and that expands,
5 Chino Hills State Park, by transferring three properties into the
6 state park system. The properties are known as First National
7 Investment Properties, which consists of nine parcels, Eastbridge,
8 which consists of four parcels, and Beattie, which is one parcel.
9 The department shall agree to accept and manage each of these
10 properties as a part of the Chino Hills State Park. *All acquisitions*
11 *shall come from willing landowners.*

12 (b) The department shall manage the properties and parcels
13 acquired pursuant to subdivision (a) with funds held for that
14 purpose or obtained through the Metropolitan Water District of
15 Southern California settlement agreement. Only 131 acres, which
16 shall consist of the Beattie property and the northern most 120-acre
17 parcel of the First National Investment Properties, shall be managed
18 as mitigation lands compliant with the settlement agreement. The
19 remaining parcels of the First National Investment Properties and
20 the Eastbridge parcels shall be managed simply as additional
21 parklands.

SENATE BILL**No. 623**

Introduced by Senator Newman
(Coauthors: Senators Cortese and Dodd)
(Coauthor: Assembly Member Mullin)

February 18, 2021

An act to amend Sections 27565 and 31490 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 623, as introduced, Newman. Electronic toll and transit fare collection systems.

Existing law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system in compliance with specified objectives, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Existing law authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility.

This bill would authorize those operators to provide instead only the information specified in functional specifications and standards adopted by the department and operators of toll facilities in this state on federal-aid highways for purposes of interstate interoperability.

Existing law prohibits a transportation agency from selling or providing to any other person or entity personally identifiable information, as defined, of a person who subscribes to an electronic toll or electronic transit fare collection system or who uses a toll facility that employs an electronic toll collection system, except as specified.

Attachment: Senate Bill 623 - Newman (7584 : Bill Positions - Support)

Existing law requires a transportation agency that employs an electronic toll collection or an electronic transit fare collection system to establish a privacy policy regarding the collection and use of personally identifiable information and provide to subscribers of that system a copy of the privacy policy.

This bill would specify that the transportation agency is required to provide a hard copy of, or internet link to, the privacy policy, as specified. The bill would require that the privacy policy include the process by which a subscriber provides opt-in consent to the use of their personally identifiable information for a specified purpose and the process for revoking that consent.

Existing law requires a transportation agency to make every effort to purge the personal account information of an account that is closed or terminated. Under existing law, that requirement does not prohibit a transportation agency, or its designee, from performing financial and accounting functions.

This bill would instead specify that the requirement does not prohibit a transportation agency from using or providing personally identifiable information for specified purposes, which the bill would assert is declarative of existing law.

Existing law prohibits a transportation agency from using a nonsubscriber's personally identifiable information obtained using an electronic toll collection or electronic transit fare collection system to market products or services to that nonsubscriber, except marketing toll-related products or services in a notice of toll evasion.

This bill would delete that exception and instead expressly authorize a transportation agency to include marketing for toll-related products or services in a notice related to a toll evasion or an invoice or receipt for pay-by-plate toll payment sent to a subscriber or nonsubscriber, which the bill would assert is declarative of existing law.

This bill would make various technical changes, some of which the bill would assert are declarative of existing law.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 27565 of the Streets and Highways Code
- 2 is amended to read:

1 27565. (a) The department, in cooperation with the district
2 and all known entities planning to implement a toll facility in this
3 state, shall develop and adopt functional specifications and
4 standards for an automatic vehicle identification ~~system~~, *system*
5 *for intrastate interoperability*, in compliance with all of the
6 following objectives:

7 (1) In order to be detected, the driver shall not be required to
8 reduce speed below the applicable speed for the type of facility
9 being used.

10 (2) ~~The~~ A vehicle owner shall not be required to purchase or
11 install more than one device to use on all toll facilities, but may
12 be required to have a separate account or financial arrangement
13 for the use of these facilities.

14 (3) The facility operators shall have the ability to select from
15 different manufacturers and vendors. The specifications and
16 standards shall encourage multiple bidders, and shall not have the
17 effect of limiting the facility operators to choosing a system that
18 is able to be supplied by only one manufacturer or vendor.

19 (b) Except as provided in subdivision (c), ~~any~~ *an* automatic
20 vehicle identification system purchased or installed after January
21 1, 1991, shall comply with the specifications and standards adopted
22 pursuant to subdivision (a).

23 (c) Subdivision (b) does not apply to an interim automatic
24 vehicle identification system for which a contract is entered into
25 between an entity planning to implement a toll facility and the
26 supplier of the interim system ~~prior to~~ *before* January 1, 1994, if
27 both of the following requirements are met:

28 (1) The department has made a written determination that the
29 installation and operation of the interim system will expedite the
30 completion of the toll facility and its opening to public use.

31 (2) The entity planning to implement the toll facility has entered
32 into an agreement with the department to install, within five years
33 after any portion of the toll facility is opened for public use, an
34 automatic vehicle identification system meeting the specifications
35 and standards adopted pursuant to subdivision (a).

36 (d) The automated vehicle identification system developed by
37 the department pursuant to subdivision (a) shall be capable of
38 identifying various types of vehicles, including, but not limited to,
39 commercial vehicles.

(e) On and after the date specified in the federal Moving Ahead for Progress in the 21st Century Act for implementation of interoperability of electronic toll collection on federal-aid highways, operators of toll facilities on federal-aid highways may fully implement technologies or business practices that provide for the *interstate* interoperability of electronic toll collection programs consistent with federal law. Operators of toll facilities on federal-aid highways engaged in an *interstate* interoperability program may provide only the following information regarding a vehicle's use of the toll facility, *specified in functional specifications and standards adopted by the department and operators of toll facilities in this state on federal-aid highways for purposes of interstate interoperability* and shall otherwise comply with all federal and state privacy protection laws, including, but not limited to, Section ~~31490~~: 31490.

~~(1) License plate number.~~

~~(2) Transponder identification number.~~

~~(3) Date and time of transaction.~~

~~(4) Identity of the agency operating the toll facility.~~

SEC. 2. Section 31490 of the Streets and Highways Code is amended to read:

31490. (a) Except as otherwise provided in this section, a transportation agency may not sell or otherwise provide to any other ~~person~~ *individual* or entity personally identifiable information of any person who subscribes to an electronic toll or electronic transit fare collection system or who uses a toll bridge, toll lane, or toll highway that employs an electronic toll collection system.

(b) A transportation agency that employs an electronic toll collection or an electronic transit fare collection system shall establish a privacy policy regarding the collection and use of personally identifiable information and provide to subscribers of that system a *hard* copy of the privacy ~~policy~~ *policy, or internet link to the privacy policy*, in a manner that is conspicuous and meaningful, such as by providing a copy ~~to of, or link to, the subscriber privacy policy~~ with the transponder, electronic transit pass, or other device used as an electronic toll or transit fare collection mechanism, ~~or, if the system does not use a mechanism, in an email acknowledging that the subscription process was successfully completed, or with the application materials.~~ A transportation agency shall conspicuously post its privacy policy

1 on its ~~Internet Web site~~ *internet website*. For purposes of this
2 subdivision, “conspicuously post” has the same meaning as that
3 term is defined in paragraphs (1) to (4), inclusive, of subdivision
4 (b) of Section 22577 of the Business and Professions Code. The
5 *privacy* policy shall include, but need not be limited to, a
6 description of the following:

7 (1) The types of personally identifiable information that is
8 collected by the agency.

9 (2) The categories of third-party ~~persons~~ *individuals* or entities
10 with whom the agency may share personally identifiable
11 information.

12 (3) The process by which a transportation agency notifies
13 subscribers of material changes to its privacy policy.

14 (4) The effective date of the privacy policy.

15 (5) The process by which a subscriber may review and request
16 changes to any of ~~his or her~~ *their* personally identifiable
17 information.

18 (6) *The process by which a subscriber provides opt-in consent*
19 *to the use of their personally identifiable information pursuant to*
20 *subdivision (j) and the process for revoking that consent. This*
21 *process shall be described in a clear manner.*

22 (c) A transportation agency may, within practical business and
23 cost constraints, store only personally identifiable information of
24 a person such as, to the extent applicable, the account name, credit
25 card number, billing address, vehicle information, and other basic
26 ~~account~~ information required to perform ~~account~~ functions such
27 as billing, account settlement, or enforcement activities. All other
28 information shall be discarded no more than four years and six
29 months after the billing cycle has concluded, the bill has been paid,
30 and all toll or fare violations, if applicable, have been ~~resolved~~.
31 *resolved, except as required to comply with the requirements of a*
32 *litigation hold.*

33 (d) A transportation agency shall make every effort, within
34 practical business and cost constraints, to purge the personal
35 account information of an account that is closed or terminated. ~~In~~
36 ~~no case shall a~~ A transportation agency *shall not* maintain personal
37 information more than four years and six months after the date an
38 account is closed or ~~terminated~~. *terminated, except as required to*
39 *comply with the requirements of a litigation hold.*

(e) (1) A transportation agency may make personally identifiable information of a person available to a law enforcement agency only pursuant to a search warrant. Absent a provision in the search warrant to the contrary, the law enforcement agency shall immediately, but in any event within no more than five days, notify the person that ~~his or her~~ *their* records have been obtained and shall provide the person with a copy of the search warrant and the identity of the law enforcement agency or peace officer to whom the records were provided.

(2) This section does not prohibit a peace officer, as defined in Section 830.1 or 830.2 of the Penal Code, when conducting a criminal or traffic collision investigation, from obtaining personally identifiable information of a person if the officer has good cause to believe that a delay in obtaining this information by seeking a search warrant would cause an adverse result, as defined in subparagraphs (A) to (E), inclusive, of paragraph (2) of subdivision (a) of Section 1524.2 of the Penal Code.

(f) This section does not prohibit a transportation agency in subdivision (a) from providing aggregated traveler information derived from collective data that relates to a group or category of persons from which personally identifiable information has been removed.

(g) This section does not prohibit a transportation agency, with respect to an electronic toll collection system, from providing the license plate number of an intermodal chassis to the owner of the chassis for purposes of locating the driver of the chassis in the event the driver fails to pay a toll.

(h) This section, with respect to an electronic toll collection system, does not prohibit a transportation agency from sharing data with another transportation agency solely to comply with interoperability specifications and standards adopted pursuant to *subdivision (a) or (e) of Section 27565* regarding electronic toll collection devices and technologies. A third-party vendor may not use personally identifiable information obtained under this subdivision for a purpose other than described in this subdivision.

~~(i) Subdivision (d) This section shall not prohibit a transportation agency, or its designee, agency from performing financial and accounting functions such as using or providing personally identifiable information for purposes of billing, account settlement, account maintenance, collection, enforcement, system optimization,~~

1 *device distribution, auditing, issuing public safety or travel alerts,*
2 *conducting customer satisfaction surveys, or other—financial*
3 *activities required to operate and manage the electronic toll*
4 *collection system or transit fare collection system. This section,*
5 *with respect to electronic transit fare collection systems, does not*
6 *prohibit the sharing of data between transportation agencies for*
7 *the purpose of interoperability between those agencies. A*
8 *third-party vendor—may shall not use personally identifiable*
9 *information obtained under this subdivision for a purpose other*
10 *than as described in this subdivision.*

11 (j) This section does not prohibit a transportation agency from
12 communicating, either directly or through a contracted third-party
13 vendor, to subscribers of an electronic toll collection system or an
14 electronic transit fare collection system about products and services
15 offered by, the agency, a business partner, or the entity with which
16 it contracts for the system, using personally identifiable information
17 limited to the subscriber's name, address, and electronic mail
18 address, provided that the transportation agency has received the
19 subscriber's—~~express-written~~ *opt-in* consent to receive the
20 communications.

21 (k) (1) A transportation agency—~~may shall~~ not use a
22 nonsubscriber's personally identifiable information obtained using
23 an electronic toll collection or electronic transit fare collection
24 system to market products or services to that nonsubscriber. ~~This~~
25 ~~subdivision shall not apply to~~

26 (2) *Notwithstanding subdivision (j) and paragraph (1), a*
27 *transportation agency may include marketing for toll-related*
28 *products or services—contained in a notice—of related to a toll*
29 *evasion issued pursuant to Section 23302 of the Vehicle Code: or*
30 *an invoice or receipt for pay-by-plate toll payment sent to a*
31 *subscriber or nonsubscriber.*

32 (l) For purposes of this section, “transportation agency” means
33 the Department of Transportation, the Bay Area Toll Authority,
34 any entity operating a toll bridge, toll lane, or toll highway within
35 the state, any entity administering an electronic transit fare
36 collection system and any transit operator participating in that
37 system, or any entity under contract *at any level* with any of the
38 above—~~entities: entities for purposes of an activity specified in~~
39 *subdivision (e), (g), (h), (i), (j), or (k).*

1 (m) For purposes of this section, “electronic toll collection
2 system” is a system ~~where~~ *in which* a transponder, camera-based
3 vehicle identification system, or other electronic medium is used
4 to deduct payment of a toll from a subscriber’s account or to
5 establish an obligation to pay a toll, and “electronic transit fare
6 collection system” means a system for issuing an electronic transit
7 pass that enables a transit passenger subscriber to use the transit
8 systems of one or more participating transit operators without
9 having to pay individual fares, where fares are instead deducted
10 from the subscriber’s account as loaded onto the electronic transit
11 pass.

12 (n) For purposes of this section, “person” means any person
13 who subscribes to an electronic toll collection or electronic transit
14 fare collection system or any person who uses a toll bridge, toll
15 lane, or toll road that employs an electronic toll collection system.

16 (o) For purposes of this section, “personally identifiable
17 information” means any information that identifies or describes a
18 person including, but not limited to, travel pattern data, address,
19 telephone number, email address, license plate number, photograph,
20 bank account information, or credit card number. For purposes of
21 this section, with respect to electronic transit fare collection
22 systems, “personally identifiable information” does not include
23 photographic or video footage.

24 (p) For purposes of this section, “interoperability” means the
25 sharing of data, including personally identifiable information,
26 across multiple transportation agencies for the sole purpose of
27 creating *and operating* an integrated transit fare payment system,
28 integrated toll payment system, or both.

29 (q) (1) In addition to any other remedies provided by law, a
30 person whose personally identifiable information has been
31 knowingly sold or otherwise provided in violation of this section
32 may bring an action to recover either actual damages or two
33 thousand five hundred dollars (\$2,500) for each individual
34 violation, whichever is greater, and may also recover reasonable
35 costs and attorney’s fees.

36 (2) A person whose personally identifiable information has been
37 knowingly sold or otherwise provided three or more times in
38 violation of this section may bring an action to recover either actual
39 damages or four thousand dollars (\$4,000) for each individual

1 violation, whichever is greater, and may also recover reasonable
2 costs and attorney's fees.

3 (r) Nothing in subdivisions (c) and (d) shall preclude compliance
4 with a court order or settlement agreement that has been approved
5 on or before April 25, 2010.

6 (s) A transportation agency that employs an electronic toll
7 collection or electronic transit fare collection system may impose
8 an administrative fee on persons who use those systems in an
9 amount sufficient to cover the cost of implementing this section.

10 SEC. 3. (a) Except for the amendment of subdivision (e), but
11 including both additions of "interstate" in that subdivision, the
12 amendments of Section 27565 of the Streets and Highways Code
13 made by this act do not constitute a change in, but are declaratory
14 of, existing law.

15 (b) Except for the amendments of subdivisions (b), (c), and (j),
16 the amendments of Section 31490 of the Streets and Highways
17 Code made by this act do not constitute a change in, but are
18 declaratory of, existing law.

ASSEMBLY BILL**No. 703****Introduced by Assembly Member Blanca Rubio**

February 16, 2021

An act to amend Section 54953 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 703, as introduced, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.

Existing law, Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the

public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

This bill would declare the Legislature's intent, consistent with the Governor's Executive Order N-29-20, to improve and enhance public access to local agency meetings into the future, and considering the digital age, by allowing broader access through teleconferencing options.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 54953 of the Government Code is
- 2 amended to read:
- 3 54953. (a) All meetings of the legislative body of a local
- 4 agency shall be open and public, and all persons shall be permitted
- 5 to attend any meeting of the legislative body of a local agency,
- 6 except as otherwise provided in this chapter.
- 7 (b) (1) Notwithstanding any other provision of law, the
- 8 legislative body of a local agency may use teleconferencing for

1 the benefit of the public and the legislative body of a local agency
2 in connection with any meeting or proceeding authorized by law.
3 The teleconferenced meeting or proceeding shall comply with all
4 *otherwise applicable* requirements of this chapter and all otherwise
5 applicable provisions of law relating to a specific type of meeting
6 or proceeding.

7 (2) Teleconferencing, as authorized by this section, may be used
8 for all purposes in connection with any meeting within the subject
9 matter jurisdiction of the legislative body. All votes taken during
10 a teleconferenced meeting shall be by rollcall.

11 (3) If the legislative body of a local agency elects to use
12 teleconferencing, it shall ~~post agendas at all teleconference~~
13 ~~locations and allow members of the public to observe the meeting~~
14 ~~and address the legislative body, and it shall give notice of the~~
15 ~~meeting and post agendas as otherwise required by this chapter.~~
16 ~~The agenda shall provide an opportunity for members of the public~~
17 ~~to address the legislative body directly pursuant to Section 54954.3.~~
18 ~~In each instance in which notice of the time of the teleconferenced~~
19 ~~meeting is otherwise given or the agenda for the meeting is~~
20 ~~otherwise posted, the local agency must also give notice of the~~
21 ~~means by which members of the public may observe the meeting~~
22 ~~and offer public comment. The legislative body shall conduct~~
23 ~~teleconference meetings in a manner that protects the statutory~~
24 ~~and constitutional rights of the parties or the public appearing~~
25 ~~before the legislative body of a local agency. Each teleconference~~
26 ~~location shall be identified in the notice and agenda of the meeting~~
27 ~~or proceeding, and each teleconference location shall be accessible~~
28 ~~to the public. During the teleconference, at least a quorum of the~~
29 ~~members of the legislative body shall participate from locations~~
30 ~~within the boundaries of the territory over which the local agency~~
31 ~~exercises jurisdiction, except as provided in subdivision (d). The~~
32 ~~agenda shall provide an opportunity for members of the public to~~
33 ~~address the legislative body directly pursuant to Section 54954.3~~
34 ~~at each teleconference location. If the legislative body uses~~
35 ~~teleconferencing to hold a meeting, the legislative body must have~~
36 ~~and implement a procedure for receiving and swiftly resolving~~
37 ~~requests for reasonable accommodation for individuals with~~
38 ~~disabilities, consistent with the federal Americans with Disabilities~~
39 ~~Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in~~
40 ~~favor of accessibility. The procedure for receiving and resolving~~

1 *requests for accommodation must be noticed each time notice of*
 2 *the means by which members of the public may observe the*
 3 *teleconference meeting and offer public comment is made.*

4 (4) For the purposes of this section, “teleconference” means a
 5 meeting of a legislative body, the members of which are in different
 6 locations, connected by electronic means, through either audio or
 7 video, or both. Nothing in this section shall prohibit a local agency
 8 from providing the public with additional teleconference locations.

9 (c) (1) No legislative body shall take action by secret ballot,
 10 whether preliminary or final.

11 (2) The legislative body of a local agency shall publicly report
 12 any action taken and the vote or abstention on that action of each
 13 member present for the action.

14 (3) Prior to taking final action, the legislative body shall orally
 15 report a summary of a recommendation for a final action on the
 16 salaries, salary schedules, or compensation paid in the form of
 17 fringe benefits of a local agency executive, as defined in
 18 subdivision (d) of Section 3511.1, during the open meeting in
 19 which the final action is to be taken. This paragraph shall not affect
 20 the public’s right under the California Public Records Act (Chapter
 21 3.5 (commencing with Section 6250) of Division 7 of Title 1) to
 22 inspect or copy records created or received in the process of
 23 developing the recommendation.

24 ~~(d) (1) Notwithstanding the provisions relating to a quorum in~~
 25 ~~paragraph (3) of subdivision (b), if a health authority conducts a~~
 26 ~~teleconference meeting, members who are outside the jurisdiction~~
 27 ~~of the authority may be counted toward the establishment of a~~
 28 ~~quorum when participating in the teleconference if at least 50~~
 29 ~~percent of the number of members that would establish a quorum~~
 30 ~~are present within the boundaries of the territory over which the~~
 31 ~~authority exercises jurisdiction, and the health authority provides~~
 32 ~~a teleconference number, and associated access codes, if any, that~~
 33 ~~allows any person to call in to participate in the meeting and the~~
 34 ~~number and access codes are identified in the notice and agenda~~
 35 ~~of the meeting. (2) Nothing in this subdivision shall be construed~~
 36 ~~as discouraging health authority members of a legislative body~~
 37 ~~from regularly meeting at a common physical site within the~~
 38 ~~jurisdiction of the authority local agency or from using~~
 39 ~~teleconference locations within or near the jurisdiction of the~~
 40 ~~authority. A teleconference meeting for which a quorum is~~

1 established pursuant to this subdivision shall be subject to all other
2 requirements of this section: *local agency*.

3 ~~(3) For purposes of this subdivision, a health authority means~~
4 ~~any entity created pursuant to Sections 14018.7, 14087.31,~~
5 ~~14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare~~
6 ~~and Institutions Code, any joint powers authority created pursuant~~
7 ~~to Article 1 (commencing with Section 6500) of Chapter 5 of~~
8 ~~Division 7 for the purpose of contracting pursuant to Section~~
9 ~~14087.3 of the Welfare and Institutions Code, and any advisory~~
10 ~~committee to a county sponsored health plan licensed pursuant to~~
11 ~~Chapter 2.2 (commencing with Section 1340) of Division 2 of the~~
12 ~~Health and Safety Code if the advisory committee has 12 or more~~
13 ~~members.~~

14 SEC. 2. It is the intent of the Legislature in enacting this
15 measure to improve and enhance public access to local agency
16 meetings into the future, and considering the digital age, by
17 allowing broader access through teleconferencing options
18 consistent with the Governor's Executive Order 29-20 dated March
19 17, 2020, permitting expanded use of teleconferencing during the
20 COVID-19 pandemic.

21 SEC. 3. The Legislature finds and declares that Section 1 of
22 this act, which amends Section 54953 of the Government Code,
23 furthers, within the meaning of paragraph (7) of subdivision (b)
24 of Section 3 of Article I of the California Constitution, the purposes
25 of that constitutional section as it relates to the right of public
26 access to the meetings of local public bodies or the writings of
27 local public officials and local agencies. Pursuant to paragraph (7)
28 of subdivision (b) of Section 3 of Article I of the California
29 Constitution, the Legislature makes the following findings:

30 This act is necessary to ensure minimum standards for public
31 participation and notice requirements allowing for greater public
32 participation in teleconference meetings.

AMENDED IN ASSEMBLY MARCH 8, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 744

Introduced by Assembly Member Rodriguez

February 16, 2021

An act to amend Section ~~18030~~ 383 of the Streets and Highways Code, relating to ~~street lighting~~: *state highways*.

LEGISLATIVE COUNSEL'S DIGEST

AB 744, as amended, Rodriguez. ~~Street Lighting Act of 1919. State highways: State Route 83: reduction.~~

Existing law establishes the state highway system throughout the state and designates State Route 83 from Route 71 to Route 10 near the City of Upland.

This bill would delete from the state highway system a portion of State Route 83, as specified.

~~The Street Lighting Act of 1919 authorizes the city council of any city, when in its opinion the public interest or convenience requires it, to order any street lighting system to be maintained in or along the whole or any part of any one or more of the streets in the city, and to order electricity or energy, gas, or another illuminating agent to be furnished for the street lighting system.~~

~~This bill would make nonsubstantive changes to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 383 of the Streets and Highways Code is*
 2 *amended to read:*

3 383. (a) Route 83 is from Route 71 to ~~Route 10 near Upland.~~
 4 *Merrill Avenue and includes the southbound portion between*
 5 *Merrill Avenue and Riverside Drive within the City of Chino.*

6 (b) ~~The relinquished relinquishment of the former portion~~
 7 *portions of Route 83 within the City of Upland is Upland and the*
 8 *City of Ontario are not a state-highway highways and is are not*
 9 *eligible for adoption under Section 81. For the relinquished former*
 10 ~~portion portions of Route 83, the City of Upland Upland and the~~
 11 *City of Ontario shall ensure the continuity of traffic flow, including*
 12 *any traffic signal progression, and maintain signs directing*
 13 *motorists to the continuation of Route 83.*

14 ~~SECTION 1. Section 18030 of the Streets and Highways Code~~
 15 *is amended to read:*

16 18030. (a) ~~When, in the opinion of a city council of a city, the~~
 17 ~~public interest or convenience requires it to do so, that body may~~
 18 ~~do one or both of the following:~~

19 (1) ~~Order a street lighting system to be maintained in or along~~
 20 ~~the whole or any part of one or more of the streets in the city.~~

21 (2) ~~Order electricity or energy, gas, or another illuminating~~
 22 ~~agent to be furnished for a street lighting system.~~

23 (b) ~~For any of the purposes expressed in paragraph (1) or (2) of~~
 24 ~~subdivision (a), the city council may determine and declare the~~
 25 ~~district to be benefited by the improvement and fix the exterior~~
 26 ~~boundaries thereof, and may assess, either partly or wholly, the~~
 27 ~~costs and expenses, including all incidental expenses, of the~~
 28 ~~improvement, or of any one or more of the items thereof, upon the~~
 29 ~~lands in the district.~~

Minute Action

AGENDA ITEM: 5

Date: April 14, 2021

Subject:

Senate Bill 278

Recommendation:

That the Legislative Policy Committee recommend the Board, acting as the San Bernardino Associated Governments (SBCOG):

Approve a recommendation to take no position on Senate Bill 278 by Senator Connie Leyva at this time and direct staff to provide an update to the Legislative Policy Committee on the status of legislation at a later date for reconsideration of a position by SBCOG.

Background:

Senate Bill (SB) 278 (Leyva) – Public Employees’ Retirement System: disallowed compensation: benefit adjustments.

Bill status: Passed by the Senate Committee on Labor, Public Employment and Retirement (Yes 5 – No 0)
Scheduled for hearing by Senate Committee on Judiciary (4/06/21)

Summary:

Existing law:

- 1) Establishes the California Public Employees’ Retirement System (Cal-PERS) and sets the purpose of the System as effecting the economy and efficiency of public service by providing a path for employees who are incapacitated or superannuated to leave state service, without hardship or prejudice, and be replaced by more capable employees.
- 2) Establishes the Cal-PERS Board of Administration (Board) and vests the Board with the authority to administer the Cal-PERS defined benefit pension system, including determining who is an eligible employee to receive benefits and what assets can be purchased by Cal-PERS.
- 3) Provides that, in its discretion and upon any terms it deems just, the Board may correct errors or omissions of any active or retired member, or any beneficiary of an active or retired member, as specified.
- 4) Requires that, in the event of an erroneous payment to a Cal-PERS member or beneficiary, Cal-PERS has three years from the date of payment to collect the erroneous payment from the member or beneficiary. In the case of fraud, however, Cal-PERS has 10 years from the discovery of the erroneous payment to collect.
- 5) Creates the California Public Employees’ Pension Reform Act (PEPRA) of 2013, which limited what types of compensation can be counted in the calculation of pension benefits for new members.

Entity: San Bernardino Council of Governments

- 6) States the intent of the Legislature, in implementing PEPRA, that the Board has all powers reasonably necessary to invest the assets associated with, and to administer and implement the provisions of PEPRA, to the extent and with the same effect as if the provisions of the act are contained in the Public Employees' Retirement Law.

This bill would:

Establish new procedures and requirements for employees covered by the California Public Employee Retirement System (CalPERS) in cases where their pensionable benefits are erroneously calculated and reported to CalPERS by their employer. SB 278:

- Requires that, if CalPERS determines that the compensation reported for a CalPERS member by a public employer is in conflict with existing law or regulations, CalPERS must prohibit the public employer from continuing to report the disallowed compensation. This requirement also applies to determinations made on or after January 1, 2017, if the appeal rights of the CalPERS member have not been exhausted.
- Requires that, in the case of an active CalPERS member, all contributions on disallowed compensation must be credited against future contributions to the benefit of the public employer by CalPERS and the public employer must return the member's contributions that were paid on the disallowed compensation.
- Requires, in the case of a retired CalPERS member or survivor or beneficiary whose final compensation at the time of retirement was based on disallowed compensation, the contributions made on the disallowed compensation must be credited against future contributions to the benefit of the public employer.
- States that CalPERS must also provide a notice to the public employer and affected retired CalPERS member or survivor or beneficiary that includes, at a minimum:
 - The amount overpayment resulting from the disallowed compensation made by the public employer;
 - The actuarial equivalent present amount owed to the retired CalPERS member, survivor, or beneficiary; and
 - Written disclosures by the public employer's obligations to the retired member under this bill.

The author states, "Existing law provides that California's public employers can contract with CalPERS to provide retirement benefits for their public employees, including state and local government firefighters, law enforcement personnel, and school employees. In doing so, CalPERS' contracting employers have a legal and actuarial obligation to correctly report collectively bargained pension-eligible compensation to CalPERS. In some cases, employers have reported retired employee information to CalPERS that is disallowed under the CalPERS plan.... Even though this pay item was bargained and paid for by the employer and employee, if it is subsequently disallowed, the retired employee is ultimately required to pay back the overpaid amount and suffer a permanent reduction in future payments. Many retirees, including firefighters, do not have access to Social Security, meaning that their retirement security is completely reliant on their CalPERS pension.

"SB 278 would protect the retirement security of CalPERS members by ensuring that any collectively bargained compensation agreed to by their employer and paid for by the employer and retiree cannot be subsequently and retroactively deducted from the retired member's pension

allowance because of a disallowed pay item. To prevent similar retroactive action against retired employees in the future, SB 278 allows CalPERS contracting agencies to submit a compensation proposal for a pension calculation to determine compliance with the CalPERS regulations. Finally, if a disallowed pay item is identified, employees who are still working will go back to the bargaining table so the employee organization and an employer can work through the issue.”

Opponents state, “Under current law, once a benefit is determined to be disallowed, both the employer and the employee cease making future payments on that benefit, past contributions from the employee are returned to the employee, while past contributions from the employer are applied towards future payment. “Unfortunately, in the case of a retiree that received the disallowed benefit, the pension system must recoup the overpaid benefit from the retiree. The pension system must recoup that overpayment from the retiree because it is unlawful to pay out a benefit that is not legally allowable or earned.

“Public agencies cannot continue to make payments to retirees as proposed for the same legal basis that requires pension systems to recoup their disallowed retirement benefit payments to retirees. Continued payment of a disallowed benefit to a retiree would constitute a gift of public funds, in violation of Section 6, Article 16 of the California Constitution. Again, it is unfortunate that after an agency and their bargaining unit came to an agreement on benefits and those benefits had been paid for any amount of time for the benefit to be taken from the retiree. Although public agencies may feel morally or ethically compelled to do so, public agencies simply cannot continue to make payments directly to a retiree for an unlawful benefit.”

Staff Recommendation: No Position

Legislative Affairs staff recommends that SBCTA take no position on SB 278 at this time. Given that SBCTA is not a participant in CalPERS and that Senator Leyva is a member of the San Bernardino County state delegation, staff recommends having further discussions with the Senator to contemplate possible amendments that focus on preventing the errors and erroneous payments in the first place. Efforts should be explored to avoid any policy which would establish a retiree's permanent right to incorrectly calculated pension benefits in cases where an error resulted in paying the retiree higher pension benefits than allowed by law and thereby increasing obligations on local governments and taxpayers. Following further conversations with Senator Leyva, staff will provide an update on status of discussions at a future committee meeting where committee members can reconsider a position on the legislation.

Text of Senate Bill 278 (Leyva) can be found in Attachment A.

Financial Impact:

This item has no financial impact on the Fiscal Year 2020/2021 Budget.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

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Approved
Legislative Policy Committee
Date: April 14, 2021
Witnessed By:

AMENDED IN SENATE MARCH 23, 2021

SENATE BILL

No. 278

Introduced by Senator Leyva

January 29, 2021

An act to add Section 20164.5 to the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 278, as amended, Leyva. Public Employees' Retirement System: disallowed compensation: benefit adjustments.

(1) Existing law, the Public Employees' Retirement Law (PERL), establishes the Public Employees' Retirement System (PERS), which provides a defined benefit to members of the system, based on final compensation, credited service, and age at retirement, subject to certain variations. PERL authorizes a public agency to contract to make its employees members of PERS and prescribes a process for this. PERS is administered by its board of administration, which is responsible for correcting errors and omissions in the administration of the system and the payment of benefits. Existing law requires the board to correct all actions taken as a result of errors or omissions of the state or a contracting agency, in accordance with certain procedures.

The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with the act. PEPRA, among other things, establishes new defined benefit formulas and caps on pensionable compensation.

This bill would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with

Attachment: Senate Bill 278 - Leyva (7582 : Senate Bill 278)

PEPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation. The bill would require that contributions made on the disallowed compensation, for active members, be credited against future contributions on behalf of the state, school employer, or contracting agency that reported the disallowed compensation and would require that the state, school employer, or contracting agency return to the member any contributions paid by the member or on the member's behalf.

With respect to retired members, survivors, or beneficiaries whose benefits are based on disallowed final compensation, the bill would require PERS to adjust the benefit to reflect the exclusion of the ~~disallowed compensation~~, *compensation* and provide that contributions made on the disallowed compensation be credited against future contributions on behalf of the employer entity that reported the disallowed compensation. Additionally, if specified conditions are met, the bill would require the employing entity to refund overpayment costs to the system and to pay retired members, survivors, and beneficiaries whose benefits have been reduced an annuity, or a lump sum, as prescribed, that reflects the difference between the monthly allowance that was based on the disallowed compensation and the adjusted monthly allowance calculated without the disallowed compensation, as provided. The bill would require the system to provide certain notices in this regard. This bill would require the system to provide confidential contact information of retired members, and their survivors and beneficiaries, who are affected by these provisions to the relevant employing entities, the confidentiality of which the entities would be required to maintain.

The bill would authorize the state, a school employer, as specified, or a contracting agency, as applicable, to submit to the system an additional compensation item proposed to be included or contained in a memorandum of understanding or collective bargaining agreement on and after January 1, 2022, that is intended to form the basis of a pension benefit calculation in order for PERS to review its consistency with PEPRA and other laws, as specified, and would require PERS to

provide guidance regarding the review within 90 days, as specified. The bill would require PERS to publish notices regarding proposed compensation language submitted to the system for review and the guidance given by the system that is connected with it. For educational entities that participate in the system, the final responsibility for funding payments to the system and to retired members, survivors, and beneficiaries would belong to the educational entity that is the actual employer of the employee. The bill would make related legislative findings and declarations.

(2) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The California Public Employees' Retirement
- 2 System (CalPERS) is the largest public pension fund in the United
- 3 States, administering defined benefit retirement plans for
- 4 California's public employees, including state and local
- 5 government firefighters, law enforcement personnel, and school
- 6 employees.
- 7 (b) Of the numerous positions maintained by the state, schools,
- 8 and local governments, each is unique and each is vital to ensuring
- 9 quality public services that help keep our state strong, a critical
- 10 component to promoting our state's continued economic recovery
- 11 and future growth.
- 12 (c) Fire service, law enforcement, school personnel, and other
- 13 public employees exhibit varying demographic features and career
- 14 patterns. Each requires a different skill set and knowledge base,
- 15 as well as unique requirements for recruitment, training, retention,
- 16 and compensation.
- 17 (d) Generations of hard-working members of California's middle
- 18 class have dedicated their careers to public service, often earning
- 19 less over the course of their careers when compared to their private

1 industry counterparts, to earn and pay for the promise of a secure
2 retirement.

3 (e) A public employee's pension is based on collectively
4 bargained compensation that takes the form of base pay and special
5 compensation for additional skills, extraordinary assignments, or
6 education.

7 (f) For CalPERS, it is the employer's responsibility to ensure
8 that employee information is reported to CalPERS accurately and
9 on a timely basis in order to correctly calculate an employee's
10 service credit and final compensation for retirement purposes.

11 (g) In 2012, after serving the public for nearly 30 years, a
12 firefighter employed by a CalPERS contracting agency, which
13 provided an official projection of retirement benefits based on the
14 firefighter's estimated retirement date, made the decision to retire
15 based on that projection.

16 (h) In 2017, five years after officially retiring, CalPERS notified
17 the firefighter retiree that the retiree's former employer had
18 erroneously reported and remitted contributions on certain
19 compensation, which CalPERS later determined in an audit was
20 not pensionable compensation. CalPERS sought repayment of the
21 purported overpayment directly from the retired firefighter totaling
22 thousands of dollars, as well as imposed a substantial future
23 reduction to the retiree's monthly allowance. Unfortunately, this
24 scenario is not isolated to just this one retiree. A handful of other
25 firefighter, law enforcement, and school retirees have reported
26 similar stories across multiple CalPERS employers.

27 (i) For over eight decades, CalPERS has proven its ability to
28 fairly administer the retirement system to uphold the promises
29 made by its employers for those members who invest their life's
30 work in public service. However, this kind of clawback has the
31 potential to take a major toll on the finances of retirees, including
32 firefighters and law enforcement officers who, unlike private sector
33 employees, do not receive social security benefits and instead rely
34 on their fixed monthly pension as their sole source of retirement
35 income.

36 (j) In enacting this bill, it is the intent of the Legislature to ensure
37 that a retired CalPERS member is protected when alleged
38 misapplication or calculation of compensation occurs as a result
39 of an employer's error, and that this protection be provided to
40 retirees whose appeal of CalPERS' determination, and subsequent

1 reduction of the retiree's allowance, is not final. It is further the
2 intent of the Legislature that errors made on the part of the
3 employer, with respect to a promise to a retiree, be borne by the
4 employer rather than through a retroactive clawback and permanent
5 reduction in the retired member's pension. *It is finally the intent*
6 *of the Legislature that protecting the retirement security of public*
7 *servants who have appropriately bargained and paid for the*
8 *promise of a secure retirement serves a public purpose.*

9 SEC. 2. Section 20164.5 is added to the Government Code, to
10 read:

11 20164.5. (a) For purposes of this section, "disallowed
12 compensation" means compensation reported for a member by the
13 state, school employer, or a contracting agency that the system
14 subsequently determines is not in compliance with the California
15 Public Employees' Pension Reform Act of 2013 (Article 4
16 (commencing with Section 7522) of Chapter 21 of Division 7 of
17 Title 1), Section 20636 or 20636.1, or the administrative regulations
18 of the system.

19 (b) If the system determines that the compensation reported for
20 a member by the state, school employer, or a contracting agency
21 is disallowed compensation, the system shall require the state,
22 school employer, or contracting agency to discontinue reporting
23 the disallowed compensation. This section shall also apply to
24 determinations made on or after January 1, 2017, if an appeal has
25 been filed and the member, the retired member, survivor, or
26 beneficiary has not exhausted their administrative or legal
27 remedies.

28 (1) In the case of an active member, all contributions made on
29 the disallowed compensation shall be credited against future
30 contributions to the benefit of the state, school employer, or
31 contracting agency that reported the disallowed compensation, and
32 any contribution paid by, or on behalf of, the member, including
33 contributions under Section 20691, shall be returned to the member
34 by the state, school employer, or contracting agency that reported
35 the disallowed compensation.

36 (2) In the case of a retired member, survivor, or beneficiary
37 whose final compensation at the time of retirement was predicated
38 upon the disallowed compensation, the contributions made on the
39 disallowed compensation shall be credited against future
40 contributions, to the benefit of the state, school employer, or

1 contracting agency that reported the disallowed compensation and
2 the system shall permanently adjust the benefit of the affected
3 retired member, survivor, or beneficiary to reflect the exclusion
4 of the disallowed compensation.

5 (3) (A) In the case of a retired member, survivor, or beneficiary
6 whose final compensation at the time of retirement was predicated
7 upon the disallowed compensation as described in paragraph (2),
8 the repayment and notice requirements described in this paragraph
9 and paragraph (4) shall apply only if all of the following conditions
10 are met:

11 (i) The compensation was reported to the system and
12 contributions were made on that compensation while the member
13 was actively employed.

14 (ii) The compensation was ~~provided for~~ *agreed to* in a
15 memorandum of understanding or collective bargaining agreement
16 *between the employer and the recognized employee organization*
17 as compensation for pension purposes.

18 (iii) The determination by the system that compensation was
19 disallowed was made after the date of retirement.

20 (iv) The member was not aware that the compensation was
21 disallowed at the time it was reported.

22 (B) If the conditions of subparagraph (A) are met, the state,
23 school employer, or contracting agency that reported contributions
24 on the disallowed compensation shall do both of the following:

25 (i) Pay to the system, as a direct payment, the full cost of any
26 overpayment of the prior paid benefit made to an affected retired
27 member, survivor, or beneficiary resulting from the disallowed
28 compensation.

29 (ii) Pay to the retired member, survivor, or beneficiary, as a
30 lump sum or as an annuity based on that amount, the actuarial
31 equivalent present value representing the difference between the
32 monthly allowance that was based on the disallowed compensation
33 and the adjusted monthly allowance calculated pursuant to
34 paragraph (2) for the duration that allowance is projected to be
35 paid by the system to the retired member, survivor, or beneficiary.
36 The payment, or payments, shall be made by the state, school
37 employer, or contracting agency that reported contributions on the
38 disallowed compensation as an annuity unless the retired member,
39 survivor, or beneficiary and the state, school employer, or

1 contracting agency, as may be applicable, mutually agree to a lump
2 sum payment or payments.

3 (4) The system shall provide a notice to the state, school
4 employer, or contracting agency that reported contributions on the
5 disallowed compensation and to the affected retired member,
6 survivor, or beneficiary, including, at a minimum, all of the
7 following:

8 (A) The amount of the overpayment to be paid by the state,
9 school employer, or contracting agency to the system as described
10 in subparagraph (B) of paragraph (3).

11 (B) The actuarial equivalent present value owed to the retired
12 member, survivor, or beneficiary as described in subparagraph (B)
13 of paragraph (3), if applicable.

14 (C) Written disclosure of the state, school employer, or
15 contracting agency's obligations to the retired member, survivor,
16 or beneficiary pursuant to this section.

17 (5) The system shall, upon request, provide the state, a school
18 employer, or a contracting agency with contact information data
19 in its possession of a relevant retired member, survivor, or
20 beneficiary in order for the state, a school employer, or a
21 contracting agency to fulfill their obligations to that retired
22 member, survivor, or beneficiary pursuant to this section. The
23 recipient of this contact information data shall keep it confidential.

24 (c) (1) The state, a school employer, including a county
25 superintendent of schools, school district, community college
26 district, charter school, regional occupational center, or other local
27 educational agency, or a contracting agency, as applicable, may
28 submit to the system for review an additional compensation item
29 that is proposed to be included, or is contained, in a memorandum
30 of understanding adopted, or a collective bargaining agreement
31 entered into, on and after January 1, 2022, that is intended to form
32 the basis of a pension benefit calculation, in order for the system
33 to review consistency of the proposal with the California Public
34 Employees' Pension Reform Act of 2013 (Article 4 (commencing
35 with Section 7522) of Chapter 21 of Division 7 of Title 1), Section
36 20636 or 20636.1, and the administrative regulations of the system.

37 (2) A submission to the system for review under paragraph (1)
38 shall include only the compensation item language and a
39 description of how it meets the criteria listed in subdivision (a) of
40 Section 571 or subdivision (b) of Section 571.1 of Title 2 of the

1 California Code of Regulations, along with any other supporting
2 documents or requirements the system deems necessary to complete
3 its review.

4 (3) The system shall provide guidance regarding the submission
5 within 90 days of the receipt of all information required to make
6 a review.

7 (d) The system shall periodically publish a notice of the
8 proposed compensation language submitted to the system pursuant
9 to paragraph (c) for review and the guidance provided by the
10 system.

11 (e) This section does not alter or abrogate any responsibility of
12 the state, a school employer, or a contracting agency to meet and
13 confer in good faith with the employee organization regarding the
14 impact of the disallowed compensation or the effect of any
15 disallowed compensation on the rights of the employees and the
16 obligations of the employer to its employees, including any
17 employees who, due to the passage of time and promotion, may
18 have become exempt from inclusion in a bargaining unit, but whose
19 benefit was the product of collective bargaining.

20 (f) For educational entities participating in the system, the final
21 responsibility for funding payments under subparagraph (B) of
22 paragraph (3) of subdivision (b) is that of the educational entity
23 that is the actual employer of the employee. A county
24 superintendent of schools shall have final responsibility for funding
25 payments for its own employees and not for those employees of
26 other educational entities that participate in the system under the
27 auspices of a county superintendent of schools pursuant to contract.

28 (g) This section does not ~~effect~~ *affect* or otherwise alter a party's
29 right to appeal any determination regarding disallowed
30 compensation made by the system.

31 SEC. 3. The Legislature finds and declares that Section 2 of
32 this act, which adds Section 20164.5 to the Government Code,
33 imposes a limitation on the public's right of access to the meetings
34 of public bodies or the writings of public officials and agencies
35 within the meaning of Section 3 of Article I of the California
36 Constitution. Pursuant to that constitutional provision, the
37 Legislature makes the following findings to demonstrate the interest
38 protected by this limitation and the need for protecting that interest:

39 In order to appropriately maintain the current confidentiality of
40 personal contact information held by the Public Employees'

- 1 Retirement System regarding retired members of the system, and
- 2 their survivors and beneficiaries, it is necessary to limit access to
- 3 this information if it is provided to other public entities for purposes
- 4 of Section 20164.5 of the Government Code.

Minute Action

AGENDA ITEM: 6

Date: April 14, 2021

Subject:

Assembly Bill 840

Recommendation:

That the Legislative Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

Approve a recommendation to take an Oppose position on Assembly Bill 840 by Assemblyman Chris Holden.

Background:

Assembly Bill (AB) 840 (Holden) – County transportation commissions: regional transit service: airports.

Bill status: Referred to the Assembly Transportation Committee

Summary:

The County Transportation Commissions Act provides for the creation of county transportation commissions in the Counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura, with various powers and duties relative to transportation planning and funding, as specified. Existing law requires the county transportation commissions for the Counties of Los Angeles, Orange, Riverside, and San Bernardino, upon the adoption of a resolution by each of those commissions, to jointly develop, in consultation with certain governmental agencies, a program for regional transit services, as defined, within the multicounty region.

In 2018, the Southern California Association of Governments (SCAG), in cooperation with the San Bernardino County Transportation Authority (SBCTA) and the Los Angeles County Metropolitan Transportation Authority (LA Metro), conducted the Inter-County Transit and Rail Connectivity Study to develop a multimodal corridor improvement plan to evaluate transit and rail service for this inter-county corridor connecting the Eastern San Gabriel Valley in Los Angeles County with the Western San Bernardino Valley in San Bernardino County, as well as connections to Ontario International Airport (ONT).

A number of alternatives were studied including Bus Rapid Transit via the West Valley Connector Project, light rail via the extension of the Metro Gold Line, enhancements to increase service along the Metrolink San Bernardino Line, Hybrid-Rail using Diesel Multiple Units, such as those planned on the future Arrow Service on the Redlands Passenger Rail Project, as well Express Bus service from transit centers to connect rail to ONT.

In the conclusion of the study, it states, “It is not the intent of this study to recommend a preferred transit/rail alternative, nor is there sufficient information in this planning-level effort to do so. The recommended path forward is to transmit the study findings to the county transportation commissions for Los Angeles and San Bernardino Counties: the LA Metro and SBCTA to determine next steps.

Entity: San Bernardino County Transportation Authority

“It is intended that the information from this report will be useful in narrowing down the alternatives for more detailed studies in the future. As the implementing agency in their respective county, Metro and SBCTA have the discretion to conduct further studies to determine a financially feasible alternative and to consider additional factors such as county-level funding constraints and benefits of the expanded service to county constituents, among others. Statements about funding and project delivery expectations should be directed to Metro and SBCTA.”

In March of 2020, the SBCTA Board of Directors (Board) approved conducting a new alternatives analysis (AA) of transit connections to ONT that would examine three surface rail alignments and a subsurface alternative utilizing emerging technology, such as The Boring Company’s (TBC) Loop concept. Subsequent to the decision to move forward with the AA, SBCTA received an unsolicited proposal from TBC which outlined a subsurface tunnel connection from ONT to a location near the existing Rancho Cucamonga Metrolink station. The proposal’s estimated cost for construction of the tunnel and autonomous passenger vehicles was approximately \$85 million. Given that preliminary estimates of the surface rail connections were between \$1 – \$1.5 billion, the SBCTA Board placed the AA on hold to examine the subsurface proposal more closely. SBCTA staff determined that the subsurface concept could provide the connection between ONT and the Metrolink San Bernardino Line in the most cost efficient manner. In September 2020, the SBCTA Board approved the release of a Request for Qualifications (RFQ) in an effort to shortlist qualified firms for the potential Tunnel to ONT Infrastructure Developer. TBC was the only company to respond to the RFQ and, in February of 2021, the SBCTA Board authorized negotiations to begin with TBC.

This bill would:

Require the county transportation commissions in the Counties of Los Angeles and San Bernardino to jointly develop, in consultation with certain governmental agencies, a funding and implementation program for regional transit services to include service to international airports within the multicounty region, as provided. The bill would require the initial regional transit services draft program under these provisions to be completed on or before December 1, 2022. The bill would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to hold a joint public hearing in each county in their jurisdiction on the draft program no earlier than 30 days after the draft has been completed. Following the public hearings, the bill would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to adopt the regional transit services program.

Further, the bill would require SBCTA and LA Metro to jointly develop a funding and implementation program for regional transit services to include service to international airports. In developing the program, the agencies shall consult with the SCAG, California Transportation Commission, Ontario International Airport Authority, Metro Gold Line Foothill Extension Construction Authority, and Counties of Los Angeles and San Bernardino.

The author states, “Rail to airport connectivity has been a topic of discussion for decades. Debates between transit agencies, lack of funding, and inaction by transportation authorities has hindered any attempt to build rail to the airport.

“One of the proposed transit options that has been planned, legislated, and partially funded is the Metro Gold Line. The Gold Line runs along the I-210 freeway creating a viable alternative to driving in this region and could be extended to the airport. The Metro Gold Line is currently

being extended into Montclair, within 7 miles of the airport, but currently there are no plans to connect to the airport. There are also three Metrolink stops within five miles of the airport with no coordinated way to get between them and the airport.

“There are a number of alternatives outlined in the SCAG study but none are being actively pursued by the Metro or the SBCTA, including the Gold Line. Funding and planning energy are now diverted to other projects that continue to leave this corridor at a mobility disadvantage that is only going to get worse.”

Staff Recommendation: OPPOSE

Legislative Affairs staff recommends that SBCTA take an oppose position on Assembly Bill (AB) 840. Although promoting regional cooperation between transportation planning agencies to increase regional connectivity and transit options is a laudable goal, the bill fails to recognize the cooperative working relationship SBCTA already enjoys with LA Metro, as well as our other partner transportation planning agencies in the region and our partner transit operators. The bill would add unnecessary bureaucratic requirements that could hinder collaborative planning efforts.

In reasoning the need for the legislation, the author points to the 2018 SCAG study as justification to require that SBCTA and LA Metro pursue specific alternatives outlined in the study. The study’s own conclusion states, “As the implementing agency in their respective county, Metro and SBCTA have the discretion to conduct further studies to determine a financially feasible alternative and to consider additional factors such as county-level funding constraints and benefits of the expanded service to county constituents, among others.” As the agencies with the statutory responsibility for transportation planning in San Bernardino and Los Angeles Counties, SBCTA and LA Metro, respectively, must weigh local priorities set by their Board, as well as finite resources, in making decisions on which transportation projects to pursue. Any effort by the state to mandate a project not consistent with local priorities erodes the faith voters and taxpayers have placed in the agencies to deliver projects that benefit county residents and maximize taxpayer dollars.

The 2021/2022 SBCTA State Legislative Platform, approved by the SBCTA Board, states that SBCTA will support efforts to “Ensure SBCTA’s decision-making authority over transportation projects that are constructed and operated in San Bernardino County.” AB 840 appears to be counter to that position.

Text of Assembly Bill 840 (Holden) can be found in Attachment A.

Financial Impact:

This item has no financial impact on the Fiscal Year 2020/2021 Budget.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

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Approved
Legislative Policy Committee
Date: April 14, 2021
Witnessed By:

AMENDED IN ASSEMBLY MARCH 15, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 840

Introduced by Assembly Member Holden

February 17, 2021

An act to add Article 11 (commencing with Section 130460) to Chapter 4 of Division 12 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 840, as amended, Holden. ~~Transportation: interregional connectivity.~~ County transportation commissions: regional transit service: airports.

The County Transportation Commissions Act provides for the creation of county transportation commissions in the Counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura, with various powers and duties relative to transportation planning and funding, as specified. Existing law requires the county transportation commissions for the Counties of Los Angeles, Orange, Riverside, and San Bernardino, upon the adoption of a resolution by each of those commissions, to jointly develop, in consultation with certain governmental agencies, a program for regional transit services, as defined, within the multicounty region.

This bill would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to jointly develop, in consultation with certain governmental agencies, a funding and implementation program for regional transit services to include service to international airports within the multicounty region, as provided. The bill would require the initial regional transit services draft program under these provisions to be completed on or before December 1, 2022.

Attachment: Assembly Bill 840 - Holden (7583 : Assembly Bill 840)

The bill would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to hold a joint public hearing in each county in their jurisdiction on the draft program no earlier than 30 days after the draft has been completed. Following the public hearings, the bill would require the county transportation commissions in the Counties of Los Angeles and San Bernardino to adopt the regional transit services program. By imposing additional duties on county transportation commissions, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

~~Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Existing law provides various sources of revenue for transportation projects undertaken by state and local agencies.~~

~~This bill would express the intent of the Legislature to later enact legislation that would increase interregional connectivity for Californians across counties and improve interconnectivity across modes of transit, and pursue opportunities to meet the state's environmental goals through evidence-based public planning that prioritizes diverse public transit options and active transportation infrastructure.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Article 11 (commencing with Section 130460) is
- 2 added to Chapter 4 of Division 12 of the Public Utilities Code, to
- 3 read:

1
2 *Article 11. Regional Transit Services to Airports*

3
4 *130460. For purposes of this article, the following definitions*
5 *apply:*

6 *(a) "Agencies" means the county transportation commissions*
7 *of the Counties of Los Angeles and San Bernardino.*

8 *(b) "Region" means the multicounty region within the collective*
9 *jurisdiction of the two agencies.*

10 *(c) "Regional transit service" means each existing and planned*
11 *public transit service, including those that are privately owned*
12 *and that either receive public funds or are operated under an*
13 *agreement pursuant to Section 143 of the Streets and Highways*
14 *Code, whether provided by rail or bus, which operates or is*
15 *planned for operation between the two counties in the region.*

16 *130461. (a) The agencies shall jointly develop a funding and*
17 *implementation program for regional transit services to include*
18 *service to international airports. In developing the program, the*
19 *agencies shall consult with the Southern California Association*
20 *of Governments, California Transportation Commission, Ontario*
21 *International Airport Authority, Metro Gold Line Foothill*
22 *Extension Construction Authority, and Counties of Los Angeles*
23 *and San Bernardino.*

24 *(b) The program shall include, at a minimum, all of the*
25 *following:*

26 *(1) A system plan and map of all regional transit services.*

27 *(2) An implementation plan and schedule to establish each*
28 *regional transit service not already in existence to Ontario*
29 *International Airport and other airports if appropriate.*

30 *(3) A policy and implementation plan for the coordination of*
31 *technologies, fares, and schedules to maximize the ability and*
32 *convenience of passengers to transfer among regional transit*
33 *services and to and from other publicly owned or privately owned*
34 *mass transit services in each county connecting to the regional*
35 *transit services.*

36 *(4) A plan to fund current and future construction, including*
37 *from federal and state funds.*

38 *(c) The program shall consider the specialized transportation*
39 *needs of elderly and handicapped persons.*

1 (d) The program shall be consistent with and implement the
2 adopted regional transportation plan for the region.

3 130462. The initial regional transit services draft program
4 under this article shall be completed on or before December 1,
5 2022. The initial program need not reflect intercounty bus services.

6 130463. The agencies shall hold a joint public hearing in each
7 county in their jurisdiction on the draft program no earlier than
8 30 days after the draft has been completed. Following the public
9 hearings, each agency shall adopt the regional transit services
10 program under this article.

11 SEC. 2. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.

16 ~~SECTION 1. It is the intent of the Legislature to later enact~~
17 ~~legislation that would increase interregional connectivity for~~
18 ~~Californians across counties and improve interconnectivity across~~
19 ~~modes of transit, and pursue opportunities to meet the state's~~
20 ~~environmental goals through evidence-based public planning that~~
21 ~~prioritizes diverse public transit options and active transportation~~
22 ~~infrastructure.~~

ADDITIONAL INFORMATION

LEGISLATIVE POLICY COMMITTEE ATTENDANCE RECORD – 2021

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Curt Hagman Board of Supervisors		X	X									
Janice Rutherford Board of Supervisors		X	X									
Art Bishop Town of Apple Valley		X	X									
Frank Navarro City of Colton		X	X									
Darcy McNaboe City of Grand Terrace		X										
Larry McCallon City of Highland		X	X									
Alan Wapner City of Ontario		X	X									

Communication: Attendance (Additional Information)

X = member attended meeting. * = alternate member attended meeting Empty box = Did not attend meeting Crossed out box = not a Board Member at the time. Shaded box = No meeting

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist Board Members and partners as they participate in deliberations at Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. Staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments



MISSION STATEMENT

Our mission is to improve the quality of life and mobility in San Bernardino County. Safety is the cornerstone of all we do.

We achieve this by:

- Making all transportation modes as efficient, economical, and environmentally responsible as possible.
- Envisioning the future, embracing emerging technology, and innovating to ensure our transportation options are successful and sustainable.
- Promoting collaboration among all levels of government.
- Optimizing our impact in regional, state, and federal policy and funding decisions.
- Using all revenue sources in the most responsible and transparent way.

Approved December 4, 2019