

**CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE**

Wednesday, January 11, 2012

**2000 Measure A Citizens Watchdog Committee (CWC) meeting begins at 4:00 PM
Citizens Advisory Committee (CAC) meeting begins at the conclusion of the CWC meeting.**

PLEASE NOTE CHANGE IN MEETING TIME

VTA Conference Room B-104
3331 North First Street
San Jose, CA

AGENDA

CALL TO ORDER

- 1. ROLL CALL**
- 2. ORDERS OF THE DAY**
- 3. PUBLIC PRESENTATIONS:**

This portion of the agenda is reserved for persons desiring to address the Committee on any matter not on the agenda. Speakers are **limited to 2 minutes**. The law does not permit Committee action or extended discussion on any item not on the agenda except under special circumstances. If Committee action is requested, the matter can be placed on a subsequent agenda. All statements that require a response will be referred to staff for reply in writing.

- 4. Receive Committee Staff Report. (Verbal Report) (Helm)**
 - Receive a Report from the General Manager. (Verbal Report) (Burns)
- 5. Receive Chairperson's Report. (Verbal Report) (Brownley)**

BUSINESS REFERRED TO COMMITTEE BY THE BOARD OF DIRECTORS/ GENERAL MANAGER

COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS

- 6. Approve the Regular Meeting Minutes of December 7, 2011.**
- 7. INFORMATION ITEM - Receive a report on the status of Express Lanes projects within Santa Clara County.**

8. INFORMATION ITEM - Review the Monthly Legislative History Matrix.
9. INFORMATION ITEM - Receive the Citizens Advisory Committee (CAC) 2011 Year-End Attendance Report.

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

10. Receive an update regarding the BART Silicon Valley Project.
11. Receive a briefing from the 2000 Measure A Citizens Watchdog Committee's independent compliance auditor on the draft audit plan and schedule for performing the compliance audit of FY11.
12. Receive the annual review of the Citizens Watchdog Committee's ballot-specified duties, responsibilities and limitations.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

There are no items for the Citizens Advisory Committee Regular Agenda.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

13. Review the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans. (Brownley)

OTHER

14. ANNOUNCEMENTS

15. ADJOURN

In compliance with the Americans with Disabilities Act (ADA), those requiring accommodations or accessible media for this meeting should notify the Board Secretary's Office 48 hours prior to the meeting at (408) 321-5680 or e-mail: board.secretary.@vta.org, (408) 321-2330 (TTY only). VTA's Homepage is located on the Web at: <http://www.vta.org/> or visit us on Facebook <http://www.facebook.com/scvta>.

All reports for items on the open meeting agenda are available for review in the Board Secretary's Office, 3331 North First Street, San Jose, California, (408) 321-5680, the Friday, Monday, and Tuesday prior to the meeting. This information is available on VTA's website at <http://www.vta.org> and also at the meeting.



**CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE**

Wednesday, December 7, 2011

MINUTES

CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:30 p.m. by Chairperson Powers, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status
Jeremy Barousse	Member	Present
Stephen Blaylock	Member	Present
Clinton Brownley	Member	Present
Bena Chang	Member	Present
Chris Elias	Member	Absent
William Hadaya	Member	Present
Ray Hashimoto	Member	Present
Roberta Hughan	Member	Present
Robert Jacobvitz	Vice Chairperson	Present
Aaron Morrow	Member	Absent
Charlotte Powers	Chairperson	Present
Sally Probst	Member	Present
Connie Rogers	Member	Present
Martin Schuler	Member	Absent
Noel Tebo	Member	Present
Herman Wadler	Member	Present

A quorum was present.

2. ORDERS OF THE DAY

Chairperson Powers noted that the following Agenda Items would be moved towards the front of the Agenda: **Item #5.** Chairperson's Report - Recognition of retiring Member Bob Jacobvitz, and **Item #13.** Valley Transportation Plan (VTP) 2040 Project Lists.

M/S/C (Hadaya/Hashimoto) to accept the Orders of the Day.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

The Agenda was taken out of order.

5. **Chairperson's Report**

- **Recognition of retiring Member Bob Jacobvitz**

Michael T. Burns, VTA General Manager, recognized Vice Chairperson Bob Jacobvitz for all of his contributions to VTA and service at the Building Owners and Managers Association (BOMA) – Silicon Valley.

4. **Committee Staff Report**

Member Barousse took his seat at 4:38 p.m.

Greta Helm, Chief External Affairs Officer and Staff Liaison, provided a report, highlighting: 1) VTA's Historic Trolley "Candyland Express" in operation during the holiday season; 2) Take VTA to the Global Winter Wonderland event at Great America in Santa Clara; 3) December 10, 2011, Stuff the VTA Bus (annual Toys for Tots Drive) event in downtown San Jose; 4) VTA's free service on New Year's Eve; and 5) Implementation of VTA's service changes on January 9, 2012.

Staff indicated that the Bicycle and Pedestrian Advisory Committee (BPAC) would be moving their 2012 meetings to Conference Room B-104 with a meeting start time of 6:30 p.m., and asked if the CAC Members would be willing to move their meeting time from 4:30 p.m. to 4:00 p.m. to accommodate BPAC.

Member Chang commented that she was unable to make the 4:00 p.m. meeting time due to another meeting conflict.

M/S/C (Tebo/Probst) on a vote of 11 ayes to 1 no to 1 abstention to commence the 2012 CAC meetings at 4:00 p.m. effective January 2012. Member Chang opposed and Member Wadler abstained.

On order of Chairperson Powers and there being no objection, the Committee Staff Report was received.

BUSINESS REFERRED TO COMMITTEE BY THE BOARD OF DIRECTORS/ GENERAL MANAGER

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

7. **Monthly Legislative History Matrix**

Kurt Evans, Government Affairs Manager, reported on the California High Speed Rail Authority's Draft 2012 Business Plan and the impacts to Caltrain if the High Speed Rail system is not constructed.

On order of Chairperson Powers and there being no objection, the Committee reviewed the Monthly Legislative History Matrix.

COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS

6. Regular Meeting Minutes of October 12, 2011

M/S/C (Tebo/Brownley) to approve the Regular Meeting Minutes of October 12, 2011.

7. (Removed from the Consent Agenda and placed on the Regular Agenda.)

Review the Monthly Legislative History Matrix.

8. Citizens Advisory Committee Quarterly Attendance Report

M/S/C (Tebo/Brownley) to receive the Citizens Advisory Committee (CAC) Quarterly Attendance Report.

9. Transit Operations Performance Report – FY2012 Quarter 1

M/S/C (Tebo/Brownley) to receive FY 2012 First Quarter Transit Operations Performance Report.

10. Express Lanes Update

M/S/C (Tebo/Brownley) to receive a report on the status of Express Lanes projects within Santa Clara County.

5. Chairperson's Report (Continued)

On behalf of the Committee, Chairperson Powers presented a Letter of Appreciation to Vice Chairperson Jacobvitz.

Chairperson Powers referenced the discussion held at the People Acting in Community Together (PACT) meeting regarding poor and homeless persons asking Members of the VTA Board of Directors for a reduction in fares and/or free transportation, noting that the Committee would be kept informed of the issue.

Members of the Committee suggested providing the discounted and/or free tickets to agencies to dispense to individuals.

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

11. Cooperative Financing Agreement Between VTA and the Alameda County Transportation Commission

John Ristow, Chief CMA Officer, provided a presentation on the AB 1462 Local Advancement of Funding for Mission/Warren/Truck-Rail (MWT) Facility. He noted that the following item was forwarded to the VTA Board of Directors for consideration at their December 8, 2011 meeting: "Cooperative Agreement between VTA and the Alameda County Transportation Commission on MWT Rail Program."

On order of Chairperson Powers and there being no objection, the Committee received a report on the Cooperative Financing Agreement between VTA and the Alameda County Transportation Commission.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA (continued)

13. VTP 2040 Project Lists

Ying Smith, Transportation Planning Manager, provided the staff report, highlighting the following: 1) Fund Estimates and Revenue Strategy; 2) Capital Program Funding Program Area Allocation; 3) Financially Constrained VTP 2040 Project Lists; and 4) Upcoming VTP 2040 Project public meetings.

M/S/C (Jacobvitz/Hadaya) to recommend that the Board of Directors: 1. Approve a revenue strategy for the Valley Transportation Plan 2040 (VTP 2040); 2. Approve the Capital Program Funding Program Area Allocation; and 3. Approve the financially constrained project lists to be submitted to the Metropolitan Transportation Commission for the inclusion in the Regional Transportation Plan.

12. Nomination Subcommittee Report

Member Tebo distributed a formal report to the Committee entitled, "Report from the Nomination Committee of the CAC," which contained the following persons interested in serving as Chairperson and/or Vice Chairperson and Member comments/recommendations to the incoming Chairperson/Vice Chairperson:

Chairperson

Clinton Brownley
Herman Wadler

Vice Chairperson

Jeremy Barousse
William Hadaya
Aaron Morrow
Clinton Brownley
Herman Wadler

Member Barousse respectfully withdrew his nomination for Vice Chairperson.

Chairperson Powers asked if there were any nominations from the floor for both the positions of Chairperson and Vice Chairperson and closed nominations.

On order of Chairperson Powers and there being no objection, the Committee received the Nomination Subcommittee Report.

15. Election Process for 2012 CAC Committee Leadership: Conduct Elections

M/S/C (Tebo/Hashimoto) on a vote of 10 ayes to 3 noes to 0 abstentions to close nominations and elect Clinton Brownley as the Chairperson for 2012.

M/S/C (Tebo/Hashimoto) on a vote of 9 ayes to 4 noes to 0 abstentions to close nominations and elect William Hadaya as the Vice Chairperson for 2012.

Member Chang left the meeting at 6:05 p.m.
Member Hadaya left the meeting at 6:07 p.m.

14. Proactive CMP Quarterly Report for July – September 2011

Robert Swierk, Senior Transportation Planner, provided the staff report.

Members of the Committee expressed concern regarding the 101 Lytton Avenue Mixed-Use Project in the City of Palo Alto and queried about VTA's comments pertaining to the Project. Staff reported on VTA's comments, noting that additional comments would be provided on the project once the Environmental Impact Report (EIR) was completed.

On order of Chairperson Powers and there being no objection, the Committee received the Proactive CMP Quarterly Report for July through September 2011.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

16. Citizens Advisory Committee and Citizens Watchdog Committee Work Plans

On order of Chairperson Powers and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

OTHER

17. ANNOUNCEMENTS

Vice Chairperson Jacobvitz expressed his gratitude for the opportunity to serve as the Committee's Vice Chairperson and expressed his appreciation to VTA staff for being so supportive.

On behalf of VTA staff, Stephen Flynn, Advisory Committee Coordinator, thanked Chairperson Powers and Vice Chairperson Jacobvitz for their leadership.

18. ADJOURNMENT

On order of Chairperson Powers and there being no objection, the meeting was adjourned at 6:21 p.m.

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant
VTA Office of the Board Secretary



Date: December 23, 2011
Current Meeting: January 11, 2012
Board Meeting: February 2, 2012

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Citizens Advisory Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Express Lanes Update

FOR INFORMATION ONLY

BACKGROUND:

The Silicon Valley Express Lanes Program has been under development since 2003. At the December 2008 Board Meeting, the Santa Clara Valley Transportation Authority (VTA) Board of Directors approved the Silicon Valley Express Lanes Program (Program). As part of the Program, the Express Lanes projects (Attachment A) will implement a roadway pricing system to allow for the use of unused capacity in the carpool lanes to provide congestion relief. The roadway pricing system will allow solo commuters to use the available capacity in the carpool lanes for a fee. The fee would change dynamically in response to existing congestion levels and available capacity in the carpool lanes. Implementation of roadway pricing is also part of the Bay Area Regional Transportation Plan that was approved by the Metropolitan Transportation Commission (MTC) in April 2009.

The Program has been undertaken to provide long-term mobility benefits and to provide another funding stream for transportation improvements. Specifically, the primary objectives of the Program are the following:

1. Provide congestion relief through more effective use of existing roadways;
2. Provide commuters with a new mobility option; and
3. Provide a new funding source for transportation improvements including public transit.

DISCUSSION:

Update on SR 237/I-880 Express Connectors Project

The SR 237/I-880 Express Connectors project is the first phase of the SR 237 Express Lanes project that is converting the carpool lane connector ramps at the SR 237/I-880 interchange to Express Lanes operations (Attachment B). The second phase of the SR 237 Express Lanes will involve extending Express Lanes between North First Street and Mathilda Avenue where the existing carpool lane ends. The third phase involves extending the Express Lanes to SR 85 (Attachment C).

Key Milestones to Opening

The upcoming project milestone deliverables to start of tolling includes:

- January 11-16, 2012: Banner on signage gantry (announce upcoming Express Lanes)
- January 12-15, 2012: Media announcement on ramp metering by Caltrans
- January 16, 2012: Media briefings on introduction of new striping
- January 24, 2012: Ramp metering at Calaveras Boulevard and McCarthy Boulevard
- January 26, 2012: Live radio and TV interviews on new striping change
- January 26, 2012 (night): Double white line striping on I-880
- January 27, 2012 (night): Double white line striping on SR 237
- January 28, 2012: Completion of new striping introducing limited access operations
- January - February 2012: Installation and testing of electronic toll system
- February 27, 2012: Targeted completion date

Outreach

Staff has been undertaking continued outreach for the project through media, business community and Alviso neighborhood association. VTA staff met with representatives from Moffett Park Business Group, transportation policy representatives from Silicon Valley Leadership Group and Juniper Network in December. In January, additional meetings have been scheduled with Brocade to conduct an extended outreach including other neighboring businesses.

The focus on the community outreach and motorist information in the month of January is on the introduction of new lane striping (double white lines) ahead of actual tolling occurring a month later. The information campaign will target users of the corridor to inform them of the changed condition due to the lane striping. With introduction of lane striping motorists will be restricted from crossing the double white line and will be required to exit or enter the HOV/Express Lane only at designated locations. As part of the motorist outreach, VTA will place temporary information banners on the new sign panels to inform commuters of the upcoming Express Lanes project and obtain information from the VTA website. The VTA website includes a video that provides details on the project including hours of operations, signage and entry/exit movements to/from the Express Lanes.

Ramp Metering

In addition to the SR 237 Express Lanes project, another congestion relief effort underway in the SR 237 corridor is the repair of ramp metering equipment at Calaveras Boulevard and McCarthy Boulevard to help manage the bottleneck that currently exists between Zanker Road and McCarthy Boulevard. The metering at these two locations will help augment the existing ramp metering in the SR 237 corridor. The metering plans are targeted to be implemented in the January/February 2012 timeframe with City of Milpitas staff being informed of the work progress. The ramp metering is expected to provide benefits to the corridor particularly in the beginning and end of the morning peak commute period.

BACKGROUND OF SR 237 EXPRESS LANES:

A. Project Summary

Existing Traffic Conditions

Morning commute

- Southbound I-880 to westbound SR 237 travel time on General Purpose (GP) lanes has peak delays of about 5 to 10 minutes resulting in lengthy back-ups onto the I-880 mainline
- After 9 am, traffic on both GP and carpool lane is grid lock as the carpool hours end at 9am and the congestion persists to 10 am

Evening commute

- Similar conditions exist in the opposite direction due to the high volumes and the ramp metering at the connector ramp.

Project Cost and Funding Sources

Project Cost

The project cost is \$11.8 million project.

Funding Sources

The project was predominantly funded through federal grants (64%):

- \$3.5 million of American Recovery and Reinvestment Act (ARRA) funds
- \$4 million of Value Pricing Pilot Program funds
- \$4.8 million of local funds

Eligible Users

The eligible users consist of:

- Eligible carpool vehicles including Clean Air Vehicles with a valid sticker can continue to use the lanes at no cost.
- Solo drivers with valid FasTrak tag can use Express Lane by paying toll electronically.

Hours of Operation

The hours of operation are for Monday through Friday as follows:

- I-880 southbound to SR 237 westbound: 5 a.m. to 10 a.m. and 3 p.m. to 7 p.m.
- SR 237 eastbound to I-880 northbound: 5 a.m. to 9 a.m. and 3 p.m. to 7 p.m.

These hours closely match carpool lane hours for the adjacent carpool lane segments. Extending the hours of operations to 10 am in the SR 237 westbound direction ensures to provide travel time reliability where currently all the lanes (GP and carpool) is congested beyond 9 am when the hours of operation for carpool lane ends.

Toll Rates

The toll rate is used to maximize throughput of Express Lanes using dynamic pricing to ensure maintaining the Express Lanes traffic at an average travel speed of at least 45 miles per hour (mph). The average toll rate is forecasted to be between \$1.00 and \$3.00. A message sign with toll rate information would be located about one-quarter to one-half mile upstream of the Express Lanes to inform motorists of the prevailing toll rate for using the Express Connector.

B. Roadway System

Signage

Attachment D shows the signage for the Express Lanes project. The signage for Express Lanes includes various elements highlighting distance to Express Lanes, the hours of operations, eligibility to use the lane (HOV 2+ or FasTrak) and the prevailing toll rate at the moment. This signage is placed in sequence (advance sign, toll rate sign and entry sign) to help commuters make decision well in advance to maneuver to use the Express Lanes.

Striping

The Express Lanes would be separated from the GP lanes by solid double white lines creating a painted buffer similar to carpool lane operations in Southern California. Any vehicle crossing of the painted stripe buffer is a traffic violation.

Entry/Exit Points

The painted buffer separation as designed would allow motorists to enter into the express lane only at designated locations. The entry and exit locations (identified by the beginning and end of buffer striping) are shown on Attachment D:

- From I-880 southbound to SR 237 westbound direction: enter north of the direct connector on I-880 and exit west of the North First Street off-ramp
- From the SR 237 eastbound direction to I-880 northbound direction: enter west of North First Street and exit south of Dixon Landing Road on I-880
- Carpoolers continue on adjacent carpool lanes on both SR 237 and I-880. Solo occupant vehicles using Express Lanes will have to exit before the beginning of carpool lane

This striping change will result in three motorist groups being affected namely as shown in Attachment E:

- Carpoolers traveling from southbound I-880 to westbound SR 237 in the carpool lane today will not be able to legally exit from the carpool lane to Zanker Road and North 1st Street (these carpoolers will have to use the general purpose connector)
- Carpoolers entering onto eastbound SR 237 from Zanker Road will not be able to legally enter into the carpool lane and
- Carpoolers traveling from westbound Calaveras Boulevard onto the westbound SR 237 freeway will have to travel a little longer past the part that is striped with double white lines to enter into the carpool lane.

C. Electronic Toll System

VTA Toll Data Center

The Toll Data Center (TDC) activities can be summarized as follows:

- TDC (at VTA River Oaks office) processes tolling data, storage and reporting
- Secured on-line data communications with Bay Area Toll Authority (BATA) and Caltrans Traffic Management Center (TMC)
- Interfaces with tolling zone controllers in the field in real-time

BATA Back-Office Operations

The primary responsibilities covered by the VTA BATA agreement are as follows:

- Toll collection and processing
- Weekly reconciliation and auditing of transactions
- FasTrak tag marketing and account management

D. Operations and Maintenance

Enforcement

The California Highway Patrol (CHP) will provide enforcement of the facility. The CHP will do visual enforcement as well as use transaction indicator beacon and handheld reader device to assist in enforcement.

Customer Service

The customer service would be provided by BATA FasTrak Customer Service Center through their service contractor. The service will include:

- Customer service representatives trained to respond to Express Lanes patrons
- Modifications to their customer service software to accommodate Express Lanes toll charges
- Process for responding to disputes, and marketing support.

Maintenance

Express Lanes roadway operations and maintenance requires:

- Caltrans to undertake regular maintenance (lane pavement, structures, lighting, signage and markings)
- Additional services can also be undertaken on a reimbursement basis as agreed upon in the VTA-Caltrans Operations and Maintenance agreement
- Tolling equipment and enforcement systems would be maintained as per the system integrator contract

Incident Management

Incident management would be addressed as follows:

- Caltrans, CHP and BATA (freeway service patrol) to coordinate a response to the incident management jointly as done today
- VTA staff to help change the Dynamic Message Signs if it requires closure of Express Lanes

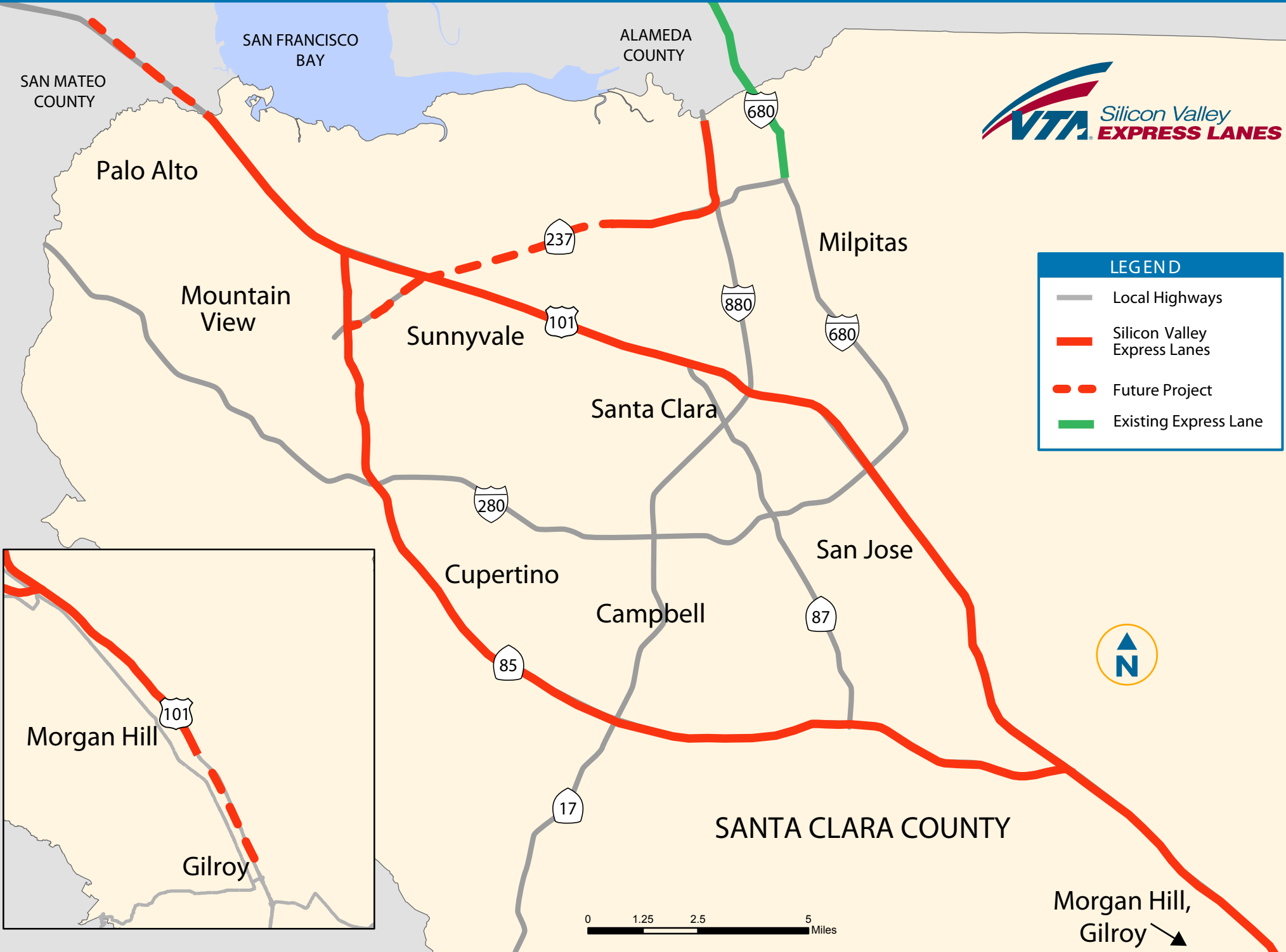
Prepared By: Murali Ramanujam
Memo No. 3291

SILICON VALLEY EXPRESS LANES



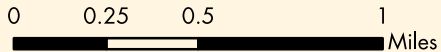
LEGEND

- Local Highways
- Silicon Valley Express Lanes
- Future Project
- Existing Express Lane



Morgan Hill, Gilroy

STATE ROUTE 237 EXPRESS LANES



SR 237 Express Lanes Phases I, II, III



- SR 237 Express Lanes Phase III
- SR 237 Express Lanes Phase II
- SR 237 Express Lanes Phase I

0 0.25 0.5 1 Miles

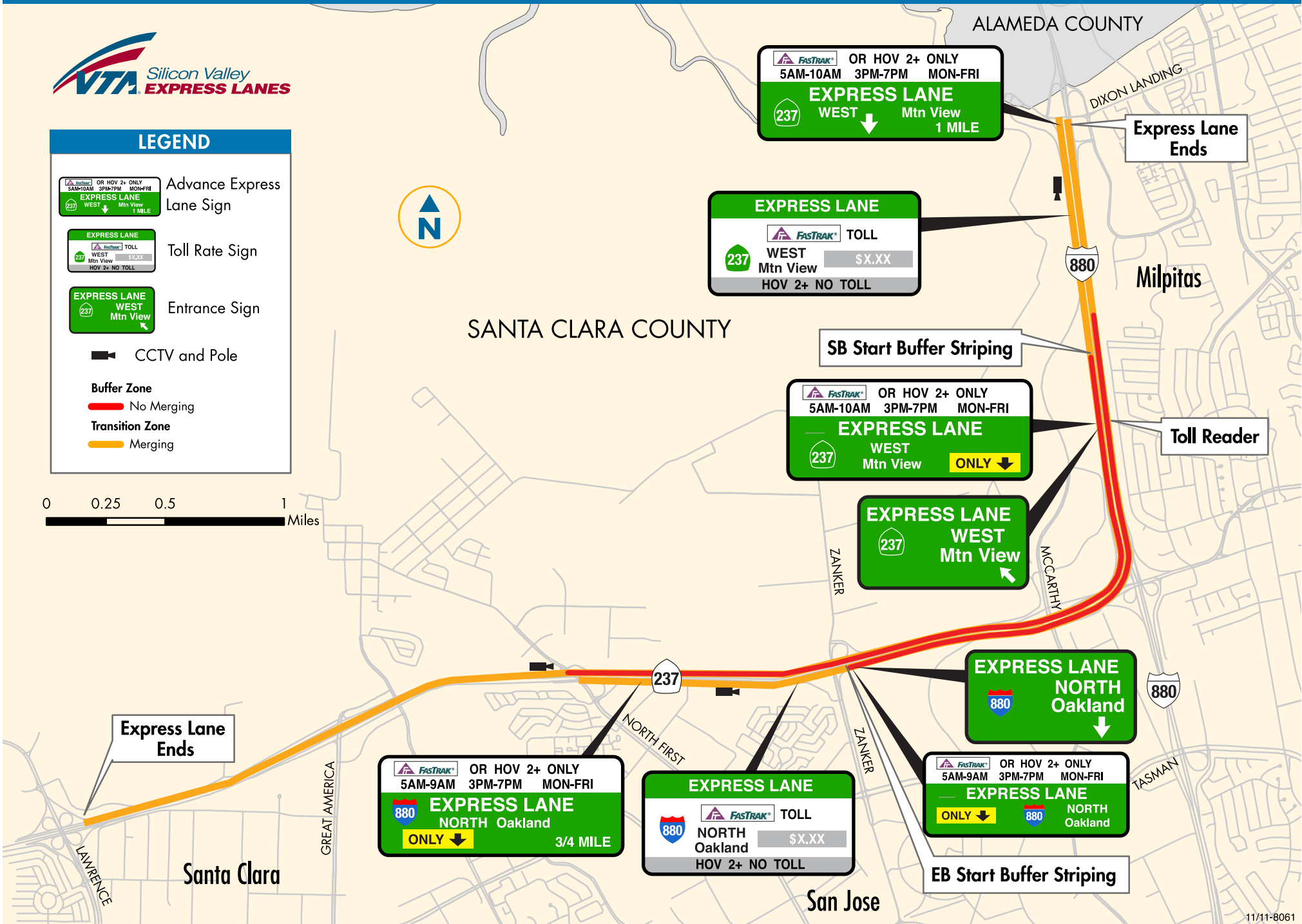
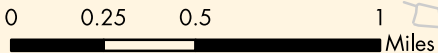


SR 237 EXPRESS LANES



LEGEND

- Advance Express Lane Sign
- Toll Rate Sign
- Entrance Sign
- CCTV and Pole
- Buffer Zone**
 - No Merging
 - Transition Zone
 - Merging



EXPRESS LANE
 237 WEST Mtn View 1 MILE
 OR HOV 2+ ONLY
 5AM-10AM 3PM-7PM MON-FRI

EXPRESS LANE
 237 WEST Mtn View HOV 2+ NO TOLL
 FasTrak TOLL \$X.XX

EXPRESS LANE
 237 WEST Mtn View ONLY
 OR HOV 2+ ONLY
 5AM-10AM 3PM-7PM MON-FRI

EXPRESS LANE
 237 WEST Mtn View

EXPRESS LANE
 880 NORTH Oakland
 OR HOV 2+ ONLY
 5AM-9AM 3PM-7PM MON-FRI

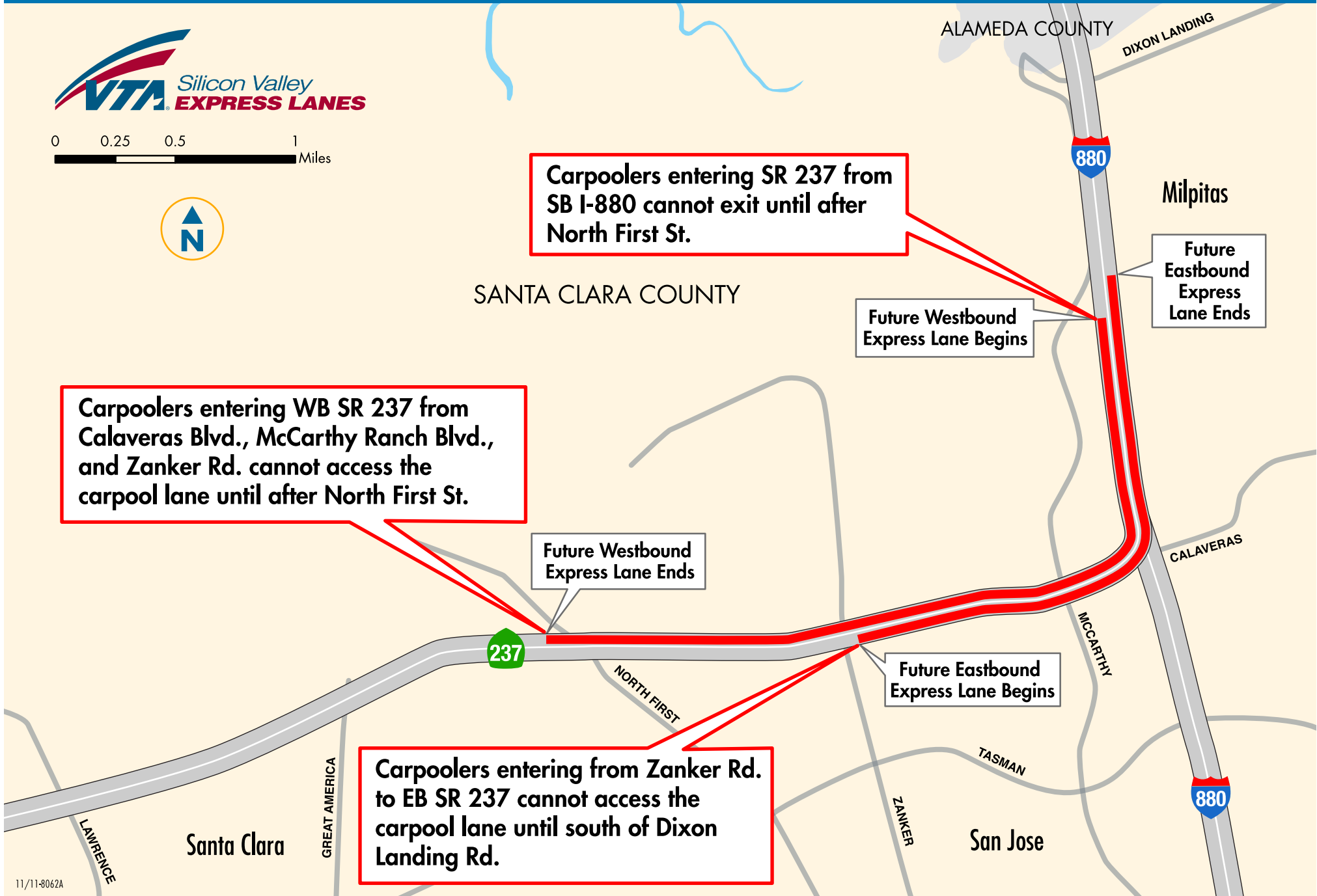
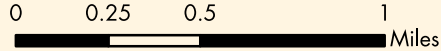
EXPRESS LANE
 880 NORTH Oakland ONLY 3/4 MILE
 OR HOV 2+ ONLY
 5AM-9AM 3PM-7PM MON-FRI

EXPRESS LANE
 880 NORTH Oakland HOV 2+ NO TOLL
 FasTrak TOLL \$X.XX

EXPRESS LANE
 880 NORTH Oakland ONLY
 OR HOV 2+ ONLY
 5AM-9AM 3PM-7PM MON-FRI

STATE ROUTE 237 EXPRESS LANES

Double white line striping will bring changes to the carpool lane on SR 237



Carpoolers entering SR 237 from SB I-880 cannot exit until after North First St.

Milpitas
Future Eastbound Express Lane Ends

Future Westbound Express Lane Begins

Carpoolers entering WB SR 237 from Calaveras Blvd., McCarthy Ranch Blvd., and Zanker Rd. cannot access the carpool lane until after North First St.

Future Westbound Express Lane Ends

Future Eastbound Express Lane Begins

Carpoolers entering from Zanker Rd. to EB SR 237 cannot access the carpool lane until south of Dixon Landing Rd.



Date: December 20, 2011
 Current Meeting: January 11, 2012
 Board Meeting: February 2, 2011

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Citizens Advisory Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief External Affairs Officer, Greta Helm

SUBJECT: Monthly Legislative History Matrix

FOR INFORMATION ONLY

BACKGROUND:

The attached Monthly Legislative History Matrix describes the key transportation-related bills that are being considered by the California State Legislature during the 2011-2012 regular session. The matrix indicates the status of these measures and any adopted VTA positions with regard to them.

DISCUSSION:

On January 4, lawmakers returned to Sacramento and convened the second year of the 2011-2012 regular session. Immediately, the Assembly and Senate will need to decide the fate of numerous bills that are left over from 2011. January 31 is the deadline for moving these so-called “two-year” bills out of their house of origin. Some of the transportation-related measures that are running up against the January 31 deadline are as follows:

- **AB 14 (Wieckowski)**: This measure authorizes the Fremont Redevelopment Agency to adopt a redevelopment plan for a project area encompassing or surrounding the New United Motor Manufacturing, Inc., (NUMMI) plant and the Warm Springs Bay Area Rapid Transit (BART) Station. Status: Assembly Housing and Community Development Committee. VTA Position: None.
- **AB 31 (Galgiani)**: This legislation authorizes the cities and counties in the Central Valley that have an approved high-speed rail station to prepare and adopt a master plan for development of the area surrounding their stations. Status: Assembly Local Government Committee. VTA Position: Support.
- **AB 76 (Harkey) and SB 22 (La Malfa)**: Both AB 76 and SB 22 prohibit the sale of any more

Proposition 1A bonds for the state's proposed high-speed rail system. Status: Assembly Transportation Committee. VTA Position: None.

- AB 890 (Olsen): This bill exempts from the California Environmental Quality Act (CEQA) roadway improvement projects undertaken by a city or county within existing road rights-of-way. Status: Assembly Natural Resources Committee. VTA Position: None.
- AB 953 (Jones): This measure provides that no funds from Proposition 1A shall be available to the California High-Speed Rail Authority for construction of the state's proposed high-speed train system until adequate environmental studies are completed based on a new ridership study that uses an acceptable ridership evaluation methodology. Status: Assembly Transportation Committee. VTA Position: None.
- AB 995 (Cedillo): This legislation requires the Office of Planning and Research to prepare and submit to the Legislature a report containing recommendations for expedited environmental review for transit-oriented development projects under CEQA. Status: Assembly Natural Resources Committee. VTA Position: None.
- SB 125 (Emmerson): This measure authorizes a law enforcement officer to impound a vehicle registered to a chronic evader of toll payments until all outstanding tolls and all required penalties are paid to the issuing agency. Status: Senate Transportation and Housing Committee. VTA Position: None.
- SB 241 (Cannella): This bill establishes the CEQA Litigation Protection Pilot Program. For projects selected by the Business, Transportation & Housing Agency to participate in this program, the lead agency's decision to certify an environmental impact report (EIR) or to adopt a mitigated negative declaration based on an initial study for the project pursuant to CEQA would not be subject to judicial review. Status: Senate Environmental Quality Committee. VTA Position: None.
- SB 867 (Padilla): Sponsored by the Los Angeles Metropolitan Transportation Authority (LA Metro), SB 867 allows the California Transportation Financing Authority to issue non-refundable tax credit bonds for transportation capital improvement projects. Status: Senate Transportation and Housing Committee. VTA Position: Support.
- SB 878 (DeSaulnier): This legislation requires the Bay Area's Joint Policy Committee to come up with strategies for: (a) developing and promulgating a multi-agency set of policies and guidelines governing the region's sustainable communities strategy; and (b) improving the efficiency and effectiveness of policy-setting and managerial coordination among the regional agencies constituting the Joint Policy Committee. In addition, SB 878 requires the Joint Policy Committee to put together a work plan for a nine-county Bay Area economic development strategy. Status: Senate Transportation and Housing Committee. VTA Position: None.

AB 57 (Beall), which adds two voting seats to the Metropolitan Transportation Commission (MTC) to be appointed by the mayors of San Jose and Oakland from the membership of their

respective city councils, is pending before the Senate Transportation and Housing Committee. Because this measure has already passed the Assembly, it does not fall under the January 31 deadline. In fact, the deadline for AB 57 to move out of the Senate Transportation and Housing Committee is not until July 6.

Prepared By: Kurt Evans, Government Affairs Manager
Memo No. 3331

LEGISLATIVE HISTORY
2011 – 2012 State Legislative Session
December 23, 2011

State Assembly Bills

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 3 (Miller) Motor Vehicles: Confidential Home Addresses	As part of its vehicle registration renewal process, requires the Department of Motor Vehicles (DMV) to provide a person who requests a confidential home address with any outstanding notices of toll evasion violations that appear in the person's record with the department. Requires the DMV to refuse to renew the registration of a vehicle if: (a) the processing agency has filed or electronically transmitted to the department an itemization of unpaid toll violations; (b) the DMV has mailed a notice of toll evasion violations to the person; and (c) the person has not paid the penalty.	4/14/11	Assembly Appropriations Committee	
AB 14 (Wieckowski) Fremont Redevelopment Agency	Authorizes the Fremont Redevelopment Agency to adopt a redevelopment plan for a project area encompassing or surrounding the New United Motor Manufacturing, Inc., (NUMMI) automobile plant and the Warm Springs Bay Area Rapid Transit (BART) Station. Sets forth alternative conditions that cause blight for purposes of adopting this redevelopment plan. Authorizes the Fremont Redevelopment Agency to use tax increment revenues derived from the project area to assist in funding school facilities that will serve the future residents of the project area. Upon the request of the agency, allows the city of Fremont to impose a higher maximum school facilities development impact fee with respect to residential developments in the project area than what is provided for under existing law.	As Introduced	Assembly Housing and Community Development Committee	
AB 16 (Perea) High-Speed Rail: Rolling Stock and Equipment Purchases	Requires the California High-Speed Rail Authority to make every effort to purchase high-speed train rolling stock and related equipment manufactured in the state, consistent with federal and state laws.	As Introduced	Senate Floor	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 31 (Galgiani) High-Speed Rail: Local Master Plans	<p>Establishes the High-Speed Rail Local Master Plan Pilot Program. Authorizes the cities and counties in the Central Valley that have an approved station for California's high-speed rail system to participate in the pilot program. Authorizes the planning agency of each participating jurisdiction to prepare and adopt a master plan for development of the areas surrounding its high-speed rail station. Allows the high-speed rail master plan to include incentives for encouraging investment and coherent growth in the areas surrounding the high-speed rail stations. Authorizes each participating jurisdiction to collaborate with the California Air Resources Board (CARB) to develop incentives to encourage development while concurrently reducing greenhouse gas emissions. Requires a participating jurisdiction to prepare an environmental impact report (EIR) for its high-speed rail master plan in accordance with the California Environmental Quality Act (CEQA). Allows a participating jurisdiction that prepares and adopts a high-speed rail master plan to finance any publicly owned facility or amenity necessary to implement the plan through an infrastructure financing district. Eliminates the requirement for voter approval for the formation of an infrastructure financing district, adoption of an infrastructure financing plan, and the issuance of bonds if the district is being proposed to implement a high-speed rail master plan. Prohibits the formation of this type of infrastructure financing district unless the city or county has prepared an EIR that provides that the base population density within the area covered by the high-speed rail master plan has increased. Exempts development projects within the area covered by the infrastructure financing district and consistent with the high-speed rail master plan from CEQA for the 10 years following the start of construction of the first building. Requires a transit village development plan utilizing an infrastructure financing district to do all of the following: (1) use at least 20 percent of all revenues derived from the infrastructure financing district to increase, improve and preserve the supply of low- and moderate-income affordable housing in the district for a period of at least 55 years for rental housing and 45 years for owner-occupied housing; (2) replace dwelling units at an affordable housing cost when specified dwelling units are destroyed or removed; and (3) include either an increased stock of affordable housing or live-travel options for transit-needy groups as one of its five demonstrable public benefits. In preparing its sustainable communities strategy pursuant to SB 375, allows a metropolitan planning organization (MPO) to consider the high-speed rail system, any high-speed rail station established within the region, and any associated effects of either that bears relation to the sustainable communities strategy.</p>	3/24/11	Assembly Local Government Committee	Support
AB 41 (Hill) High-Speed Rail Authority: Conflicts of Interest and Ex Parte Communications	<p>Adds members of the Board of Directors of the California High-Speed Rail Authority to those specified officers who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. Requires authority Board members to fully disclose and make public any ex parte communication by providing a full report of the communication to the authority's executive director. Requires the authority's executive director to place any report of an ex parte communication in the public record. Prohibits an authority Board member from making, participating in or influencing an authority decision about which he or she has knowingly had an ex parte communication that has not been reported.</p>	8/22/11	Assembly Floor	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 57 (Beall) Metropolitan Transportation Commission: Governance	Adds two seats to the Metropolitan Transportation Commission (MTC) as follows: (1) one appointed by the mayor of San Jose from the San Jose City Council; and (2) one appointed by the mayor of Oakland from the Oakland City Council. Prohibits more than three members of MTC from being residents of the same county.	5/19/11	Senate Transportation and Housing Committee	Support
AB 58 (Galgiani) High-Speed Rail Authority: Staffing and Reporting Requirements	For purposes of managing and administering the ongoing work of the California High-Speed Rail Authority in implementing the state's proposed high-speed train project, allows the Governor, upon the recommendation of the authority's executive director, to appoint up to six additional officers who would: (a) be exempt from civil service; and (b) serve at the pleasure of the executive director. Limits the Governor's authority in this regard to the following positions: (1) chief program manager; (2) regional director; (3) chief financial officer; and (4) director of risk management and project controls. Requires the High-Speed Rail Authority to conduct a salary survey to determine the compensation for the executive director and these additional officers, and requires their salaries to be established by the authority and approved by the Department of Personnel Administration. Beginning March 1, 2012, requires the California High-Speed Rail Authority to report biannually to the Legislature on the development and implementation of the state's proposed high-speed rail project. Requires the report to include all of the following: (1) a summary describing the overall progress of the project; (2) the baseline budget for all project phase costs, by segment or contract, beginning with the authority's 2009 Business Plan; (3) the current and projected budget, by segment or contract, for all project phase costs; (4) expenditures to date, by segment or contract, for all project phase costs; (5) a comparison of the current and projected work schedule and the baseline schedule contained in the authority's 2009 Business Plan; (6) a summary of the milestones achieved during the prior year and milestones expected to be reached in the coming year; (7) any issues identified during the prior year and actions taken to address those issues; and (8) a thorough discussion of various risks to the project and steps taken to mitigate those risks.	3/16/11	Assembly Transportation Committee	
AB 76 (Harkey) High-Speed Rail: Proposition 1A Bonds	Reduces the amount of general obligation bond debt authorized pursuant to Proposition 1A to the amount contracted as of January 1, 2012.	As Introduced	Assembly Transportation Committee	
AB 133 (Galgiani) High-Speed Rail: Federal Funds	Upon appropriation by the Legislature, requires any federal funds made available to California for high-speed rail purposes to be used for preliminary engineering, project-level environmental work, mitigation, final design, and construction for any of the following corridors: (1) San Francisco to San Jose; (2) Merced to Fresno; (3) Fresno to Bakersfield; and (4) Los Angeles to Anaheim.	As Introduced	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 145 (Galgiani) High-Speed Rail Authority: Organizational Structure	<p>Places the California High-Speed Rail Authority within the Business, Transportation and Housing Agency. Requires the authority to establish policies directing the development and implementation of intercity high-speed train service that is fully integrated with the state's existing intercity rail and bus network, consisting of interlinked conventional and high-speed train lines and associated feeder buses. Further specifies that the intercity network in turn shall be fully coordinated and connected with commuter train lines and urban transit systems developed by local agencies, through the use of common station facilities wherever possible. Requires the authority to do all of the following: (1) select the alignments for the routes of the state's high-speed train system; (2) advise the secretary of the Business, Transportation and Housing Agency concerning high-speed rail matters; (3) adopt criteria for the awarding of franchises; and (4) set fares or establish guidelines for the setting of fares. Requires the Governor's appointments to the authority to be confirmed by the Senate. For purposes of managing and administering the ongoing work of the authority in implementing the state's high-speed train project, allows the Governor, upon the recommendation of the authority's executive director, to appoint up to six additional individuals who would: (a) be exempt from civil service; and (b) serve at the pleasure of the executive director. Limits the Governor's authority in this regard to the following positions: (1) chief program manager; (2) up to three regional directors; (3) chief financial officer; and (4) director of risk management and project controls. Requires the authority to submit a business plan to the Legislature every two years. Requires the authority to submit a high-speed train capital program to the Legislature and Governor each even-numbered year.</p>	7/13/11	Senate Appropriations Committee	
AB 148 (Smyth) Local Government: Ethics Training	<p>Includes compensation-setting guidelines under the definition of "ethics laws." Requires a local agency to post the ethics training records of all of its elected members on its Web site and to submit a copy of the records to the Controller's Office. Requires a local agency that has adopted a written attendance compensation policy or written reimbursement policy to post that policy on its Web site and to submit a copy of that policy to the Controller's Office.</p>	4/14/11	Assembly Appropriations Committee	
AB 162 (Smyth) Local Governments: Financial Audits	<p>If findings are made in a local agency's annual financial audit prepared pursuant to the federal Single Audit Act of 1984 that there have been possible deficiencies in internal control, fraud, illegal acts, violations of provisions of contracts or grant agreements, or abuses, requires the findings to be sent to the Controller's Office immediately after the audit has been concluded.</p>	As Introduced	Assembly Local Government Committee	
AB 277 (Galgiani) High-Speed Rail: Power Needs	<p>By May 1, 2012, requires the California Research Bureau to develop and submit to the Legislature and the California High-Speed Rail Authority an energy consumption profile that includes: (a) a forecast of the power needs of the state's proposed high-speed train system; and (b) an analysis of, and any recommendations for identifying, a carbon-free baseload power supply to be available and operational at the time the high-speed train system commences operation.</p>	4/7/11	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 292 (Galgiani) High-Speed Rail Authority: Agricultural Advisory Committee	Requires the California High-Speed Rail Authority to appoint an agricultural advisory committee consisting of nine members selected from a list of nominees recommended by the Department of Food and Agriculture. Specifies that the purpose of the committee is to advise the authority on the impact that the authority's policies, plans, practices, and procedures will have on the agricultural community. Requires the authority to consult with the committee prior to adopting any policy relevant to agriculture, and to reflect the comments of the committee in any related action item brought before the board of the authority. Requires the authority to provide written responses to the committee's comments.	8/16/11	Senate Floor	
AB 294 (Portantino) Transportation Projects: Procurement	Until January 1, 2015, allows Caltrans to award design-sequencing contracts for the design and construction of not more than five transportation projects. Defines "design-sequencing" as a method of contracting that enables the sequencing of design activities to permit each construction phase to commence when design for that phase is complete, instead of requiring design for the entire project to be completed before commencing construction. Requires Caltrans to use department employees or consultants under contract with the department to perform all design services related to design-sequencing contracts authorized by this bill, consistent with Article XXII of the California Constitution. Requires Caltrans to use its own employees or its own consultants to perform all project development and construction inspection services for projects on the state highway system utilizing public-private partnerships or design-build contracting under SB 4 (Chapter 2, Statutes of 2009 Second Extraordinary Session).	8/31/11	Senate Floor	Oppose
AB 296 (Skinner) Cool Pavements Research and Implementation Act	By January 1, 2014, requires Caltrans to publish and make available a Cool Pavements Handbook that incorporates existing specifications, testing protocols and best practices for cool pavement use. Requires Caltrans to implement one or more cool pavement pilot projects, with the goal of completing the construction of those projects no later than January 1, 2015. By January 1, 2018, requires Caltrans to submit a report to the Legislature describing the results of the cool pavement pilot projects. Requires the report to also include the upfront and life-cycle costs, environmental benefits, energy savings, and durability of various pavement options.	6/21/11	Senate Appropriations Committee	
AB 333 (Grove) Global Warming Solutions Act: Cap-and-Trade Program	No later than July 31, 2011, requires the California Air Resources Board (CARB) to make findings and submit a status report to the Legislature on the readiness of implementing a cap-and-trade program pursuant to the Global Warming Solutions Act of 2006. Once the program is implemented, requires CARB to provide an annual status report to the Legislature.	5/11/11	Assembly Natural Resources Committee	
AB 343 (Atkins) Redevelopment Plans	Requires a redevelopment plan to be consistent with the regional sustainable communities strategy or alternative planning strategy adopted by the applicable metropolitan planning organization (MPO) pursuant to SB 375 (Steinberg).	6/14/11	Senate Governance and Finance Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 345 (Atkins) Traffic Control Devices: Consultation	Requires Caltrans to consult with groups representing users of streets, roads and highways, including bicyclists, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transit riders, and seniors, when adopting rules and standards for traffic control devices. Requires that any advisory committee that Caltrans establishes for the purpose of developing its traffic control devices include groups representing non-motorized interests of users of streets, roads and highways.	6/29/11	Senate Floor	
AB 356 (Hill) Public Works Projects: Local Hiring Policies	Prohibits any local agency from mandating that any portion or percentage of work on a public works project be performed by local residents or persons who reside within particular geographic areas if any portion of that project will take place outside the geographic boundaries of the local agency. Provides that if a local agency receives state funding for a public works project located entirely within its jurisdiction and the agency implements a policy of hiring only local residents, any increase in the cost of the public works project that is attributable to the policy must be funded with local dollars.	4/25/11	Assembly Floor	
AB 365 (Galgiani) High-Speed Rail Contracts: Small Business Participation	Imposes various penalties for certain unlawful actions on the part of entities that have obtained classification from the California High-Speed Rail Authority as a small business enterprise, microbusiness or disabled veteran business enterprise.	4/14/11	Assembly Appropriations Committee	
AB 381 (Alejo) Caltrans	Makes non-substantive, technical changes to provisions in current law regarding the administration of Caltrans.	As Introduced	Assembly Desk	
AB 385 (Harkey) High-Speed Rail: Investment Grade Analysis	Requires the California High-Speed Rail Authority to approve and submit to the Department of Finance, its independent peer review group and the Legislature an investment grade analysis of the state's entire high-speed train system.	4/25/11	Assembly Transportation Committee	
AB 441 (Monning) Regional Transportation Plans: Health Issues	Requires the California Transportation Commission (CTC) to include health and health equity factors, strategies, goals, and objectives in its guidelines for the preparation of regional transportation plans (RTPs). Requires the Office of Planning and Research to develop guidelines for cities and counties to include in their local general, specific or regional plans health and health equity factors, goals, strategies, and objectives that would improve: (a) community health status; (b) opportunities for recreational and physical activities; (c) the availability of retail food establishments offering fresh produce; (d) health-promoting transportation systems; (d) social networks, capital and civic participation; and (e) economic and community development.	3/24/11	Assembly Appropriations Committee	
AB 471 (B. Lowenthal) High-Speed Rail Authority: Inspector General	Creates an independent Office of the Inspector General to oversee the activities of the California High-Speed Rail Authority. Requires the Governor to appoint the inspector general for a six-year term, subject to confirmation by the Senate. Requires the inspector general to review the authority's policies and procedures, and to conduct audits and investigations of the authority's activities.	4/25/11	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 485 (Ma) Infrastructure Financing Districts: Transit Villages	<p>Allows for the formation of an infrastructure financing district, adoption of an infrastructure financing plan, and the issuance of bonds to implement a transit village development plan. Requires a transit village development plan utilizing an infrastructure financing district to do all of the following: (1) use at least 20 percent of all revenues derived from the infrastructure financing district to increase, improve and preserve the supply of low- and moderate-income affordable housing in the district for a period of at least 55 years for rental housing and 45 years for owner-occupied housing; (2) replace dwelling units at an affordable housing cost when specified dwelling units are destroyed or removed; and (3) include either an increased stock of affordable housing or live-travel options for transit-needy groups as one of its five demonstrable public benefits. Declares the intent of the Legislature that the development of transit village development districts throughout the state be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code. Eliminates the requirement for voter approval for the formation of an infrastructure financing district, adoption of an infrastructure financing district plan, and the issuance of bonds for implementing an infrastructure financing district plan. Specifies that the date on which an infrastructure financing district would cease to exist would not be more than 40 years from the date on which the city or county adopted the infrastructure financing district plan. Requires an infrastructure financing district to distribute an annual report to each owner of land within the district and each affected taxing entity. Requires the report to contain all of the following: (1) a summary of the district's expenditures; (2) a description of the progress made toward the district's adopted goals; and (3) an assessment of the status regarding completion of the district's public works projects.</p>	6/29/11	Senate Floor	Support
AB 492 (Galgiani) High-Speed Rail Contracts: Job Creation and Small Business Participation	<p>To the extent permitted by federal and state law, requires the California High-Speed Rail Authority to consider the creation of jobs and participation by small business enterprises in California when awarding major contracts, or when purchasing high-speed trains and related equipment and supplies. Requires the authority to appoint a small business enterprise advisory committee to provide comments and feedback on the implementation of the authority's small business enterprise policy in order to ensure proper oversight and accountability.</p>	6/27/11	Senate Rules Committee	
AB 535 (Morrell) State Agency Regulations	<p>Requires a state agency to review and report on regulations that it adopts or amends after January 1, 2012. Requires the review and report to be done five years after a particular regulation was adopted. Requires the review and report to include the following 10 factors: (1) the general and specific statutes authorizing the regulation; (2) the objective of the regulation; (3) the effectiveness of the regulation in achieving the objective; (4) the consistency of the regulation with state and federal statutes; (5) the agency's enforcement policy; (6) the agency's view regarding current wisdom of the regulation; (7) the clarity, conciseness and understandability of the regulation; (8) a summary of the written criticisms of the regulation received by the agency; (9) the estimated economic, small business and consumer impact of the regulation; and (10) any course of action that the agency proposes to take regarding the regulation.</p>	As Introduced	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 605 (Dickinson) CEQA: Greenhouse Gas Emission Reduction Targets	Requires the Office of Planning and Research to prepare and adopt guidelines to do all of the following: (1) determine the statewide averages for trip generation and vehicle miles traveled for various types of projects; (2) determine the projected trip generation and vehicle miles traveled that a project might have; (3) establish the percentage reduction in the projected trip generation and vehicle miles traveled of a project as compared to the average for trip generation and vehicle miles traveled for the project type that would assist a region in meeting its greenhouse gas emission reduction targets; and (4) develop a list of mitigation measures that a project may incorporate to reduce the project's anticipated trip generation and vehicle miles traveled. Specifies that a project that either: (a) meets or exceeds the percentage reduction in trip generation and vehicle miles traveled established by the Office of Planning and Research; or (b) incorporates mitigation measures from the list developed by the Office of Planning and Research shall not be required to consider the transportation-related impacts of the project in an environmental document prepared pursuant to the California Environmental Quality Act (CEQA).	As Introduced	Assembly Natural Resources Committee	
AB 676 (Torres) State Transportation Improvement Program	Specifies that State Transportation Improvement Program (STIP) funds can be used for the study of, and the development and implementation of, capital improvement projects.	As Introduced	Assembly Transportation Committee	
AB 710 (Skinner) Infill and Transit-Oriented Development: Parking Requirements	Except as specified, prohibits a city or county from requiring a minimum parking standard greater than one parking space per 1,000 square feet of non-residential improvements and one parking space per unit of residential improvements for any new development project located in a transit intensive area.	8/18/11	Senate Floor	
AB 812 (Ma) Recycled Asphalt	Requires Caltrans to increase the allowable amount of recycled asphalt pavement used in its projects to 50 percent, unless the department determines that using the material is not practical, cost effective or appropriate on a given application.	As Introduced	Assembly Transportation Committee	
AB 819 (Wieckowski) Bikeways	Creates a new Class IV bikeway category to include a segregated bike lane that provides for exclusive use of bicycles, demarcated by either a physical barrier or distinct paint markings.	3/31/11	Assembly Transportation Committee	
AB 845 (Ma) Proposition 1A: Commuter and Urban Rail Funds	With regard to the \$950 million in Proposition 1A funds that are available for capital improvements to commuter rail lines and urban rail transit systems, requires the guidelines adopted by the California Transportation Commission (CTC) to determine the funding share for each eligible commuter rail and urban rail transit recipient by using the distribution factors gathered from the 2007 Data Tables of the National Transit Database of the Federal Transit Administration (FTA). Requires the CTC to accept from each eligible recipient a priority list of projects up to the target amount expected to be available for the recipient. Requires the matching funds provided by the recipient to be from "non-state" funds, which are defined as local, federal and private funds, as well as state funds available to the recipient that are not subject to allocation by the CTC.	5/10/11	Senate Floor	Support

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 890 (Olsen) CEQA Exemption: Roadway Improvements	Exempts from the California Environmental Quality Act (CEQA) roadway improvement projects undertaken by a city or county within an existing road right-of-way.	3/29/11	Assembly Natural Resources Committee	
AB 910 (Torres) Infrastructure Financing Districts: Affordable Housing and Economic Development	In addition to public capital facilities, allows an infrastructure financing district to be formed to finance affordable housing facilities and economic development projects. Eliminates the requirement for voter approval for the formation of an infrastructure financing district, adoption of an infrastructure financing plan, and the issuance of bonds if the district is being proposed to implement an affordable housing or economic development plan.	4/25/11	Senate Governance and Finance Committee	
AB 953 (Jones) High-Speed Rail: Ridership Study	Provides that no funds from Proposition 1A shall be available to the California High-Speed Rail Authority for construction of the state's proposed high-speed train system until adequate environmental studies are completed based on a new ridership study that uses an acceptable ridership evaluation methodology. Requires the authority to contract with the Institute of Transportation Studies at the University of California at Berkeley to complete a revised ridership study, using the ridership methodology of the institute. Requires the authority to use that ridership study as the basis for subsequent environmental studies. Requires the authority to reconsider its adoption of the optimal high-speed rail route based both on the new ridership study and the ridership methodology.	As Introduced	Assembly Transportation Committee	
AB 995 (Cedillo) CEQA: Transit-Oriented Development	By July 1, 2012, requires the Office of Planning and Research to prepare and submit to the Legislature a report containing recommendations for expedited environmental review for transit-oriented development under the California Environmental Quality Act (CEQA).	As Introduced	Assembly Natural Resources Committee	
AB 1068 (Ma) Proposition 1B Bonds: Waterborne Transit	Allows any regional public waterborne transit agency that received an allocation of funding under Proposition 1B's Transit System Safety, Security, and Disaster Response Account prior to June 30, 2011, to have four, rather than three, fiscal years to expend the money.	As Introduced	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1092 (B. Lowenthal) High-Speed Rail Authority: Biannual Report to the Legislature	Beginning March 1, 2012, requires the California High-Speed Rail Authority to report biannually to the Legislature on the development and implementation of the state's proposed high-speed rail project. Requires the report to include all of the following: (1) a summary describing the overall progress of the project; (2) the baseline budget for all project phase costs, by segment or contract, beginning with the authority's 2009 Business Plan; (3) the current and projected budget, by segment or contract, for all project phase costs; (4) expenditures to date, by segment or contract, for all project phase costs; (5) a comparison of the current and projected work schedule and the baseline schedule contained in the authority's 2009 Business Plan; (6) a summary of the milestones achieved during the prior year and milestones expected to be reached in the coming year; (7) any issues identified during the prior year and actions taken to address those issues; and (8) a thorough discussion of various risks to the project and steps taken to mitigate those risks.	As Introduced	Senate Rules Committee	
AB 1099 (B. Lowenthal) Commercial Motor Vehicles: Emission Standards	Requires the Department of Motor Vehicles (DMV) to refuse registration for any commercial motor vehicle that is of a 1996 or older model year with a gross vehicle weight rating of more than 26,000 pounds.	7/12/11	Senate Appropriations Committee	
AB 1134 (Bonilla) Caltrans: Project Study Reports	Requires project study reports prepared for state highway projects to include a cost estimate, schedule, and other information deemed necessary to form a sound basis for the commitment of future state funding and project delivery. For a state highway project that is in an adopted regional transportation plan (RTP), a voter-approved county sales tax measure expenditure plan or other voter-approved transportation program, provides that Caltrans' costs for review and approval of the applicable project study report shall be at the department's expense. For other projects, requires the local entity performing the work to reimburse Caltrans for the costs of reviewing and approving the report. Allows a local entity to prepare a project study report at its own expense if Caltrans cannot complete it in a timely manner. Requires Caltrans to prepare draft revised guidelines for the preparation of project study reports and to submit those guidelines to the California Transportation Commission (CTC) by July 1, 2012. Requires the CTC to adopt final guidelines by October 1, 2012.	3/21/11	Assembly Appropriations Committee	Support
AB 1206 (Galgiani) High-Speed Rail Contracts: Small Business Enterprise Program	Requires the California High-Speed Rail Authority to adopt a Small Business Enterprise Program as part of contracts to be awarded by the authority relative to the development and construction of the state's proposed high-speed train system.	3/30/11	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1229 (Feuer) GARVEE Bonds	Allows for federal highway grant anticipation notes (GARVEE bonds) to be issued for projects programmed by a regional transportation planning agency (RTPA) using its share of apportionments of federal Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) dollars. Provides that no more than 50 percent of the state's GARVEE bonding capacity may be used for such projects. If an RTPA's share of STP and CMAQ funds is insufficient to repay the GARVEE bonds, allows the California Transportation Commission (CTC) to use State Transportation Improvement Program (STIP) dollars for the repayment to be counted against the county share for the county in which the project is located.	6/21/11	Senate Appropriations Committee	
AB 1285 (Fuentes) Regional Greenhouse Gas Emission Reduction and Sequestration Projects	Requires the California Air Resources Board (CARB) to establish a program to maximize regional greenhouse gas emission reduction and sequestration projects. Requires CARB to establish a system by which emission reductions achieved by projects under this program result in the creation of qualified units of exchange that may be transferred to entities subject to an emissions cap. Conditions the bill's provisions on the adoption of a market-based compliance mechanism that allows offsets created from greenhouse gas emission reduction or sequestration projects in a sector that is not subject to an emissions cap as part of the market-based compliance mechanism regulation.	5/11/11	Assembly Appropriations Committee	
AB 1287 (Buchanan) Local Governments: Audits	Requires local agency financial and compliance audits to be performed in accordance with General Accounting Office standards.	As Introduced	Assembly Local Government Committee	
AB 1308 (Miller) Highway Users Tax Account	Provides that in any year in which the Budget Act has not been enacted by July 1, funds in the Highway Users Tax Account (HUTA) are continuously appropriated and may be encumbered until the Budget Act is enacted.	As Introduced	Assembly Appropriations Committee	Support
AB 1332 (Donnelly) Abolishment of CARB	Abolishes the California Air Resources Board (CARB), and transfers its authority, duties, power, purposes, responsibilities, and jurisdiction to the California Environmental Protection Agency (CalEPA).	As Introduced	Assembly Natural Resources Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ACA 4 (Blumenfield) Local Governments: Special Taxes	Calls for placing before the voters an amendment to the California Constitution to allow a local agency to incur indebtedness in the form of general obligation bonds, if approved by its electorate by a 55 percent majority, to fund the construction, reconstruction, rehabilitation, or replacement of: (1) public improvements, including improvements to transportation infrastructure, streets, highways, sewer systems, water systems, wastewater systems, and park and recreation facilities; and (2) facilities or buildings used primarily to provide sheriff, police or fire protection services to the public. Creates an exception to the 1 percent limit for property tax assessments if the revenues are being used to pay bonded indebtedness, approved by a 55 percent vote, to fund the construction, reconstruction, rehabilitation, or replacement of: (1) public improvements, including improvements to transportation infrastructure, streets, highways, sewer systems, water systems, wastewater systems, and park and recreation facilities; and (2) facilities or buildings used primarily to provide sheriff, police or fire protection services to the public.	As Introduced	Assembly Appropriations Committee	

State Senate Bills

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 22 (La Malfa) High-Speed Rail: Proposition 1A Bonds	Reduces the amount of general obligation bond debt authorized pursuant to Proposition 1A to the amount contracted as of January 1, 2012.	3/24/11	Senate Transportation and Housing Committee	
SB 27 (Simitian) Public Employee Retirement: Calculation of Final Compensation	Clarifies and defines which forms of compensation may be included in an employee's final compensation for purposes of determining a retirement allowance under the California Public Employees' Retirement System (CalPERS) and the State Teachers' Retirement System (CalSTRS). Prohibits any compensation determined to have been paid expressly to enhance an employee's retirement allowance from being included in the calculation. Requires increases to compensation paid during the final compensation period to be consistent with publicly published pay scales and the increases paid to other employees in the same or similar working groups or classes. Prohibits working groups or classes of only one individual. Prohibits any CalPERS member who retires on or after January 1, 2013, from returning to public employment as a part-time worker, a private contractor or an employee of a third-party contractor for 180 days following the date of retirement.	8/15/11	Assembly Appropriations Committee	
SB 31 (Correa) Local Government: Lobbyist Registration	Enacts a comprehensive framework for regulating entities that lobby local government agencies, including registration and reporting requirements. Requires each local government agency to create a commission to implement and enforce the provisions of the bill.	3/23/11	Senate Elections and Constitutional Amendments Committee	
SB 46 (Correa) Public Agencies: Compensation Disclosure	Until January 1, 2019, specifies that every person, except a candidate for public office, who is required by state law to file a statement of economic interests must, as part of that filing, include a disclosure form that provides compensation information for the preceding calendar year. By March 1, 2013, requires the Controller's Office to adopt emergency regulations to implement this bill, including the format of the compensation disclosure form. Requires the form to provide for the disclosure of the following information: (1) the agency's cost for a person's annual salary or stipend; (2) the agency's cost to provide benefits to a person, including deferred compensation or defined benefit plans; (3) the agency's reimbursement payments to a person for actual and necessary expenses incurred on behalf of the local agency in the performance of official duties; and (4) the agency's cost to provide a person with any other monetary or non-monetary perquisites of office. By July 1, 2013, requires the Controller's Office to recommend to the Governor and the Legislature methods for compiling the information contained on compensation disclosure forms in one or more publicly accessible data bases. If an agency maintains an Internet Web site, requires the following information to be posted: (1) the information contained on employee compensation disclosure forms; and (2) its written policy for reimbursement of actual and necessary expenses to employees in the performance of official duties.	6/2/11	Assembly Desk	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 125 (Emmerson) Chronic Toll Evaders	Authorizes a law enforcement officer to impound, or cause to be impounded, a vehicle registered to a chronic evader of toll payments until all outstanding tolls and all required penalties are paid to the issuing agency.	4/25/11	Senate Transportation and Housing Committee	
SB 214 (Wolk) Infrastructure Financing Districts: Voter Approval	Eliminates the requirement for voter approval for the formation of an infrastructure financing district, adoption of an infrastructure financing district plan, and the issuance of bonds for implementing an infrastructure financing district plan. Prohibits an infrastructure financing district for paying for routine maintenance, repair work, or the costs of ongoing operations or providing services of any kind. Allows a district to finance any projects that implement a sustainable communities strategy. Prohibits a district from providing any form of financial assistance to: (1) a vehicle dealer; (2) a big box retailer; or (3) a business entity that sells or leases land to a vehicle dealer or big box retailer that is relocating from the territorial jurisdiction of one local agency to the territorial jurisdiction of another local agency but within the same market area. Specifies that the date on which an infrastructure financing district would cease to exist would not be more than 40 years from the date on which the city or county adopted the infrastructure financing district plan. Requires an infrastructure financing district to distribute an annual report to each owner of land within the district and each affected taxing entity. Requires the report to contain all of the following: (1) a summary of the district's expenditures; (2) a description of the progress made toward the district's adopted goals; and (3) an assessment of the status regarding completion of the district's public works projects.	6/21/11	Assembly Floor	
SB 241 (Cannella) CEQA Litigation Protection Pilot Program of 2011	Establishes the California Environmental Quality Act (CEQA) Litigation Protection Pilot Program. Requires the Business, Transportation & Housing Agency to select 25 projects for each calendar year between 2012 and 2016 to participate in the program. For a project to qualify for the program, requires the lead agency to certify that the environmental impact report (EIR) for the project will be certified within 12 months. In selecting projects for the program, requires the Business, Transportation & Housing Agency to consider the following: (1) the number and quality of jobs that would be created by the project; (2) the amount of the capital investment made by the project; and (3) a balance between projects sponsored by public and private entities. Provides that a lead agency's decision to certify an EIR or to adopt a mitigated negative declaration based on an initial study for a project selected to participate in the pilot program is not subject to judicial review.	As Introduced	Senate Environmental Quality Committee	
SB 316 (Emmerson) Meal Periods: Transportation Industry	Specifies that the provisions in the Industrial Welfare Commission's wage order pertaining to meal periods do not apply to an employee in the transportation industry.	As Introduced	Senate Labor and Industrial Relations Committee	
SB 383 (Wolk) Renewable Energy	Repeals the state's Local Government Renewable Energy Self-Generation Program and replaces it with the Community-Based Renewable Energy Self-Generation Program. Under this new program, authorizes a retail customer of an electric utility to purchase a subscription in a community facility for the purpose of receiving a bill credit to offset all or a portion of the customer's electricity usage.	5/27/11	Senate Rules Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 475 (Wright) Public-Private Infrastructure Agreements	<p>Clarifies various provisions in existing law relating to public-private infrastructure agreements for local projects. Clarifies that a local agency may, but is not required to, provide for the lease, license or other permissive use of facilities constructed under a public-private infrastructure agreement. Provides more flexibility to a local agency with regard to the selection criteria that it may use in the solicitation documents when selecting a private entity under a public-private infrastructure agreement. Clarifies that a local agency may use public financing without any private financing or in combination with private financing as part of a public-private infrastructure agreement. Specifies that private-sector financing may include cash, cash equivalents, loans, debt assumption, letters of credit, capital investment, in-kind contributions of materials or equipment, construction or equipment financing, carrying costs during construction, or any combination thereof. Clarifies that user fees may be paid to either the local agency or the private entity. Clarifies that the reasonable rate of return to the private entity must be specifically stated in the public-private infrastructure agreement, or included as part of the costs and fees as set during the procurement process. Prior to entering into a public-private infrastructure agreement for a project that includes at least some public financing, requires the local agency to assess whether such agreement provides greater benefit or value as compared with funding the project entirely with public financing and using competitive bidding.</p>	6/20/11	Assembly Local Government Committee	
SB 517 (A. Lowenthal) High-Speed Rail Authority: Organizational Structure	<p>Places the California High-Speed Rail Authority within the Business, Transportation and Housing Agency. Requires the secretary of the Business, Transportation and Housing Agency to propose an annual budget for the authority. Requires the Governor's appointments to the authority to be confirmed by the Senate. Vacates the current membership of the authority, and provides for the appointment or reappointment of members as of January 1, 2012, for staggered terms. Requires members of the authority to have specified experience in order to be appointed. Prohibits a member of the authority from simultaneously holding any other elected or appointed public office. Requires the executive director of the authority to be confirmed by the Senate. Prohibits the employment agreement for the executive director from being executed without Senate confirmation. Enacts various conflict-of-interest provisions applicable to members of the authority and its staff.</p>	6/30/11	Assembly Appropriations Committee	
SB 535 (De Leon) Global Warming Solutions Act: Communities Healthy Air Revitalization Trust	<p>Requires a minimum of 10 percent of the fee revenues generated under the California Global Warming Solutions Act of 2006, other than revenues collected by the California Air Resources Board (CARB) for administrative purposes, to be deposited into the California Communities Healthy Air Revitalization Trust. Requires the trust to be administered by CARB. Upon appropriation by the Legislature, requires the revenues in the trust to be used: (a) solely in the most impacted and disadvantaged communities in the state; and (b) to fund programs or projects that reduce greenhouse gas emissions or mitigate the direct health impacts of climate change, through competitive grants, loans or other funding mechanisms. Requires CARB to convene a review panel to make recommendations regarding the development of policies, plans and programs as they relate to the trust.</p>	7/5/11	Assembly Appropriations Committee	
SB 545 (Anderson) California's Transportation Needs	<p>Declares the intent of the Legislature to enact a bill enabling the state to examine efficiency in administering solutions to California's transportation needs.</p>	As Introduced	Senate Rules Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 580 (Wolk) State Park Land	Prohibits land acquired for the state park system through public funds, gifts or bequests from being disposed of or used in a way that is incompatible with park purposes without the substitution of other land. In the event that land cannot be acquired to fully meet the substitution eligibility criteria, allows the state Park and Recreation Commission to approve a combination of substitute park land and monetary compensation, if certain conditions are met. Provides that the commission may consider requests only if it determines that all practical alternatives that avoid the proposed disposal or use of park land for incompatible purposes have been considered.	6/20/11	Assembly Water, Parks and Wildlife Committee	
SB 653 (Steinberg) Local Taxes	Authorizes cities, counties, school districts, community college districts, and county offices of education, subject to constitutional voter approval requirements, to levy, increase or extend the following taxes: (1) a local personal income tax not to exceed 1 percent; (2) an additional transactions and use tax that would be excluded from the current 2 percent combined county/city rate limit; (3) an alcoholic beverage tax of five cents per five ounces and at a proportionate rate for any other quantity; (4) a cigarette and tobacco products tax of up to five cents per cigarette or \$1 per pack; (5) an oil severance tax not to exceed 10 percent of the product upon a producer for the privilege of severing oil from the earth or water in the county for sale, transport, consumption, storage, profit, or use; (6) a sweetened beverage tax not to exceed one cent per fluid ounce; and (7) a local medical marijuana tax.	6/6/11	Senate Floor	
SB 693 (Dutton) Public-Private Partnership Agreements	Clarifies that Caltrans' delegation authority to cities and counties in existing law includes the ability to utilize public-private partnership agreements for transportation projects.	4/13/11	Senate Transportation and Housing Committee	
SB 730 (Kehoe) Plug-In Electric Vehicle Readiness Pilot Program	Establishes the Plug-In Electric Vehicle Readiness Pilot Program to be administered by the state Energy Resources Conservation and Development Commission. Requires the program to include: (1) the development of expedited and streamlined permitting of plug-in electric vehicle residential charging; (2) customer plug-in electric vehicle education and outreach; (3) the provision of information to plug-in electric vehicle owners concerning a point of contact with the appropriate local government entity; (4) public and workplace infrastructure plug-in electric vehicle planning; and (5) utility notification of residential plug-in electric vehicle chargers. In implementing the pilot program, requires the commission to solicit the involvement of cities and counties from throughout the state.	5/11/11	Senate Appropriations Committee	
SB 733 (Price) High-Speed Rail Contracts: Local Workforce and Small Business Participation Strategies	In awarding contracts for the construction of California's proposed high-speed rail system with state or federal funds, requires the California High-Speed Rail Authority to develop a strategy, in conjunction with the Employment Development Department (EDD), to ensure that at least 25 percent of the project workforce used at each authority worksite is from the local workforce. Requires the authority to include in its business plan, or as an addendum to that plan, the following: (1) its local workforce strategy; and (2) a strategy for ensuring the participation of California-certified small businesses in contracts awarded by the authority with state or federal funds during all phases of the high-speed rail project.	5/11/11	Senate Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 749 (Steinberg) High-Speed Rail Authority: Senate Confirmation of Board Members	Requires the Governor's appointments to the California High-Speed Rail Authority to be confirmed by the Senate.	As Introduced	Senate Transportation and Housing Committee	
SB 767 (Harman) Vehicles: Radio Frequency Identification Technology	Authorizes a local governmental entity to participate in a local traffic safety program that uses radio frequency identification technology in order to aid law enforcement efforts; promote environmental initiatives, including congestion mitigation; and enhance revenue collections of unpaid fines and penalties.	As Introduced	Senate Transportation and Housing Committee	
SB 800 (Hancock) Voluntary Greenhouse Gas Emission Offset Program Fund	Creates the Voluntary Greenhouse Gas Emission Offset Program Fund. Requires revenues received by the state on a voluntary basis from the federal government, individuals, businesses, organizations, industry, or other sources for the mitigation of climate change impacts related to greenhouse gas emissions to be deposited into the fund. Upon appropriation by the Legislature, allows the money in the fund to be expended by the Natural Resources Agency through a competitive grant process for all of the following purposes: (1) projects that reduce greenhouse gas emissions pursuant to protocols approved by the California Air Resources Board (CARB); (2) projects to protect public trust resources and natural systems from unavoidable impacts of climate change; and (3) urban greening projects, including urban forestry projects. Requires all approved projects to involve collaboration with the California Conservation Corps, local conservation corps, non-profit conservancy organizations, urban forestry non-profit organizations, or other non-profit organizations. Requires all projects to have an education and skills development component in order to further education or employment opportunities. Upon appropriation by the Legislature, requires money in the fund to be directed by the Natural Resources Agency to the California Conservation Corps and local conservation corps for the planting and maintenance of trees and plants in accordance with the protocols established by CARB as having mitigating effects on global warming, or other identified projects consistent with protocols adopted by CARB. By January 1, 2013, requires the Natural Resources Agency to do all of the following: (1) adopt guidelines for the distribution of revenues deposited into the Voluntary Greenhouse Gas Emission Offset Program Fund; and (2) develop strategies for the sale of voluntary greenhouse gas emission offsets by the state.	As Introduced	Senate Environmental Quality Committee	
SB 830 (Wright) Trade Infrastructure Investment Credit	Enacts a trade infrastructure tax credit equal to 50 percent of the total capital costs of a qualifying public port infrastructure project. Allows the credit to be claimed from the 2011 taxable year to the 2020 taxable year. Limits a taxpayer from claiming more than 5 percent of the total credit amount in any given taxable year. Provides that the Franchise Tax Board cannot certify a project for the tax credit unless the public port in which the project is located determines that the state will receive revenues resulting from the project's economic impact that are sufficient to offset the state cost of the tax credit. Prohibits a taxpayer from claiming the tax credit unless the Legislature enacts a statute specifying the total credit amount available for the preceding taxable year.	4/27/11	Senate Governance and Finance Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 843 (Wolk) Renewable Energy	Repeals the state's Local Government Renewable Energy Self-Generation Program and replaces it with the Community-Based Renewable Energy Self-Generation Program. Under this new program, authorizes a retail customer of an electric utility to purchase a subscription in a community facility for the purpose of receiving a bill credit to offset all or a portion of the customer's electricity usage.	6/21/11	Assembly Utilities and Commerce Committee	
SB 851 (Anderson) Highway Construction	Declares the intent of the Legislature to enact a bill that would address the need for highway construction.	As Introduced	Senate Rules Committee	
SB 862 (A. Lowenthal) Southern California Goods Movement Authority	Creates the Southern California Goods Movement Authority. Requires the authority to establish a priority list of infrastructure and air quality improvement projects related to the movement of port-related cargo and port operations in Southern California.	4/4/11	Senate Transportation and Housing Committee	
SB 867 (Padilla) Build California Bonds	Allows the California Transportation Financing Authority to issue Build California Bonds, the proceeds of which would be used for transportation capital improvement projects. Provides that bondholders would be entitled to non-refundable tax credits against their personal income tax or corporate tax liability. Provides for the authority to enter into financing agreements with participating local transportation authorities for the purpose of financing or refinancing transportation projects. Limits the principal amount of bonds to be issued by the authority to \$5 billion over a five-year period commencing January 1, 2012.	As Introduced	Senate Transportation and Housing Committee	Support
SB 878 (DeSaulnier) Bay Area Regional Planning	By January 31, 2013, requires the Bay Area's Joint Policy Committee to prepare and submit a report to the Legislature that addresses all of the following: (1) methods and strategies for developing and promulgating a multi-agency set of policies and guidelines governing the Bay Area's sustainable communities strategy; (b) methods and strategies for improving the efficiency and effectiveness of policy-setting and managerial coordination among the regional agencies constituting the Joint Policy Committee; (3) methods and strategies for ensuring that the public in the nine counties of the region has an opportunity to comment on the proposed policies and standards that will be promulgated by the Joint Policy Committee for implementing the Bay Area's sustainable communities strategy; and (4) recommendations on organizational reform to effectuate the above requirements. By January 31, 2013, requires the Joint Policy Committee to prepare and submit a work plan for a nine-county Bay Area economic development strategy to the Legislature that addresses all of the following: (1) coordination of the regional sustainable communities strategy with local goals for recruiting and retaining manufacturing, production facilities, business services, and other business enterprises that provide high quality jobs; (2) regional strategies to ensure the coordination of infrastructure investments for planned employment centers; (3) strategies for ensuring a common regulatory system for the deployment and permitting of energy conservation facilities and improvements; and (4) regional strategies for adaptation to climate change.	6/9/11	Senate Transportation and Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
<p>SB 907 (Evans) Master Plan for Infrastructure Financing and Development Commission</p>	<p>Creates the Master Plan for Infrastructure Financing and Development Commission. Specifies that the mission of the commission is to develop and recommend a plan and process to identify, finance, build, and maintain the infrastructure necessary to meet the needs of Californians from the present to the year 2050. At a minimum, requires the plan to include: (a) the type, distribution and priority for developing infrastructure projects, and a measurable process to implement the plan; and (b) a process to periodically adjust the type, distribution and priority of infrastructure projects in the coming years to meet changing circumstances. States the intent of the Legislature that the commission provide a long-term plan and strategy to meet California's infrastructure needs, and a prioritized plan that meets those needs by doing all of the following: (1) project population, social and economic trends through 2050; (2) utilize the projections to identify the type and distribution of the infrastructure that is needed to meet California's social, economic and resource needs through 2050; (3) assess the state's capital needs for infrastructure projects through 2050, including opportunities to access private capital to augment or complement public financing; (4) assess the availability of private and public funds, including the status and fiscal value of dedicating future revenues to specific construction and maintenance, to support jointly sponsored projects throughout the period from the present to 2050; and (5) recommend a financing plan for the state's capital needs through 2050, with a priority plan for each five-year interval, including evaluation and recommendations of various financing methods that are feasible and may be of benefit to the state and local governments, as well as to private entities partnering with the state to implement the strategy. Requires the commission to submit its final report to the Governor and the Legislature by December 1, 2013. Requires the commission to be dissolved within 30 days after the issuance of its final report. Provides that the provisions of the bill would become operative only if the funds required to support the commission are appropriated by the Legislature from the California Debt and Investment Advisory Commission Fund in the annual Budget Act.</p>	<p>5/3/11</p>	<p>Assembly Jobs, Economic Development and the Economy Committee</p>	

**CALIFORNIA STATE LEGISLATURE
2012 Regular Session Calendar**

DAY	JANUARY
1	Statutes signed into law in 2011 take effect.
4	Legislature reconvenes.
10	Budget must be submitted by the Governor to the Legislature on or before this date.
13	Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2011.
20	Last day for any committee to hear and report to the floor bills introduced in their house of origin in 2011.
27	Last day to submit bill requests to the Legislative Counsel's Office.
31	Last day for bills introduced in 2011 to be passed out of their house of origin.

DAY	FEBRUARY
24	Last day for new bills to be introduced.

DAY	MARCH
29	Spring Recess begins upon adjournment.

DAY	APRIL
9	Legislature reconvenes from Spring Recess.
27	Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2012.

DAY	MAY
11	Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house of origin in 2012.
25	Last day for fiscal committees to hear and report to the floor bills introduced in their house of origin in 2012.

DAY	JUNE
1	Last day for bills introduced in 2012 to be passed out of their house of origin.
15	Budget must be passed by midnight.
28	Last day for legislative measures to qualify for placement on the November 6, 2012, general election ballot.

DAY	JULY
6	Last day for policy committees to hear and report bills introduced in the other house. Summer Recess begins upon adjournment, provided that the budget bill has been enacted.

DAY	AUGUST
6	Legislature reconvenes from Summer Recess.
17	Last day for fiscal committees to hear and report to the floor bills introduced in the other house.
24	Last day to amend bills on the Assembly and Senate floors.
31	Last day for each house to pass bills. Final Recess begins at the end of this day's session.

DAY	SEPTEMBER
30	Last day for the Governor to sign or veto bills passed by the Legislature before September 1, and in his possession after September 1.

DAY	DECEMBER
3	The 2013-2014 regular legislative session convenes.

DAY	JANUARY 2013
1	Statutes signed into law in 2012 take effect.



Date: December 28, 2011
Current Meeting: January 11, 2012
Board Meeting: N/A

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Citizens Advisory Committee

THROUGH: General Manager, Michael T. Burns

FROM: Board Secretary, Sandra Weymouth

SUBJECT: CAC 2011 Year-End Attendance Report

FOR INFORMATION ONLY

BACKGROUND:

At the January 5, 1995, Board of Directors meeting, the Board Secretary was requested to submit quarterly and year-end attendance reports to include Board Standing Committees and Board Advisory Committees.

Prepared By: Tracene Crenshaw
Memo No. 3388

**Citizens Advisory Committee (CAC)
 2000 Measure A Citizens Watchdog Committee (CWC)
 2011 Year-End Attendance Report**

	JAN	FEB	MAR	APR	MAY (Workshop)*	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Barousse, Jeremy	P	P	P	P	A	A	P	C	A	A	P	C	P
Blaylock, Stephen	A	P	P	P	A	P	A	C	A	P	P	C	P
Brownley, Clinton W.	P	P	A	P	P	P	P	C	P	P	P	C	P
Chang, Bena	P	P	P	P	A	P	P	C	P	P	P	C	P
Elias, Chris	P	P	P	P	A	P	A	C	P	P	P	C	A
Hadaya, William	P	P	P	P	P	P	A	C	P	A	P	C	P
Hashimoto, Ray	P	P	P	A	P	P	P	C	P	P	P	C	P
Hughan, Roberta	A	P	P	P	A	P	P	C	P	P	P	C	P
Jacobvitz, Robert	P	P	P	P	P	P	A	C	P	P	P	C	P
Liedstrand, Bruce	P	P	P	P	A	A	E	Resigned Effective 06/27/11					
Morrow, Aaron	P	A	P	P	A	P	A	C	P	P	P	C	A
Powers, Charlotte	P	P	P	P	P	P	P	C	P	P	P	C	P
Probst, Sally	P	P	A	P	P	P	P	C	P	P	A	C	P
Rogers, Connie	P	P	P	P	A	P	P	C	P	P	P	C	P
Schulter, Martin	P	P	P	P	P	P	A	C	P	P	P	C	A
Tebo, Noel	P	P	P	P	P	P	P	C	P	P	P	C	P
Wadler, Herman H.	P	P	P	P	P	P	P	C	A	A	P	C	P

P = Present

A = Absent

C = Cancelled

E = Excused

*The Workshop is not a Regular meeting and, therefore, attendance is not required.



Date: December 28, 2011
 Current Meeting: January 11, 2012
 Board Meeting: N/A

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 2000 Measure A Citizens Watchdog Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief SVRT Program Officer, Carolyn M. Gonot

SUBJECT: BART Silicon Valley Update

FOR INFORMATION ONLY

BACKGROUND:

BART Silicon Valley is the priority project in the 2000 Measure A Program. Serving as the Citizen's Watchdog Committee for the 2000 Measure A Program, the Santa Clara Valley Transportation Authority's (VTA) Citizen's Advisory Committee is presented periodic presentations and updates on the BART Silicon Valley Project.

DISCUSSION:

The BART Silicon Valley Berryessa Extension Project is just months away from an official groundbreaking. The project is advancing through the Federal New Starts Funding Program and a full funding grant agreement for \$900 million is anticipated in late February or early March 2012. The first major construction contract for the project, valued at \$772 million, was awarded on December 8, 2012, to Skanska-Shimmick-Herzog, a Joint Venture. Completing final design for the line, track, systems and stations will be one of the first efforts for the joint venture design build team, with construction to follow.

The Board of Directors has recently been asked to authorize or approve several actions in support of the Berryessa Extension, including the procurement of 60 rail cars as part of BART's fleet replacement and expansion program; contribution of funding to expand BART's Hayward Maintenance Complex; and the adoption of resolutions of necessity for property acquisitions.

VTA Communications and Outreach is working closely with residents and businesses in close proximity to the project corridor to keep them updated on project activities and prepare the community for upcoming construction.

Staff will provide a presentation on these and other project related information at the January 11, 2011, 2000 Measure A Citizens Watchdog Committee.

Prepared By: Kevin Kurimoto
Memo No. 3322



Date: December 28, 2011
 Current Meeting: January 11, 2012
 Board Meeting: N/A

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 2000 Measure A Citizens Watchdog Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief External Affairs Officer, Greta Helm

SUBJECT: Independent Auditor Initiation of Compliance Audit of FY11

FOR INFORMATION ONLY

BACKGROUND:

In November 2000, the voters in Santa Clara County approved Measure A, a 30-year half cent sales tax devoted to enhancing the county's public transit system. The Measure A ballot also established the 2000 Measure A Citizens Watchdog Committee (CWC) and mandated that, among other duties, this independent body must:

- Review all 2000 Measure A expenditures.
- Have an audit conducted each fiscal year by an independent auditor to ensure tax dollars are being spent in accordance with the intent of the measure.

To fulfill these responsibilities, in October 2008 the CWC contracted with the independent Certified Public Accounting (CPA) firm of Macias, Gini and O'Connell, LLP (MGO) to provide compliance auditing services for a two-year term with options for four additional one-year periods.

As part of its audit process, MGO's engagement team meets with the CWC to plan the audit, provide status reports, follow up on concerns, and answer any questions that the Committee may have.

DISCUSSION:

To initiate the audit of Fiscal Year 2011 (FY11), the engagement team will be attending the January 11, 2012 CWC meeting to receive input from the Committee on the proposed audit plan. David Bullock, CPA and MGO partner, will make a brief presentation (see attached) that will:

- Discuss the projected scope of the audit of FY11 (July 1, 2010 - June 30, 2011).

- Provide an estimated timetable and major milestones.
- Explain the proposed content and presentation of the audit report.
- Follow up on issues or areas of potential concern members may have.

The MGO audit team will be agendized for additional CWC meetings throughout Spring 2012 to provide status updates and present a draft of the audit report. The specific meetings will be determined based on the timetable agreed to by the Committee and MGO.

Prepared By: Stephen Flynn, Advisory Committee Coordinator
Memo No. 3183



Date: December 28, 2011
 Current Meeting: January 11, 2012
 Board Meeting: N/A

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 2000 Measure A Citizens Watchdog Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief External Affairs Officer, Greta Helm

SUBJECT: Review of 2000 Measure A Citizen Watchdog Committee Duties,
 Responsibilities and Limitations

FOR INFORMATION ONLY

BACKGROUND:

In November 2000, Santa Clara County voters approved Measure A, a 30-year half cent sales tax devoted to enhancing the county's public transit system. The Measure A ballot mandated that an independent citizens watchdog committee, comprised of VTA's Citizens Advisory Committee (CAC), must "review all expenditures" and further, defined specific responsibilities and duties of the Committee. On April 1, 2006 the CAC assumed its duties as the Citizens Watchdog Committee (CWC) for the 2000 Measure A Transit Improvement Program.

To help the Committee, particularly new members, understand their charge and focus their work, staff provides an annual review of the CWC's ballot-specified duties, responsibilities and limitations. This review is given at the start of each calendar year to coincide with the CWC beginning its process of reviewing the 2000 Measure A financial statements and reports for the preceding fiscal year.

DISCUSSION:

County residents, in approving Measure A, entrusted the CWC with oversight for the tax collected under Measure A, to ensure that those revenues are expended solely to improve transit in the county, in accordance with the intent of the ballot. The CWC's ballot-defined responsibilities can be summarized as two primary duties:

- 1) Reviewing 2000 Measure A expenditures to ensure that the funds are being spent in accordance with the intent of the ballot; and
- 2) Informing the citizens of Santa Clara County, on a regular basis, regarding the Committee's conclusion on how 2000 Measure A tax dollars are being spent.

Policy-related decisions for the 2000 Measure A Program, including the composition, implementation, completion schedule, and funding level of projects, are the responsibility of the VTA Board of Directors.

Duties and Responsibilities

The 2000 Measure A ballot specified certain tasks that the CWC is responsible for accomplishing:

- **Review all 2000 Measure A expenditures**

This is understood to mean the use of funds, not the review of every individual expenditure, of which there are hundreds, if not thousands, annually. Due to the magnitude of the 2000 Measure A Transit Improvement Program (2000 Measure A TIP) and the number and complexity of its projects, it is impractical for the CWC to review every expenditure for all projects. Instead, the Committee reviews groupings of expenditures to determine if they were expended on behalf of 2000 Measure A projects.

There are several tools the Committee utilizes to assess whether 2000 Measure A funds are being spent in accordance with the intent of the ballot:

- § **Reports provided by staff**

- Ø 2000 Measure A Program Semi-Annual Report is a 6-month snapshot of the current fiscal year and is provided to keep the Committee informed on the completion status of projects and any issues encountered. Since the Semi-Annual is a brief progress report and does not cover the entire fiscal year, it does not contain audited final figures. The Semi-Annual Report covering July - December 2011 is scheduled for the Committee's February 8, 2012 meeting.

- Ø Semi-Annual Measure A Fund Swap Report is a 6-month snapshot that provides an update on the expenditures and status of the projects and programs where the Board approved the exchange of Measure A funds with funds from other sources.

- § Compliance section findings for the Measure A Program reached by VTA's independent auditor (Vavrinek Trine Day & Company, LLP (VTD)), as contained in the Measure A Program section of VTA's Comprehensive Annual Financial Report (CAFR).

- § Findings and conclusion reached by the independent compliance auditor retained by the Committee (discussed in the next section).

- **Have an audit conducted each fiscal year by an independent auditor to ensure tax dollars are being spent in accordance with the intent of the measure.**

The ballot specifically requires the Committee to have an independent audit of the 2000 Measure A TIP financial statements and records performed annually. The ballot also grants the Committee the ability to contract with an independent auditor of its choice, following competitive bidding requirements specified by government code.

An audit is defined as a systematic review or examination of the assertions or actions of a third party to evaluate conformance to some norm or benchmark. The purpose of an independent audit is to provide users of a set of financial statements with independent assurance that the information presented in those statements is reliable. The independent auditor obtains reasonable, not absolute, assurance that the financial statements are fairly presented. To reach their audit opinion, the independent auditor performs observations and conducts sampling, testing and inquiries.

The results of the independent compliance audit is one of the most important tools the Committee utilizes to form its conclusion on whether 2000 Measure A tax dollars are being spent in accordance with the intent of the ballot.

Because the fiscal year ends on June 30th and several months are required to process the final transactions and prepare the financial statements, the independent auditor typically does not initiate the compliance audit nor begin providing reports to the Committee until January or February of the following year.

For the audits of FY08 forward, the Committee elected to utilize the services of an independent auditing firm not under contract to VTA; this option is intended to remove any potential appearance of conflict of interest. In October 2008, at the conclusion of the competitive bid process, the CWC contracted with the independent Certified Public Accounting (CPA) firm of Macias, Gini and O'Connell, LLP (MGO) to provide compliance auditing services. MGO staff will be at the January 2012 CWC meeting to initiate the compliance audit of FY11 and to coordinate with the Committee on the audit plan and schedule, answer questions, and hear any concerns of the Committee.

- **Hold public hearings and issue reports at least annually to inform Santa Clara County residents how the funds are being spent.**

The purpose of the public hearing is to provide the community with an opportunity to express to the Committee its views, opinions, and concerns on 2000 Measure A Program expenditures, the results of the annual independent audit, and on Measure A Program reports.

The difference between the public hearing and a regular CWC meeting is that at the hearing, the Committee receives input from the public but does not debate nor engage in extended discussion with speakers or other Committee members. After the hearing is closed, the Committee then has the opportunity to discuss the input received.

The Committee has previously established conventions to maximize the opportunity for public participation. These include:

- Posting the public notice 21 days in advance of the hearing, far in excess of the three days required by the Brown Act.
- In addition to publishing in general circulation newspapers in VTA's service area, as required by the ballot, the public notice is published in non-English newspapers (typically Spanish and Vietnamese). It is also posted on VTA's website.

- Holding the hearing at a more centrally-located, transit serviced site, such as the County of Santa Clara Government Center located at First and Hedding Streets. The last four CWC public hearings were held there.

The public hearing on FY11 expenditures is tentatively scheduled for May 9, 2012, which is a normal CAC/CWC meeting date. At its March or April 2012 meeting, the Committee will be asked to vote on the specific date and location of the hearing based on meeting room availability and other factors.

- **Publish the results of the independent audit and the annual report in local newspapers.**

In 2007, the CWC developed its inaugural Annual Report (covering the period of FY06). Since this was the CWC's first report, the Committee voted to publish a comprehensive version, complete with expanded text, full graphics, and the names of all CWC members and the organizations they represent, in a wide array of local newspapers (23). This strategy was utilized for the inaugural report to educate county residents on the CWC's mission, the steps it took to develop its finding, and the conclusion it reached on how 2000 Measure A funds were spent during the period.

However, since size is the main factor determining newspapers ad costs, the Committee voted for successive Annual Reports to publish only an abbreviated version in a limited number of local newspapers while placing a comprehensive version on VTA's website. This strategy was developed to make better use of Measure A funds by reducing ad placement costs while ensuring broad distribution and availability of the report to the public. It was employed by the Committee for the last four Annual Reports.

The abbreviated version includes only the information required by the ballot to be published, such as the Committee's conclusion on how funds were spent during the period, and directs the public to the comprehensive report on VTA's website. The comprehensive version includes fully-developed explanations and descriptions, history, background, graphics and photos. This strategy ensures a broad distribution of the report to the public in a cost-effective manner

Authority

The 2000 Measure A ballot confers to the CWC the ability to contract for specific services and to expend funds to complete certain requirements, all of which were previously discussed. These are:

Hire an outside audit firm

- Independent compliance auditor to audit the 2000 Measure A financial statements and records.

Expend 2000 Measure A Funds

- Publication in general circulation newspapers in VTA's service area of:
 - Ø Public notice announcing when and where the CWC's public hearing will be held.
 - Ø Results of the independent audit (typically combined with the public hearing

notice to reduce ad publication costs).

- Ø CWC Annual Report, to inform county residents of the CWC's conclusion on how funds are being spent and to inform them on the Measure A TIP's milestones and accomplishments.

Limitations

The 2000 Measure A ballot also places certain limits or restrictions on the CWC. Most notable of these are:

- The CWC's responsibility is limited to reviewing 2000 Measure A expenditures to ensure funds are being spent in accordance with the intent of the ballot and to inform residents of the county of its findings. All 2000 Measure A TIP policy-related decisions are the purview of the VTA Board of Directors, including the composition, implementation, schedule and funding level of projects.
- The CWC's ability to expend funds is limited to ballot-defined activities, such as having the annual independent audit performed, publishing the CWC's Annual Report, etc. Expending funds on any other purpose or activity is not permitted.

Prepared By: Stephen Flynn, Advisory Committee Coordinator
Memo No. 3184