

AGENDA

Board of Directors Meeting

April 1, 2015

*******Start Time: 10:00 a.m. (CLOSED SESSION)*******
1170 W. 3rd Street, San Bernardino, CA 92410, 2nd Fl. (The Super Chief)

******Convene Regular Meeting at 10:30 a.m.******
1st Floor Lobby

LOCATION

San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA

Board of Directors

President

L. Dennis Michael, Mayor
City of Rancho Cucamonga

Vice-President

Ryan McEachron, Council Member
City of Victorville

Rich Kerr, Mayor
City of Adelanto

Curt Emick, Council Member
Town of Apple Valley

Julie McIntyre, Mayor
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Ed Graham, Council Member
City of Chino Hills

Frank Navarro, Council Member
City of Colton

Michael Tahan, Mayor Pro Tem
City of Fontana

Darcy McNaboe, Mayor
City of Grand Terrace

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Mayor
City of Highland

Rhodes "Dusty" Riggsby, Mayor
City of Loma Linda

Paul Eaton, Mayor
City of Montclair

Edward Paget, Mayor
City of Needles

Alan Wapner, Mayor Pro Tem
City of Ontario

Jon Harrison, Mayor Pro Tem
City of Redlands

Deborah Robertson, Mayor
City of Rialto

R. Carey Davis, Mayor
City of San Bernardino

Joel Klink, Mayor
City of Twentynine Palms

Ray Musser, Mayor
City of Upland

Dick Riddell, Council Member
City of Yucaipa

George Huntington, Mayor
Town of Yucca Valley

Robert A. Lovingood, Supervisor
County of San Bernardino

Janice Rutherford, Supervisor
County of San Bernardino

James Ramos, Supervisor
County of San Bernardino

Curt Hagman, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Vacant, Caltrans
Ex-Officio Member

Ray Wolfe, *Executive Director*

Eileen Teichert, *SANBAG Counsel*

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

AGENDA

**Board of Directors
April 1, 2015**

*****10:00 a.m. (CLOSED SESSION)***
1170 W. 3rd St., 2nd Fl. (The Super Chief)
San Bernardino, CA**

CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code Section 54956.9(d)(1)
San Bernardino County Transportation Commission v. Affaitati LLC, et al
San Bernardino Superior Court Case No. CIVDS 1304981

- 2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code Section 54956.8
Property: 133 S. E St., San Bernardino (APN 0136-121-33)
Agency negotiator: Mitch Alderman
Negotiating parties: Miranda Family Holdings LLC
Under negotiation: Price and terms of payment

- 3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation – 1 case pursuant to Government Code Section 54956.9(d)(4)

- 4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code Section 54956.9(d)(1) – 2 cases
 - a. *In re: City of San Bernardino*
U.S. Bankruptcy Court, Central District of California, Case No.: 6.12-bk-28006-MJ
 - b. *City of Colton v. San Bernardino Associated Governments, State of California and Caltrans*
San Bernardino Superior Court Case No. CIVDS1417765

- 5. CONFERENCE WITH LABOR NEGOTIATOR**
Pursuant to Government Code Section 54957.6
Agency Designated Representative: Raymond Wolfe
Regarding: Unrepresented Employees of SANBAG

- 6. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code Section 54957
Employee title: Executive Director

- 7. CONFERENCE WITH LABOR NEGOTIATOR**
Pursuant to Government Code Section 54957.6
Agency Designated Representative: L. Dennis Michael
Regarding: Raymond Wolfe, Executive Director

**** Convene Regular Meeting at 10:30 a.m. ****
1170 W. 3rd Street, 1st Floor Lobby, San Bernardino

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

CALL TO ORDER

(Meeting Chaired by L. Dennis Michael)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- Calendar of Events**
- iv. Agenda Notices/Modifications

Possible Conflict of Interest Issues

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

1. Information Relative to Possible Conflict of Interest

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

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

CONSENT CALENDAR

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up immediately following the vote on the Consent Calendar.

Consent - Administrative Matters

2. January/February 2015 Procurement Report

Receive the January/February 2015 Procurement Report.

Bill Stawarski

This item was received by the General Policy Committee on March 11, 2015.

3. Budget to Actual Report for second quarter ending December 31, 2014

Receive and file Budget to Actual Report for second quarter ending December 31, 2014.

Bill Stawarski

This item was received by the General Policy Committee on March 11, 2015.

4. Review Financial Audit for Transit Operator

Review and receive the financial report for Barstow Area Transit for Fiscal Year 2012/2013.
Bill Stawarski

This item was reviewed by the Commuter Rail and Transit Committee on March 12, 2015 as well as the Mountain/Desert Policy Committee on March 20, 2015.

5. Review Financial Audits for Transit Operators

Review and receive the following Operator financial reports for Fiscal Year 2013/2014:

- Mountain Area Regional Transit Authority
- Morongo Basin Transit Authority
- Valley Transportation Services
- Barstow Area Transit
- Victor Valley Transit Authority
- Omnitrans

Bill Stawarski

This item was reviewed by the Commuter Rail and Transit Committee on March 12, 2015 as well as the Mountain/Desert Policy Committee on March 20, 2015. Each Operator has or is scheduled to present the financial reports to their respective board.

6. Measure I Local Pass-Through Compliance Audits for Fiscal Year 2013/2014

Review and receive the Measure I Audit Reports of Local Pass-Through Funds for the year ended June 30, 2014.

Bill Stawarski

This item was reviewed and received by the General Policy Committee on March 11, 2015.

7. San Bernardino Santa Fe Depot Property and Facility Management

A. Authorize staff to release Request for Proposal 15-1001227 for Property Management/Facilities Management Services of the San Bernardino Santa Fe Depot.

B. Authorize the Executive Director and/or his designee to execute an amendment to extend the contract term for contract number C10164 to October 31, 2015, increasing the contract value by \$13,680 for a revised contract amount of \$223,440.

Duane Baker

This item was reviewed by the General Policy Committee on March 11, 2015 and unanimously recommended for approval. SANBAG's General Counsel and Procurement Manager have reviewed this item and the draft amendment.

Consent - Air Quality/Traveler Services

8. Update on the progress of the Inland Empire 511 system

Receive information on the progress of the Inland Empire 511 system since its launch in April 2010.

Duane Baker

This item was reviewed by the General Policy Committee on March 11, 2015.

Consent - Project Delivery

9. Release of Request for Proposals for Program Project Management and Other Technical Services

Approve circulation of Request for Proposals (RFP) No. 15-1001195 for Program Project Management and Technical Services.

Paula Beauchamp

This item was reviewed and recommended for approval (14-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the RFP.

10. Glen Helen Grade Separation Construction Cooperative Agreement Amendment

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve Amendment No. 1 to Construction Cooperative Agreement C12229 with the County of San Bernardino for the Glen Helen Grade Separation Project committing \$14,775,730 in SANBAG funding, including \$7,603,730 in Measure I 2010-2040 Valley Fund Major Street Bond funds.

Dennis Saylor

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. SANBAG General Counsel has reviewed this item and the amendment.

11. I-10 Pepper Avenue Project - Trade Corridor Improvement Funds

That the Board, acting in its capacity as the San Bernardino County Transportation Commission:

Authorize staff to submit an application to the California Transportation Commission (CTC) for programming and allocation of \$1,157,775 of Trade Corridor Improvement Fund (TCIF) funding to fund a cost increase on the Interstate 10 (I-10) Pepper Interchange Project.

Dennis Saylor

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015.

12. Express Lanes Tolling Policy and Toll Revenue Policy

That the Board, acting in its capacity as the San Bernardino County Transportation Commission:

Approve the Express Lane tolling policies included in Table 1, and approve the toll revenue policies included in Table 2.

John Meier

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on March 20, 2015.

13. Release Request for Proposal for US-395 Phase I Right-of-Way Services

That the Board, acting as the San Bernardino County Transportation Commission:

Approve the release of Request for Proposal No. 15-1001188 for Right-of-Way Services for the US-395 Phase I Project.

Paula Beauchamp

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on March 20, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the RFP.

Consent - Regional/Subregional Planning

14. Congestion Management Program Cost Allocation

That the Board, acting as the San Bernardino County Congestion Management Agency:

A. Approve the 2013/2014 Congestion Management Program Cost Allocation.

B. Approve Mountain/Desert Subarea Jurisdiction Invoicing for Shares.

Steve Smith

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on March 20, 2015.

15. Development Mitigation Annual Report for Fiscal Year Ending June 30, 2014

Receive information on the Development Mitigation Annual Report for Fiscal Year ending June 30, 2014.

Steve Smith

This item was reviewed and unanimously recommended for approval by the General Policy Committee on March 11, 2015.

Consent - Transit/Rail

16. January 2015 Right-of-Way Grants of Use Report

Receive the January 2015 Right-of-Way Grants of Use Report.

Mitch Alderman

This item was received by the Commuter Rail and Transit Committee on March 12, 2015.

17. Diesel multiple unit purchase options with TEX-Rail for the Redlands Passenger Rail Project

Authorize the Director of Transit and Rail to submit a letter to TEX Rail requesting they include a procurement option of diesel multiple units (DMU) for the Redlands Passenger Rail Project.

Mitch Alderman

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015.

18. Amendment to the San Bernardino Transit Center Funding Agreement with Omnitrans

That the Board, acting in its capacity as the San Bernardino County Transportation Commission:

A. Approve Amendment No.1 to Contract No. R14070 with Omnitrans for the San Bernardino Transit Center, increasing Omnitrans' contribution amount by \$1,900,000 for an amended not-to-exceed amount of \$22,661,690, with such revisions as may be approved by the Executive Director in consultation with General Counsel.

B. Approve a Fiscal Year 2014/2015 budget amendment to increase Task No. 0322, San Bernardino Transit Center by \$1,900,000 to be funded by Omnitrans.

Mitch Alderman

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015.

19. Amendment 3 to Contract No. C12077 with HDR Engineering, Inc.

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve Amendment No. 3 to Contract No. C12077 with HDR Engineering, Inc. for additional design services on the San Bernardino Transit Center Project, increasing the contract amount by \$292,636 for an amended not-to-exceed amount of \$4,910,933, and contingent on approval of an amendment to Contract No. R14070 with Omnitrans for the funding required for these additional design services. **Mitch Alderman**

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015. SANBAG General Counsel has reviewed this item and the contract amendment.

20. SANBAG Short Range Transit Plan

Receive the first four chapters of the SANBAG's Short Range Transit Plan (SRTP), including the public comments received, the draft goals and objectives, and provide direction to staff if necessary. **Mitch Alderman**

This item was received by the Commuter Rail and Transit Committee on March 12, 2015.

Consent - Transportation Programming and Fund Administration

21. Measure I Valley Major Street Program Allocation Planning for Fiscal Year 2015/2016

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve the following amounts for consideration in the SANBAG Fiscal Year 2015/2016 Budget for the Valley Major Street Arterial Sub-program and the Valley Major Street Project Advancement Program, which includes an increased allocation of \$988,118.68 to the Major Street Project Advancement Program from the Major Street Arterial Sub-program:

- Arterial Sub-program: \$8,632,275.59
- Major Street Project Advancement Program: \$10,560,651.29. **Andrea Zureick**

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015.

Consent Calendar Items Pulled for Discussion

Items removed from the Consent Calendar shall be taken under this item in the order they were presented on the agenda.

DISCUSSION ITEMS

Discussion - Air Quality/Traveler Services

22. Update on the Freeway Service Patrol Program and 2014 Freeway Service Patrol Driver Recognition Awards

Receive information pertaining to the San Bernardino Freeway Service Patrol Program, and the acknowledgement of the 2014 Top Driver and Drivers of Excellence Awards.

Duane Baker

This item was reviewed by the General Policy Committee on March 11, 2015.

Discussion - Administrative Matters

23. Lease of Unit No. 175 at the San Bernardino Santa Fe Depot

Receive and file.

Duane Baker

This item has not received prior policy committee or technical advisory committee review.

Discussion - Council of Governments

24. State and Federal Legislative Update

That the Board:

A. Receive Presentation by SANBAG's State Advocate, Delaney Hunter

B. Support and Work with Author(s) on AB 194 (Frazier, D-Oakley) and Trailer Bill Language proposed by the Administration related to statewide tolling authority.

C. Staff recommends that the Board of Directors support the following to help offset the drop in funding resulting from the reduction in gas excise tax revenues:

- Efforts to restore weight fees to the State Highway Account
- Expedited repayment of previous transportation loans
- Smooth out the annual gas tax calculation by requiring the calculation average the price across multiple years to reduce the impact of short-term spikes or drops in gas prices

This recommendation includes support for AB 4 (Linder, R-Corona) and SB 321 (Beall, D-San Jose), seeking to implement the concepts noted above.

Wendy Strack

This item was reviewed and unanimously recommended for approval by the General Policy Committee on March 11, 2015.

- 25. Presentation by Gary Madden, San Bernardino County 211, about the Stronger Hearts Helpline launch created by the National Forum for Heart Disease and Stroke Prevention in conjunction with San Bernardino County's existing 2-1-1 help line.**

Receive the information in the presentation and provide direction as appropriate.

Duane Baker

This item has not received prior policy or technical advisory committee review.

- 26. Property Assessed Clean Energy (PACE) Programs in California**

Receive and file the information.

Duane Baker

This item has not received prior policy committee or technical advisory committee review.

Discussion - Project Delivery

- 27. Amendment to Project Management Contract with Chad Costello**

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve Amendment No. 3 to Contract No. C10006, a sole source contract, with Mr. Chad Costello for the continuation of Project Management Services, for an additional \$820,000.00 for a revised not-to-exceed amount of \$1,735,000.00, and extend the contract term through August 31, 2018, with an option for a 2-year extension.

Paula Beauchamp

This item was reviewed and recommended for approval (14-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the amendment.

Discussion - Transit/Rail

- 28. Inland Empire 66ers Cooperation and Indemnity Agreement**

That the Board, acting in its capacity as the San Bernardino County Transportation Commission delegate authority to the Metro Valley Study Session to:

A. Authorize the Executive Director or his designee to execute a Cooperation and Indemnity Agreement between San Bernardino Associated Governments and the Inland Empire 66ers with the advice of and in form approved by the General Counsel.

B. Authorize the Executive Director or his designee to execute an administrative amendment to Contract No. C14001 with Shimmick Construction Company, indemnifying Shimmick Construction Company during the fireworks events designated in the agreement between the Inland Empire 66ers and San Bernardino Associated Governments with the advice of and in form approved by the General Counsel.

Mitch Alderman

This item has not received prior policy committee or technical advisory committee review.

29. BNSF Redlands Subdivision Transfer of Maintenance Agreement

That the Board, acting in its capacity as the San Bernardino County Transportation Commission delegate authority to the SANBAG Metro Valley Study Session to:

Authorize the Executive Director or his designee to execute an agreement between San Bernardino Associated Governments (SANBAG) and Burlington Northern Santa Fe (BNSF) to transfer maintenance of the Redlands Railroad Subdivision with the advice of and in form approved by the General Counsel.

Mitch Alderman

This item has not received prior policy committee or technical advisory committee review.

Discussion - Regional/Subregional Planning

30. Transportation Development Act Article 3 Phase 1 Awards

That the Board of Directors, acting in its capacity as the San Bernardino County Transportation Commission, award Phase 1 Transportation Development Act (TDA) Article 3 funds as local match assistance for Cycle 2 Active Transportation Program (ATP) grant applications in the amount of \$1,894,742 as identified in Attachment A to this item.

Steve Smith

This item has not had prior policy committee review. This item is scheduled for review by the Transportation Technical Advisory Committee (TTAC) on March 30, 2015.

Discussion - Transportation Programming and Fund Administration

31. Fiscal Year 2014/2015 Low Carbon Transit Operations Program - Population Share Apportionment & Allocation

That the Board, acting as the San Bernardino County Transportation Commission:

A. Approve a Low Carbon Transit Operations Program – Population Share Apportionment for Fiscal Year 2014/2015 of \$679,599 to be apportioned to the Valley and the Mountain/Desert Areas based on the 2014 California Department of Finance Population Data as follows:

- Valley Fiscal Year 2014/2015 Apportionment: \$493,234
- Mountain/Desert Fiscal Year 2014/2015 Apportionment: \$186,365

B. Allocate \$679,599 of Low Carbon Transit Operations Program – Population Share funding to the Downtown San Bernardino Passenger Rail Project for costs associated with operations and credit \$186,378 to the Mountain/Desert Areas for allocation out of future year Valley apportionments.

C. Adopt Resolution No. 14-035 Authorization for the Execution of the Certifications and Assurances for the Low Carbon Transit Operations Program.

Andrea Zureick

Recommendation A was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015. Recommendations B and C have not received prior policy committee or technical advisory committee review. SANBAG General Counsel has reviewed this item and the draft resolution.

Comments from Board Members

Brief Comments from Board Members

Executive Directors Comments

Brief Comments from the Executive Director

Public Comment

Brief Comments from the General Public

ADJOURNMENT

Additional Information

Attendance
SANBAG Entities
Acronym List

Agency Reports

South Coast Air Quality Management District Agency Report
Mobile Source Air Pollution Reduction Review Committee (*No agency report this month*)

Committee Membership

Representatives on SCAG Committees
SANBAG Committee Memberships

Mission Statement

Mission Statement

Meeting Procedures and Rules of Conduct

Meeting Procedures - The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility - The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the “Consent Calendar” and “Items for Discussion” contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

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

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a “Request to Speak” form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

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

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

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

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

Attendance.

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

Basic Agenda Item Discussion.

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

The Vote as specified in the SANBAG Bylaws.

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

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he/she would like to amend the motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

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

The Chair.

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

Courtesy and Decorum.

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

*Adopted By SANBAG Board of Directors January 2008
Revised March 2014*



Important Dates to Remember...

April 2015

SANBAG Meetings – Scheduled:			
General Policy Committee	Apr 8	9:00 am	The Super Chief
Commuter Rail/Transit Committee	Apr 9	9:00 am	SANBAG Lobby, 1 st Floor
Metro Valley Study Session	Apr 9	10:00 am	SANBAG Lobby, 1 st Floor
I-10/I-15 Corridor Joint Sub-Committee	Apr 9	10:30 am	SANBAG Lobby, 1 st Floor
Mountain/Desert Committee	Apr 17	9:30 am	Town of Apple Valley

For additional information, please call SANBAG at (909) 884-8276.

•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 1

Date: April 1, 2015

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

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

Background:

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

Closed Session #1 – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Ralph Affaitati

Closed Session #2 – CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Miranda Family Holdings; Jorge Miranda

Closed Session #3 – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Agri-Mix Transport, Inc.; Oralia Ornelas; Nationwide Insurance

Closed Session #4 – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- a. City of San Bernardino
- b. City of Colton

Closed Session #6 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Raymond Wolfe

Closed Session #7 – CONFERENCE WITH LABOR NEGOTIATOR

Raymond Wolfe

Entity: CMA, COG, CTA, CTC, SAFE

Consent/Discussion Calendar Items

Item No.	Contract No.	Principals & Agents	Subcontractors
7	C10164-05	CityCom <i>Mike Fortunato</i>	None
19	C12077	HDR Engineering, Inc. <i>Robert Klovsky</i>	ICF Jones and Stokes Iteris Pac Engineering Project Design Consultants Group Delta Birge
27	C10006	Chad Costello	None
28	TBD	Inland Empire 66ers <i>Joe Hudson</i>	None
28	C14001	Shimmick Construction Company, Inc. <i>Paul Camaur</i>	Allied Steel Co., Inc. Marina Landscape, Inc. Innovative Concrete & Engineering Giroux Glass Winegardner Masonry Excelsior Elevator Fencecorp Inc. Ellis Excavating Gerdau Eberhard EMC Rutherford Co., Inc. M.B. Herzog Electric Hardy & Harper, Inc.
29	TBD	Burlington Northern Santa Fe <i>Greg J. Rousseau</i>	None

Financial Impact:

This item has no direct impact on the SANBAG budget.

Reviewed By:

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

Responsible Staff:

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 2

Date: April 1, 2015

Subject:

January/February 2015 Procurement Report

Recommendation:

Receive the January/February 2015 Procurement Report.

Background:

The Board of Directors adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on March 12, 2014. On February 6, 2013, the Board of Directors authorized the Executive Director, or designee, to approve: a) contracts and purchase orders up to \$100,000 and for purchase orders originally \$100,000 or more, increasing the purchase order amount up to 10% of the original purchase order value, not to exceed \$25,000; b) amendments with a zero dollar value; c) amendments to exercise the option term if the option term was approved by the Board of Directors in the original contract; and d) amendments that cumulatively do not exceed 50% of the original contract value or \$100,000, whichever is less and to release Request for Proposal (RFP), Request for Quote (RFQ) and Invitation for Bid (IFB) for proposed contracts from which funding has been approved in San Bernardino Associated Governments (SANBAG's) Annual Budget, and which are estimated not-to-exceed \$1,000,000. SANBAG staff has compiled this report that summarizes all contract actions approved by the Executive Director, or designee.

On July 11, 2012, the Board of Directors authorized SANBAG's General Counsel to award and execute legal services contracts up to \$50,000 with outside counsel as needed on behalf of SANBAG and its authorities organized under the umbrella of the Council of Governments. Also, periodically notify the Board after exercising such authority.

A list of all Contracts and Purchase Orders that were executed by the Executive Director and/or General Counsel during the months of January and February is presented herein as Attachment A, and all RFPs and IFBs are presented in Attachment B.

Financial Impact:

This item imposes no impact on the Fiscal Year 2014/2015 budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy (Policy No. 11000).

Reviewed By:

This item was received by the General Policy Committee on March 11, 2015.

Responsible Staff:

Bill Stawarski, Chief Financial Officer

Entity: CMA, COG, CTA, CTC, SAFE

Board of Directors Agenda Item
April 1, 2015
Page 2

Approved
Board of Directors
Date: April 1, 2015
Witnessed By:

Attachment A January/February Contract Actions

New Contracts Executed:

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount	Description of Overall Program
None				

Attachment: BRD1504a1-wws (1806 : Procurement Report)

Attachment A

January/February Contract Amendment Actions

Contract Amendments Executed:

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended Contract Total
C10079 Amendment 8	To extend the contact to continue design support through the duration of construction period. Project: Downtown San Bernardino Passenger Rail Project Design and Environmental Clearance Services	HDR Engineering, Inc.	Original \$6,990,150.00 Amendment 1 \$1,021,704.00 Amendment 2 \$2,962,795.00 Amendment 3 \$3,745,709.00 Amendment 4 \$8,995,000.00 Amendment 5 \$3,924,694.00 Amendment 6 \$2,649,300.00 Amendment 7 \$2,183,924.00	\$0.00	\$32,473,276.00
C10193 Amendment 5	Extended the contract by four months while the RFP was in process. Project: Disadvantaged Business Enterprise Goal Preparation and Additional DBE services.	GCAP Services	Original \$25,000.00 Amendment 1 \$25,000.00 Amendment 2 \$25,000.00 Amendment 3 \$25,000.00 Amendment 4 \$0.00	\$0.00	\$100,000.00
C11185 Amendment 2	Extended the contract by one year because the construction phase was delayed and assistance for project closeout and claim resolution process is necessary.	Caltrop	Original \$2,808,236.00 Amendment 1 (\$125,000.00)	\$0.00	\$2,683,236.00

Attachment: BRD1504a1-wws (1806 : Procurement Report)

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended Contract Total
C11002 Amendment 3	Increase contract to allow for additional structural engineering services and preparation of final design plans. A&E Services for SR-210 Pepper Avenue Interchange Project.	Civil Works Engineers	Original \$1,824,304.00 Amendment 1 \$0.00 Amendment 2 \$286,509.02	\$66,212.16	\$2,177,025.18
C11213 Amendment 5	Added additional months to the Midday Construction at Caltrans request, there is sufficient budget in the contract for this work. Project: Freeway Service Patrol Beat #6 and Midday Construction	Pepe's Towing Service, Inc.	Original \$560,252.00 Amendment 1 \$63,529.00 Amendment 2 \$200,800.00 Amendment 3 \$36,504.00 Amendment 4 \$196,200.00	\$0.00	\$1,057,285.00
C12194 Amendment 3	Exercised the first year option of the contact to increase the not-to-exceed amount and extended the contract by one year. Project: Financial and Compliance Auditing Services for Transit Providers	Vavrinek, Trine, Day, & Co	Original \$651,750.00 Amendment 1 \$35,000.00 Amendment 2 \$37,400.00	\$165,000.00	\$889,150.00
C12195 Amendment 2	Exercised the first year option of the contact to increase the not-to-exceed amount and extended the contract by one year. Project: Financial and Compliance Auditing Services for TDA Claimants and Measure I Local Pass-Through Revenue Recipients	Vavrinek, Trine, Day, & Co	Original \$583,050.00 Amendment 1 \$0.00	\$205,000.00	\$788,050.00

Attachment: BRD1504a1-wws (1806 : Procurement Report)

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended Contract Total
R14157 Amendment 2	Extended the expiration date by four months to allow for project completion. Project: Entry permit/agreement applicable to the City of Rialto, Rialto Bike agreement.	Sully-Miller Contracting Company	Original \$1,500.00 Amendment 1 \$560.00	\$560.00	\$2,620.00

Attachment: BRD1504a1-wws (1806 : Procurement Report)

Attachment A

January/February Contract Task Order Actions

Contract Task Order (CTO) Executed:

Contract No. & CTO No.	Description of CTO	Vendor Name	Contract Amount	Previously Issued CTOs	Dollar Amount of CTO
C14185 CTO 3	Temporary Receptionist Employee to assist with the front desk	AppleOne	\$1,000,000.00 Shared with JM Staffing (C14134) and Materials and Contracts (C14184)	CTO 2 \$32,000.00	\$6,000.00
C12238 CTO 13	Pre award audit for SR60 Central	Bazilio Cobb Associates	\$250,000.00	CTO 1 \$60,608.04 CTO 2 \$5,775.00 CTO 3 \$7,645.00 CTO 4 \$1,640.00 CTO 5 \$13,975.00 CTO 6 \$19,450.00 CTO 7 \$13,975.00 CTO 8 \$8,850.00 CTO 9 \$8,755.00 CTO 10 \$10,950.00 CTO 11 \$9,100.00 CTO 12 \$4,260.00	\$8,360.00

Attachment: BRD1504a1-wws (1806 : Procurement Report)

Attachment A January/February Purchase Order Actions

Purchase Orders:

PO No.	PO Issue Date	Vendor Name	Description of Services	PO Dollar Amount
None				
Total				\$0

Attachment: BRD1504a1-wws (1806 : Procurement Report)

Attachment A

January/February Purchase Order Amendment Actions

Purchase Order Amendments Executed:

Purchase Order No. & Amendment No.	Description of Services and Reason for Amendment	Vendor Name	Previous Amendments & Dollar Values	Dollar Amount of Amendment	Amended PO Total
None					

Attachment: BRD1504a1-wws (1806 : Procurement Report)

Attachment B

January/February RFPs and IFBs

Release of RFP's and IFB's

Release Date	RFP/IFB No.	Description of Services	Anticipated Dollar Amount	Anticipated Award Date	Description of Overall Program and Program Budget
2/5/15	RFP15-1001099	Transportation Development Act Program Update and Database Development	\$243,000.00	May 2015	Transportation Development Act Program Update and Database Development which is part of SANBAG updating its policies, procedures, and procedural documents related to TDA.
				Total	\$243,000.00

Attachment: BRD1504a2-wws (1806 : Procurement Report)



•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
 •San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 3

Date: *April 1, 2015*

Subject:

Budget to Actual Report for second quarter ending December 31, 2014

Recommendation:

Receive and file Budget to Actual Report for second quarter ending December 31, 2014.

Background:

SANBAG's Budget for Fiscal Year 2014/2015 for new activity was adopted by the Board of Directors on June 4, 2014. This report provides a summary of program activity and task activity compared to Budget. Budgetary information includes the original and revised budgets, and year-to-date expenditures.

Financial Impact:

This item reports the status of expenditures against budget and imposes no financial impact on the Fiscal Year 2014/2015 Budget.

Reviewed By:

This item was received by the General Policy Committee on March 11, 2015.

Responsible Staff:

Bill Stawarski, Chief Financial Officer

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

Entity: CMA, COG, CTA, CTC, SAFE

**San Bernardino Associated Governments
Budget to Actual Report: July 2014 - December 2014
Fiscal Year 2014/2015**

AIR QUALITY & TRAVELER SERVICES PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK	% OF BUDGET
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0102	Air Quality Activities	533,342	-	-	533,342	52,243	481,099	9.80%
0406	Traveler Services	2,221,512	-	18,817	2,202,695	307,896	1,894,799	13.98%
0702	Call Box System	1,451,691	20,000	5,549	1,466,142	344,200	1,121,941	23.48%
0704	Freeway Service Patrol/State	2,749,293	-	5,083	2,744,210	724,262	2,019,949	26.39%
0706	Intelligent Transportation Systems	64,260	(20,000)	-	44,260	2,830	41,430	6.39%
TOTAL AIR QUALITY & TRAVELER SERVICES PROGRAM		7,020,098	-	29,449	6,990,649	1,431,431	5,559,218	20.48%

TRANSPORTATION PLANNING & PROGRAMMING PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK	% OF BUDGET
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0110	Regional Planning	543,056	-	-	543,056	222,256	320,800	40.93%
0203	Congestion Management	311,314	-	-	311,314	32,862	278,452	10.56%
0213	High Desert Corridor Studies	10,000	-	-	10,000	-	10,000	0.00%
0401	Metrolink Station Accessibility Improve	-	250,000	-	250,000	-	250,000	0.00%
0402	Safe Routes to School Plan	-	400,000	-	400,000	-	400,000	0.00%
0403	Point of Interest Pedestrian Plan	-	400,000	-	400,000	-	400,000	0.00%
0404	Subregional Planning	2,995,455	-	24,987	2,970,468	507,479	2,462,988	17.08%
0941	Mt./Desert Planning & Project Development	167,895	-	-	167,895	46,964	120,931	27.97%
TOTAL TRANSPORTATION PLANNING & PROGRAMMING PROGRAM		4,027,720	1,050,000	24,987	5,052,733	809,561	4,243,172	16.02%

GENERAL - COUNCIL OF GOVERNMENTS SUPPORT PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK	% OF BUDGET
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0104	Intergovernmental Relations	508,103	-	20,000	488,103	183,989	304,114	37.69%
0490	Council of Governments New Initiatives	422,275	-	-	422,275	-	422,275	0.00%
0492	Joint Solar Purchase Agreement	647,237	-	-	647,237	1,120	646,117	0.17%
0495	Green House Gas	148,050	-	-	148,050	3,162	144,888	2.14%
0503	Legislation	575,069	-	200	574,869	219,691	355,178	38.22%
0601	County Transportation Commission-General	331,540	-	2,000	329,540	72,197	257,343	21.91%
0605	Publications & Public Outreach	796,303	-	-	796,303	96,397	699,906	12.11%
0708	Property Assessed Clean Energy	1,828,244	-	-	1,828,244	301,698	1,526,546	16.50%
0805	Building Operations & Maintenance	37,763	-	-	37,763	14,125	23,638	37.40%
0942	Financial Management	240,324	-	8,641	231,683	63,979	167,704	27.62%
TOTAL COUNCIL OF GOVERNMENTS SUPPORT PROGRAM		5,534,908	-	30,841	5,504,067	956,358	4,547,709	17.38%

TRANSIT & PASSENGER RAIL PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK	% OF BUDGET
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0309	General Transit	442,238	-	-	442,238	215,965	226,273	48.83%
0310	Transit Operating	8,832,028	-	6,288,198	2,543,830	2,542,673	1,157	99.95%
0311	Transit Capital	3,633,997	-	392,623	3,241,374	2,412,640	828,734	74.43%
0322	San Bernardino Transit Center	14,544,211	783,374	138,268	15,189,317	5,518,300	9,671,017	36.33%
0323	Downtown San Bernardino Passenger Rail	48,372,836	(118,606)	3,722,091	44,532,139	4,863,642	39,668,497	10.92%
0324	Redlands Passenger Rail	21,720,276	-	238,918	21,481,358	271,261	21,210,097	1.26%
0325	San Gabriel Subdivision Line Improvements	4,407,742	-	232,073	4,175,669	70,850	4,104,819	1.70%
0352	General Commuter Rail	2,082,616	-	297,147	1,785,469	474,206	1,311,263	26.56%
0377	Commuter Rail Operating Expenses	13,221,730	-	4,945,845	8,275,885	7,130,612	1,145,273	86.16%
0379	Commuter Rail Capital Expenses	1,051,217	1,455,400	250,270	2,256,347	65,289	2,191,058	2.89%
0383	Vanpool Program	-	642,000	-	642,000	-	642,000	0.00%
TOTAL TRANSIT & PASSENGER RAIL PROGRAM		118,308,891	2,762,168	16,505,432	104,565,627	23,565,438	81,000,189	22.54%

Attachment: December 2014 Budget vs Actual (1805 : Budget to Actual Report second quarter ending

MAJOR PROJECT DELIVERY PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL BUDGET	AMENDMENTS	ENCUMBRANCES	REVISED BUDGET	EXPENDITURES	TASK BALANCE	% OF BUDGET EXPENDED
0701	Valley Signal Coordination	383,182	-	1,722	381,460	66,089	315,371	17.33%
0803	SR 210 Baseline Road Interchange	785,654	(30,000)	-	755,654	57,678	697,976	7.63%
0815	Measure I Program Management	5,704,352	(33,063)	21,072	5,650,217	1,516,188	4,134,029	26.83%
0817	SR 60 Sound Wall	5,405	-	-	5,405	-	5,405	0.00%
0820	SR 210 Final Design	20,000	-	-	20,000	9,632	10,368	48.16%
0822	SR 210 Right of Way Acquisition	1,005,405	-	-	1,005,405	(255,265) *	1,260,670	-25.39%
0824	SR 210 Construction	2,308,497	-	43,241	2,265,256	371,764	1,893,492	16.41%
0825	I-10 Corridor Project Development	7,036,212	11,593	-	7,047,805	1,631,667	5,416,138	23.15%
0826	I-10 Citrus/Cherry Interchanges	23,601,345	1,206,769	42,220	24,765,894	8,607,166	16,158,728	34.75%
0830	I-215 San Bernardino/Riverside Project Development	5,405	-	-	5,405	-	5,405	0.00%
0834	I-215 Final Design	25,405	-	-	25,405	88	25,317	0.35%
0836	I-215 Right of Way Acquisition	105,405	-	-	105,405	-	105,405	0.00%
0838	I-215 Construction	13,486,874	4,362	40,623	13,450,613	659,099	12,791,515	4.90%
0839	I-215 Bi- County HOV Gap Closure Project	21,392,576	-	-	21,392,576	4,422,678	16,969,898	20.67%
0840	I-215 Barton Road Interchange	17,167,249	-	-	17,167,249	257,149	16,910,100	1.50%
0841	I-10 Riverside Interchange	313,711	8,000	-	321,711	139,769	181,942	43.45%
0842	I-10 Tippecanoe Interchange	24,601,520	(142,777)	1,464	24,457,279	320,852	24,136,427	1.31%
0845	Mt. Vernon/Washington Interchange	5,947,492	(8,000)	-	5,939,492	142,395	5,797,097	2.40%
0850	Alternative Project Financing	2,207,436	(22,192)	-	2,185,244	127,086	2,058,158	5.82%
0851	I-10/Monte Vista Avenue Interchange	508,106	-	-	508,106	-	508,106	0.00%
0852	I-15 Corridor Improvement	3,395,264	-	-	3,395,264	101,286	3,293,978	2.98%
0853	I-215 University Pkwy/State Street Interchange	358,106	-	-	358,106	-	358,106	0.00%
0854	I-10 EB Truck Climb/Live Oak to County Line	575,133	-	-	575,133	9,095	566,038	1.58%
0862	I-10 Westbound Lane Addition - Yucaipa	147,311	-	-	147,311	15,847	131,464	10.76%
0869	Glen Helen Parkway Grade Separation	3,721,621	-	-	3,721,621	899	3,720,722	0.02%
0870	Hunts Lane Grade Separation	3,032,932	1,101,676	-	4,134,608	2,241,873	1,892,735	54.22%
0871	State St./University Parkway Grade Separation	6,905	-	-	6,905	-	6,905	0.00%
0874	Palm Avenue Grade Separation	12,327,659	4,010,576	-	16,338,235	3,014,816	13,323,419	18.45%
0876	South Milliken Avenue Grade Separation	5,974,306	-	-	5,974,306	12,865	5,961,441	0.22%
0877	Vineyard Avenue Grade Separation	8,078,053	(90,000)	-	7,988,053	8,798	7,979,255	0.11%
0879	Colton Crossing BNSF/UPRR Grade Separation	37,011	-	-	37,011	3,385	33,626	9.15%
0880	I-15/I-215 Devore Interchange	17,721,729	1,078,000	22,699	18,777,030	2,693,623	16,083,407	14.35%
0881	Lenwood Avenue Grade Separation	19,455,328	5,004,268	45,140	24,414,456	3,794,833	20,619,623	15.54%
0882	North Milliken Avenue Grade Separation	5,518,405	-	5,510,014	8,391	68	8,323	0.80%
0883	SR 210 Pepper Avenue Interchange	2,556,983	(11,676)	-	2,545,307	119,108	2,426,199	4.68%
0884	Laurel Avenue Grade Separation	20,923,859	5,117,388	46,140	25,995,107	5,251,242	20,743,865	20.20%
0885	9th Street Rail Improvements	3,032,432	-	-	3,032,432	3,741	3,028,691	0.12%
0886	Colton Quiet Zone Project	51,621	3,000,000	5,000	3,046,621	1,910,273	1,136,348	62.70%
0887	SR 210 Lane Addition	1,276,198	-	-	1,276,198	93,030	1,183,168	7.29%
0888	I-15 La Mesa/Nisqualli Interchange	130,811	15,000	-	145,811	348	145,463	0.24%
0890	I-15 Ranchero Interchange	14,146,552	-	-	14,146,552	6,724,528	7,422,024	47.53%
0891	US 395 Widen SR-18/Chamberlaine/Adelanto	4,022,159	(1,200,000)	-	2,822,159	-	2,822,159	0.00%
0892	I-15 Baseline Interchange Improvement	30,056,203	(928,000)	-	29,128,203	421,912	28,706,291	1.45%
0893	State Route 60 Central Avenue Interchange	382,269	-	-	382,269	8,127	374,142	2.13%
0894	State Route 60 Archibald Avenue Interchange	345,538	-	-	345,538	10,758	334,780	3.11%
0895	I-10 Alabama Street Interchange	381,485	-	-	381,485	-	381,485	0.00%
0896	I-10 Pepper Avenue Interchange	564,698	(106,922)	-	457,776	224,921	232,855	49.13%
0897	I-10 Cedar Avenue Interchange	6,805,620	15,000	-	6,820,620	8,555	6,812,065	0.13%
0898	I-10 Mount Vernon Avenue Interchange	350,000	-	-	350,000	-	350,000	0.00%
0899	I-10 University Street Interchange	509,790	-	-	509,790	14,822	494,968	2.91%
TOTAL MAJOR PROJECT DELIVERY PROGRAM		292,497,212	18,000,002	5,779,335	304,717,879	44,762,789	259,955,090	14.69%

Attachment: December2014 BudgetvsActual (1805 : Budget to Actual Report second quarter ending

TRANSPORTATION FUND ADMINISTRATION PROGRAM

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK	% OF BUDGET
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0373	Federal/State Fund Administration	645,205	-	4,375	640,830	254,944	385,886	39.78%
0500	Transportation Improvement Program	378,748	-	-	378,748	131,894	246,854	34.82%
0501	Federal Transit Act Programming	134,777	-	125	134,652	88,330	46,322	65.60%
0502	TDA Administration	872,632	-	120	872,512	200,740	671,772	23.01%
0504	Measure I Administration	582,452	-	9,600	572,852	181,414	391,438	31.67%
0506	Local Transportation Fund	63,196,177	-	63,164,672	31,505	-	31,505	0.00%
0507	State Transit Assistance Fund	23,678,391	-	-	23,678,391	-	23,678,391	0.00%
0515	Measure I Valley Apportionment & Allocation	18,624,346	-	18,451,821	172,525	172,525	-	100.00%
0516	Measure I Mountain/Desert Apportionment & Allocation	18,730,337	-	14,509,057	4,221,280	1,666,470	2,554,810	39.48%
0609	Strategic Planning/Delivery Planning	490,857	-	-	490,857	56,621	434,236	11.54%
0610	Measure I 2010-2040 Project Advancement	11,397,102	-	51,724	11,345,378	12,910	11,332,468	0.11%
0615	Measure I Local Stimulus	-	-	-	-	-	-	0.00%
0918	Measure I Local Pass-through	40,031,700	-	-	40,031,700	13,122,576	26,909,123.82	32.78%
TOTAL TRANSPORTATION FUND ADMINISTRATION PROGRAM		178,762,724	-	96,191,494	82,571,230	15,888,423	66,682,807	19.24%

DEBT SERVICE

TASK#	TASK DESCRIPTION	ORIGINAL			REVISED		TASK	% OF BUDGET
		BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
0965	2012 A Sales Tax Revenue Bond	6,076,840	-	-	6,076,840	4,207,034	1,869,806	69.23%
0966	2014 A Sales Tax Revenue Bond	5,505,842	-	-	5,505,842	-	5,505,842	0.00%
TOTAL DEBT SERVICE PROGRAM		11,582,682	-	-	11,582,682	4,207,034	7,375,648	36.32%

GRAND TOTAL ALL PROGRAMS	617,734,235	21,812,170	118,561,538	520,984,867	91,621,035	429,363,832	17.59%
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CONSOLIDATED BY PROGRAM

PROGRAM DESCRIPTION	ORIGINAL			REVISED		PROGRAM	% OF BUDGET
	BUDGET	AMENDMENTS	ENCUMBRANCES	BUDGET	EXPENDITURES	BALANCE	EXPENDED
AIR QUALITY & TRAVELER SERVICES PROGRAM	7,020,098	-	29,449	6,990,649	1,431,431	5,559,218	20.48%
TRANSPORTATION PLANNING & PROGRAMMING PROGRAM	4,027,720	1,050,000	24,987	5,052,733	809,561	4,243,172	16.02%
GENERAL - COUNCIL OF GOVERNMENTS SUPPORT PROGRAM	5,534,908	-	30,841	5,504,067	956,358	4,547,709	17.38%
TRANSIT & PASSENGER RAIL PROGRAM	118,308,891	2,762,168	16,505,432	104,565,627	23,565,438	81,000,189	22.54%
MAJOR PROJECT DELIVERY PROGRAM	292,497,212	18,000,002	5,779,335	304,717,879	44,762,789	259,955,090	14.69%
TRANSPORTATION FUND ADMINISTRATION PROGRAM	178,762,724	-	96,191,494	82,571,230	15,888,423	66,682,807	19.24%
DEBT SERVICE PROGRAM	11,582,682	-	-	11,582,682	4,207,034	7,375,648	36.32%
GRAND TOTAL ALL PROGRAMS	617,734,235	21,812,170	118,561,538	520,984,867	91,621,035	429,363,832	17.59%

*Reimbursement for legal fees as a credit to expenditure account, but expenditure was incurred in prior year.

NOTES: Certain budget appropriations represent timing of capital expenditures and can be expended over several years.
Measure I Local pass through includes reversal of prior Fiscal Year accruals.

Attachment: December 2014 Budget vs Actual (1805 : Budget to Actual Report second quarter ending

Minute Action

AGENDA ITEM: 4

Date: April 1, 2015

Subject:

Review Financial Audit for Transit Operator

Recommendation:

Review and receive the financial report for Barstow Area Transit for Fiscal Year 2012/2013.

Background:

Public Utility Code 99245.2, Single Audit Act, and the U.S. Office of Management and Budget (OMB) require an annual audit be conducted of SANBAG and its affiliated organizations: Barstow Area Transit (BAT), Mountain Area Regional Transit Authority (MARTA), Morongo Basin Transit Authority (MBTA), Needles Area Transit (NAT), Omnitrans, Valley Transportation Services (Vtrans), and Victor Valley Transit Authority (VVTa).

This item presents the results of audit performed for BAT. The audits of the financial statements for Fiscal Year 2012/2013 were performed by Vavrinek Trine and Day Co., LLC (VTD) and an unmodified opinion was issued. Attachment A is Schedule of Finding and Response and Schedule of Prior Year Finding.

The following recommendation is provided to improve internal controls:

- The City did not meet the required fare ratio of 10%.
Corrective Action: The City concurs with the finding and it is due to the added cost of providing service to rural Dial-A-Ride impacts the City's ability to meet the 10% farebox recovery ratio.

Financial Impact:

This item has no financial impact on the SANBAG Fiscal Year 2014/2015 Budget.

Reviewed By:

This item was reviewed by the Commuter Rail and Transit Committee on March 12, 2015 as well as the Mountain/Desert Policy Committee on March 20, 2015.

Responsible Staff:

Bill Stawarski, Chief Financial Officer

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

Entity: CTA, CTC

**CITY OF BARSTOW, CALIFORNIA
TRANSPORTATION DEVELOPMENT ACT FUNDS**

**SCHEDULE OF FINDING AND RESPONSE
YEAR ENDED JUNE 30, 2013**

Finding 2013-01

FARE REVENUE RATIO

Criteria:

On July 1, 1993, SANBAG adopted Resolution 94-005 which requires the ratio of fare revenues to operating costs to be at least 10 percent.

Condition:

Fares as a percentage of operating costs were 7.57%.

Context:

The condition noted above was identified during compliance testing.

Effect:

The City did not meet the required fare ratio at June 30, 2013.

Cause:

The City did not maintain procedures to ensure this compliance requirement is met.

Recommendation:

We recommend that the City formalize policies and procedures to ensure that all compliance requirements are met in order to maintain funding.

View of Responsible Official and Planned Corrective Actions:

The City concurs with the finding. The City provides transit services, both Fixed Route and Dial-A-Ride services to the rural county residents, in addition to the residents of the City of Barstow. The farebox ratio of the fixed route service does meet the 10 percent farebox recovery; however, the added cost of providing service to rural Dial-A-Ride customers impacts the City's ability to achieve a 10 percent farebox recovery.

Two key factors affecting the cost per Dial-A-Ride passenger are:

- 1) Fixed route buses use lower cost compressed natural gas while smaller Dial-A-Ride vehicle use higher cost unleaded fuel, and
- 2) The service area covers 653 square miles; the City of Barstow service area is only 41.394 square miles.

**CITY OF BARSTOW, CALIFORNIA
TRANSPORTATION DEVELOPMENT ACT FUNDS**

**SCHEDULE OF PRIOR YEAR AUDIT FINDING
YEAR ENDED JUNE 30, 2013**

<u>Finding</u>	<u>Condition/Program</u>	<u>Status</u>
2012-01	Fares as a % of Operating Costs below Compliance Requirements	Not Implemented- See Finding 2013-01
2012-02	Bank Reconciliation Timeliness	Implemented

Minute Action

AGENDA ITEM: 5

Date: April 1, 2015

Subject:

Review Financial Audits for Transit Operators

Recommendation:

Review and receive the following Operator financial reports for Fiscal Year 2013/2014:

- Mountain Area Regional Transit Authority
- Morongo Basin Transit Authority
- Valley Transportation Services
- Barstow Area Transit
- Victor Valley Transit Authority
- Omnitrans

Background:

Public Utility Code 99245.2, Single Audit Act, and the U.S. Office of Management and Budget (OMB) require an annual audit be conducted of SANBAG and its affiliated organizations: Barstow Area Transit (BAT), Mountain Area Regional Transit Authority (MARTA), Morongo Basin Transit Authority (MBTA), Needles Area Transit (NAT), Omnitrans, Valley Transportation Services (Vtrans), and Victor Valley Transit Authority (VVTA).

This item presents the results of audits performed for all agencies, except NAT. The audits of the financial statements for Fiscal Year 2013/2014 were performed by Vavrinek Trine and Day Co., LLC (VTD) and an unmodified opinion was issued to each transit operator. Attachment A includes SAS 114 Letters.

Report/Letter	MARTA	VVTA	MBTA	Vtrans	BAT	OMNITRANS
CAFR						X
Basic Financial Report	X	X	X	X		
SAS 114 Letter	X	X	X	X		X
Single Audit Report	X	X	X			X
Prop 1B						X
IDES Report						X
TDA Fund					X	

The following recommendations are provided to improve internal controls:

VVTA:

- Implement formal procedures to approve and review journal entries.

Entity: CTA, CTC

Board of Directors Agenda Item

April 1, 2015

Page 2

- Implement process to track investments for compliance with the California Government Code.

Corrective Actions: VVTA implemented policy to review journal entries upon hiring additional accounting staff person as of March 1, 2014. VVTA will implement policies and procedures to prevent noncompliance with the California Government Code.

MARTA:

- Deposits of funds are not collateralized since the account was established as commercial, and not public entity.

Corrective Action: MARTA converted the bank account to public entity on November 17, 2014.

BAT:

- The City did not meet the required fare ratio of 10%.

Corrective Action: The City concurs with the finding and it is due to the added cost of providing service to rural Dial-A-Ride which impacts the City's ability to meet the 10% farebox recovery ratio.

OMNITRANS:

- Procedures to monitor compliance with TDA, Section 6634 were not maintained. This resulted in reclassifying revenue to deferred revenue.

Corrective Action: Omnitrans will continue to inform SANBAG as surplus occurs, and record the surplus as unearned revenue.

Financial Impact:

This item has no financial impact on the SANBAG Fiscal Year 2014/2015 Budget.

Reviewed By:

This item was reviewed by the Commuter Rail and Transit Committee on March 12, 2015 as well as the Mountain/Desert Policy Committee on March 20, 2015. Each Operator has or is scheduled to present the financial reports to their respective board.

Responsible Staff:

Bill Stawarski, Chief Financial Officer

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:



Vavrinek, Trine, Day & Co., LLP
Certified Public Accountants

VALUE THE DIFFERENCE

Board of Directors
Mountain Area Regional Transit Authority
Big Bear, California

We have audited the financial statements of the Mountain Area Regional Transit Authority (MARTA) for the year ended June 30, 2014. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 11, 2014. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by MARTA are described in Note 2 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal period ending June 30, 2014. We noted no transactions entered into by MARTA during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements were:

- Management's estimate of the depreciation of capital assets is based upon the estimated useful lives of the related capital assets.
- Management's estimate of the self-insurance liabilities is based upon the annual statement provided by an external self-insurance administrator

We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- As described in Note 4 to the basic financial statements, MARTA has deposits with a financial institution that are not collateralized in accordance with Government Code Section 53601.
- As described in Note 11 to the financial statements, MARTA's primary banking relationship is with First Mountain Bank. One of the members of the Board of Directors is a branch manager for this banking institution.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 11, 2014.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the MARTA's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as MARTA's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Restriction on Use

This information is intended solely for the use of the Board of Directors and management of MARTA and is not intended to be, and should not be, used by anyone other than these specified parties.

Varrinck, Trine, Day, Co., LLP

Rancho Cucamonga, California
December 11, 2014



Vavrinek, Trine, Day & Co., LLP
Certified Public Accountants

VALUE THE DIFFERENCE

Board of Directors
Morongo Basin Transit Authority
Joshua Tree, California

We have audited the financial statements of the Morongo Basin Transit Authority (MBTA) for the year ended June 30, 2014. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 17, 2014. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by MBTA are described in Note 2 to the financial statements. MBTA adopted Governmental Accounting Standards Board Statement No. 65, *Items Previously Reported as Assets and Liabilities*, effective July 1, 2013. We noted no transactions entered into by MBTA during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the financial statements were:

- Management's estimate of the depreciation of capital assets is based upon the estimated useful lives of the related capital assets.
- Management's estimate of the costs allocated to the procurement and taxi operations.

We evaluated the key factors and assumptions used to develop the estimates in determining that it is reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure(s) affecting the financial statements was (were):

- The disclosure of procurement and taxi licensing activities in Note 3 of the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. No such misstatements were detected as a result of audit procedures.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 17, 2014.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Authority's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as MBTA's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the use of the Board of Directors and management of MBTA and is not intended to be, and should not be, used by anyone other than these specified parties.

Vaurmick, Tami, Day, Co., LLP

Rancho Cucamonga, California
December 17, 2014



Vavrinek, Trine, Day & Co., LLP
Certified Public Accountants

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Board of Directors
Valley Transportation Services
Upland, California

We have audited the financial statements of the Valley Transportation Services (VTrans) for the year ended June 30, 2014, and have issued our report thereon dated December 15, 2014. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated November 17, 2014. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by VTrans are described in Note 2 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year. We noted no transactions entered into by VTrans during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements was:

Management's estimate of the depreciation is based on estimated useful lives of the related capital assets. We evaluated the key factors and assumptions used to develop this estimate in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 15, 2014.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Organization's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as VTrans' auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the San Bernardino Associated Governments (SANBAG), the Board of Directors and management of VTrans and is not intended to be and should not be used by anyone other than these specified parties.

Vermorel, Tami, Day, Co., LLP

Rancho Cucamonga, California
December 15, 2014



Vavrinek, Trine, Day & Co., LLP
Certified Public Accountants

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To the Board of Directors
Victor Valley Transit Authority
Hesperia, California

We have audited the financial statements of the Victor Valley Transit Authority (VVTA) as of and for the year ended June 30, 2014, and have issued our reports thereon dated as indicated below:

<u>Report</u>	<u>Audit Report Date</u>
Basic Financial Statements with Independent Auditor's Report	January 9, 2015
Single Audit Report	January 9, 2015

Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by VVTA are described in Note 2 to the financial statements. As described in Note 2 of the financial statements, VVTA adopted Governmental Accounting Standards Board Statement No. 65, *Items Previously Reported as Assets and Liabilities*, effective July 1, 2013. No other new accounting policies were adopted and the application of existing policies was not changed during 2014. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements was:

Management's estimate of the depreciation of capital assets is based upon the estimated useful lives of the related capital assets. We evaluated the key factors and assumptions used in developing these estimates in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letters dated as follows:

Basic Financial Statements with Independent Auditor's Report	January 9, 2015
Single Audit Report	January 9, 2015

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures the management's discussion and analysis which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

Restriction on Use

This information is intended solely for the use of Board of Directors and management of the VVTA and is not intended to be, and should not be, used by anyone other than these specified parties.

Vawter, Tami, Day, Co., LLP

Rancho Cucamonga, California
January 9, 2015



Vavrinek, Trine, Day & Co., LLP
Certified Public Accountants

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Board of Directors
Omnitrans
San Bernardino, California

We have audited the financial statements of Omnitrans for the year ended June 30, 2014. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter dated May 7, 2014. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Omnitrans are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

- Management's estimate of investments at fair value. Changes in fair value that occur during the fiscal year are recognized as investment income reported for that fiscal year.
- Management's estimate of the risk management liability for incurred but not reported (IBNR) claims is based on an actuarial valuation and an 80% confidence level.
- Management's estimate of the depreciation of capital assets is based upon the estimated useful lives of the related capital assets.

We evaluated the key factors and assumptions used to develop depreciation estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. As a result of audit procedures, an adjustment to reduce current year revenue of approximately \$5.7M was proposed and posted by management.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 12, 2014.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the entity's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as Omnitrans' auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to Management's Discussion and Analysis and the Schedule of Funding Progress, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were not engaged to report on the Introductory Section or the Statistical Section, which accompany the financial statements but are not RSI. We did not audit or perform other procedures on this other information and we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the use of the Board of Directors and management of Omnitrans and is not intended to be and should not be used by anyone other than these specified parties.

Vavinich Train, Dog's Co, LLP
Rancho Cucamonga, California
December 12, 2014

Minute Action

AGENDA ITEM: 6

Date: April 1, 2015

Subject:

Measure I Local Pass-Through Compliance Audits for Fiscal Year 2013/2014

Recommendation:

Review and receive the Measure I Audit Reports of Local Pass-Through Funds for the year ended June 30, 2014.

Background:

Each year San Bernardino Associated Governments (SANBAG) provides for audits of all local jurisdictions receiving Measure I Local Pass-Through Funds, which are dedicated for transportation planning, design, construction, operation and maintenance only.

A financial examination is completed by an independent audit firm for activities during the previous fiscal year, including internal control systems of checks and balances. The examination must encompass both project expenditures and projects for which funds were received but not expended. A listing of all projects comparing actual revenues and expenses to the Measure I Five Year Capital Improvement Plan adopted by the local governing board and reported annually to SANBAG must be included with any interest earned. The report shall also contain an examination of expenditures, statement of revenue and expenses, and balance sheet for each Measure I special revenue fund.

Vavrinek, Trine, Day & Co, LLP (VTD) was selected in July 2012 to prepare Compliance Audits of the Measure I 2010-2040 pass-through funds for a three-year period, with two one-year extensions. SANBAG, VTD, and the local jurisdictions worked through issues of interpretation of policies and procedures related to reporting of Measure I 1990-2010 balances, eligible expenditures, and repayment of ineligible expenditures. In January 2014, the Board approved a modification of pass-through Policies 40003, 40012 and 40016 to better define expectations and processes for this Program.

The audits for Fiscal Year 2013/2014 contain the following findings:

Town of Apple Valley

- Prior period adjustment recorded due to misclassification of expenditures.
Corrective Action: Procedures have been established by the Town to prevent such errors from reoccurring.

City of Barstow

- City did not accrue estimates for reporting accounts payable.
Corrective Action: The City will update policies and procedures to conform with year-end procedures.

Entity: CTA

Board of Directors Agenda Item

April 1, 2015

Page 2

City of Colton

- City charged time based on estimates, not actual time. Also, interest was not recognized for amounts transferred to capital project fund and not expended.
Corrective Action: City will start documenting actual time worked for each project on each employee's time card and all funds will be accounted for when allocating interest.

City of Fontana

- City charged reconditioning/body repair vehicle which is disallowed.
Corrective Action: City will reverse any unallowable costs allocated to the Measure I fund and will consult with SANBAG if a questionable transaction is identified.

City of Highland

- Expenditures incurred for project not approved on the Five Year Capital Projects Plan.
Corrective Action: Public Works Director and Assistant Public Works Director will review the Five Year Capital Improvement Plan before approving invoices paid from Measure I fund to ensure expenditures are from projects included in the Plan.

City of Rancho Cucamonga

- City did not recognize receivable and deferral of Measure I revenue.
Corrective Action: The City will enhance year end closing procedures to ensure that all tax revenues are properly recognized.

Summaries of the individual agency audits are included as a separate attachment.

The financial audit for the City of San Bernardino for Fiscal Year 2012 have recently been completed, but VTD has not finalized the audit for Measure I. Financial audits for the City of San Bernardino for Fiscal Year 2012/2013 and 2013/2014 have not been completed. The audit procedure performed by VTD before completing the Measure I audits is to compare the Measure I financial data to the City's financial statements. At this time, an expected date of April 30th is scheduled for the financial statements to be issued. Also, audits pending for the City of Adelanto, City of Grand Terrace, City of Victorville, and City of Needles are due to several factors including pending support documentation and rescheduling of the audit.

Financial Impact:

This item has no impact on the adopted SANBAG Fiscal Year 2014/2015 Budget.

Reviewed By:

This item was reviewed and received by the General Policy Committee on March 11, 2015.

Responsible Staff:

Bill Stawarski, Chief Financial Officer

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

SUMMARY OF INDEPENDENT AUDITORS' REPORTS MEASURE I PASS-THROUGH FUNDS FISCAL YEAR 2013/2014																		
Jurisdiction	MI 1990-2010							MI 2010-2040							Approx. Years Accumulated			
	Prior Year Balance	Interest ¹	Other Revenue/Transfers	Total MI Available for Projects	Transfers Out to City	Eligible Local Project Expenditures	Ending Balance	Prior Year Balance	Prior Period Adjustments ⁴	Fund Balance Beginning Balance	MI FY 13/14 Receipts	Interest ¹	Other Revenue/Transfers In	Transfers Out to City		Total MI Available for Projects ⁵	Eligible Local Project Expenditures	Ending Balance
Adelanto ⁶	\$0			\$0			\$0	\$0		\$0				\$0		\$0		
Apple Valley	\$0			\$0			\$0	\$5,748,067	-\$498,921	\$5,249,146	\$1,799,356	\$10,025	\$33,811	-\$8,238	\$7,084,100	\$1,655,256	\$5,428,844	3.0
Barstow	\$0			\$0			\$0	\$3,729,250		\$3,729,250	\$1,947,692	\$58,455		-\$4,034,849	\$1,700,548	\$1,455,802	\$244,746	0.1
Barstow TRIP Fund (MI as collateral)	\$0			\$0			\$0	\$7,935,283		\$7,935,283		\$10,836		-\$4,065,282	\$3,880,837		\$3,880,837	
Big Bear Lake	\$0			\$0			\$0	\$56,205		\$56,205	\$350,550	\$37	\$25,728	-\$554,581	-\$122,061		-\$122,061	-0.3
Chino	\$0			\$0			\$0	\$533,429		\$533,429	\$1,207,014	\$7,425		-\$606,503	\$1,141,365		\$1,141,365	0.9
Chino Hills	\$0			\$0			\$0	\$2,581,680		\$2,581,680	\$1,132,251	\$33,273		-\$833,460	\$2,913,744	\$5,661	\$2,908,083	2.6
Colton	\$0			\$0			\$0	\$973,889		\$973,889	\$746,882	\$2,898		-\$275,427	\$1,448,242		\$1,448,242	1.9
Fontana	\$4,910,914	\$138,293		\$5,049,207	-\$98,900	\$493,330	\$4,456,977	\$5,364,458		\$5,364,458	\$3,002,188	\$147,203		\$8,513,849	\$1,334,857		\$7,178,992	3.9
Grand Terrace ⁶	\$0			\$0			\$0	\$419,617		\$419,617	\$182,711	\$223		-\$232,855	\$369,696		\$369,696	2.0
Hesperia	\$0			\$0			\$0	\$3,196,174		\$3,196,174	\$2,489,817	\$5,159		-\$1,160,000	\$4,531,150	\$1,925,096	\$2,606,054	1.0
Highland	\$0			\$0			\$0	\$7,309,017		\$7,309,017	\$803,415	\$16,707		\$8,129,139	\$834,159		\$7,294,980	9.1
Loma Linda	\$0			\$0			\$0	\$546,665		\$546,665	\$350,664	\$1,055			\$898,384	\$646,685	\$251,699	0.7
Montclair	\$0			\$0			\$0	\$1,194,708		\$1,194,708	\$555,767	\$2,591		-\$1,059,479	\$693,587		\$693,587	1.2
Needles ⁶	\$0			\$0			\$0	\$387,636		\$387,636					\$387,636		\$387,636	
Ontario	\$0			\$0			\$0	\$3,256,197		\$3,256,197	\$2,487,884	\$37,235		\$5,781,316	\$1,446,582		\$4,334,734	1.7
Rancho Cucamonga	\$1,812,799	\$29,343		\$1,842,142		\$111,399	\$1,730,743	\$3,842,763		\$3,842,763	\$2,322,077	\$60,729		\$6,225,569	\$1,488,833		\$4,736,736	2.8
Redlands	\$3,013,443	\$47,623		\$3,061,066		\$410,100	\$2,650,966	\$3,829,452		\$3,829,452	\$1,039,417	\$29,647		\$4,898,516			\$4,898,516	7.3
Rialto	\$1,007,760	\$7,692		\$1,015,452		\$138,283	\$877,169	\$3,511,453		\$3,511,453	\$1,508,377	\$31,140	\$154,340	\$5,205,310	\$1,110,286		\$4,095,024	3.3
San Bernardino ²	TBD			\$0			TBD	TBD		\$0				TBD			TBD	TBD
Twenty-nine Palms	\$913,838	\$1,499		\$915,337		\$150,439	\$764,898	\$1,180,000		\$1,180,000	\$426,890	\$3,454		\$1,610,344	\$326,398		\$1,283,946	4.8
Upland	\$0			\$0			\$0	\$817,922		\$817,922	\$1,116,907	\$1,616	\$440	\$1,936,885	\$491,796		\$1,445,089	1.3
Victorville ⁶	\$1,253,411			\$1,253,411			\$1,253,411	\$7,349,171		\$7,349,171				\$7,349,171			\$7,349,171	
Yucaipa	\$520,005	\$1,567		\$521,572			\$521,572	\$90,626		\$90,626	\$782,907	\$1,716		-\$428,653	\$446,596	\$15,071	\$431,525	1.2
Yucaipa Valley	\$1,380,048	\$2,337	\$57,384	\$1,439,769	-\$273,421		\$1,166,348	\$559,636		\$559,636	\$606,678	\$826	\$144,778	-\$92,884	\$1,219,034	\$495,314	\$723,720	3.1
San Bernardino County (all subareas)	\$5,376,328	-\$52,057	\$858,228	\$6,182,499		\$3,258,709	\$2,923,790	\$15,238,415		\$15,238,415	\$6,445,561	-\$45,853	\$3,012,070	\$24,650,193	\$3,365,355		\$21,284,838	3.8
TOTAL ³	\$20,188,546	\$176,297	\$915,612	\$21,280,455		\$4,562,260	\$16,345,874	\$71,716,430	-\$498,921	\$71,217,509	\$31,305,005	\$405,561	\$3,371,167	-\$9,286,929	\$97,012,313	\$16,597,151	\$80,415,162	3.1

NOTES:
 1 Negative Interest is due to recognition of GASB 31, fair-value of investments.
 2 To be determined (TBD) - San Bernardino information will be provided at a future date.
 3 Does not include Barstow TRIP Fund.
 4 Expenditures incurred in prior years were not recognized in the correct fund for Highway 18 west widening project. This project is listed on the 5-year Capital Improvement Plan.
 5 Deficit fund balance due to expenditures incurred before revenue is incurred.
 6 Audits have not been completed, but will be provided at a future date.

Attachment: MSI Audit Summary Tables (1807) : Measure I Local Pass-Through Compliance Audits for

Minute Action

AGENDA ITEM: 7

Date: *April 1, 2015*

Subject:

San Bernardino Santa Fe Depot Property and Facility Management

Recommendation:

A. Authorize staff to release Request for Proposal 15-1001227 for Property Management/Facilities Management Services of the San Bernardino Santa Fe Depot.

B. Authorize the Executive Director and/or his designee to execute an amendment to extend the contract term for contract number C10164 to October 31, 2015, increasing the contract value by \$13,680 for a revised contract amount of \$223,440.

Background:

SANBAG and the City of San Bernardino, as tenants-in-common of the Santa Fe Depot (Depot), share the responsibilities for the Depot as defined in the Cooperative Agreement 04-040. One of those responsibilities is the retention of a property and facility management firm.

CityCom has provided services to the Depot since SANBAG's initial occupancy of the building in 2004. The staff at CityCom is familiar with the unique features and historical significance of the building and has performed satisfactorily in their tenure. The current contract with CityCom Real Estate Services will end June 30, 2015.

Staff is recommending approval of amendment number 5 to contract number C10164 to extend the time of the contract performance to October 31, 2015, increasing the contract value by \$13,680 for a revised contract amount of \$223,440 to allow staff the necessary time to complete the RFP process and award a contract.

The intent of the RFP is to seek proposals from qualified firms for property and facilities management services, with a contract to be awarded by September 2, 2015. Additionally, the scope of services for the new contract has been further refined to better meet the needs of the organization. The scope of services for the new contract includes the following:

- a. Marketing leasable space;
- b. Screening of prospective tenants and negotiating leases for leasable space for approval by SANBAG after conferring with the City of San Bernardino;
- c. Managing pre-existing and new leases, including the payment and allocation of common area and non-lease space expenses, the collection of rental income, handling eviction proceedings, and the distribution of any net rental income revenue to the City of

Entity: COG

San Bernardino and SANBAG. Adjustments to the allocation of common area and non-leased space expenses shall be made not more frequently than every six months;

- d. Requiring that all subcontractors comply with all federal, state, and local laws and regulations;
- e. Requiring that all subcontractors possess a valid license, certification or registration with the appropriate State of California licensing board including, but not limited to, the Contractors State Licensing Board (CSLB), Bureau of Security and Investigative Services (BSIS), Office of the State Fire Marshal (SFM), State of California Department of Industrial Relations Division of Occupational Safety and Health, Structural Pest Control Board, California Department of Pesticide Regulation and/or other State of California licensing board relevant to their specific field, trade, or services;
- f. Requiring subcontractors to comply with all prevailing wage requirements as determined by the Department of Industrial Relations;
- g. Requiring that all maintenance, repairs, and/or alternations are conducted in a manner that preserves the historic integrity of the building;
- h. Hiring and oversight of a firm, to provide security at the Depot and its immediately adjacent parking areas (common areas) 24-hours a day, 7-days a week;
- i. Hiring and oversight of a firm to provide landscaping services for the common area;
- j. Competitively bidding any maintenance or repair services required for the building and common areas, including but not limited to, HVAC to include program and maintenance of the HVAC computer system, pest control, lighting to include program and maintenance of the lighting computer system, fire extinguisher, alarm systems, window cleaning, elevator repairs, day porter, et cetera;
- k. Hiring and oversight of a firm for janitorial services including, but not limited to, building interior cleaning and trash removal for SANBAG and all office tenants, but would not apply to a restaurant or other food-related use that would be responsible for its own janitorial service. Janitorial services will also be required following any scheduled use of the banquet/community room;
- l. Facilitating day-to-day building maintenance and repairs as needed;
- m. Set-up and break-down SANBAG Board Room twice monthly and upon special requests;
- n. Maintaining the methodology of allocating and documenting common area cost amongst all leasable space;
- o. Document and allocate non-leased space cost amongst SANBAG and the City;
- p. Market, schedule, and arrange accommodations for the availability of the Banquet/Board meeting room for community meetings and other events; and
- q. Prepare periodic comparative market analysis of current rental values.

Board of Directors Agenda Item

April 1, 2015

Page 3

Financial Impact:

This item is consistent with the Proposed Fiscal Year 2015/2016 budget with expenses included under Task 0105 (Indirect) and 0805 (Building Maintenance and Operations). Amendment number 5 will add \$13,680 to contract number C10164 with CityCom for a new contract total of \$223,440.

Reviewed By:

This item was reviewed by the General Policy Committee on March 11, 2015 and unanimously recommended for approval. SANBAG's General Counsel and Procurement Manager have reviewed this item and the draft amendment.

Responsible Staff:

Duane Baker, Director of Management Services

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

**AMENDMENT NO. 5 TO
CONTRACT C10164
BY AND BETWEEN**

**SAN BERNARDINO ASSOCIATED GOVERNMENTS
AND**

**CITYCOM REAL ESTATE, SERVICES, INC.
FOR THE**

SAN BERNARDINO SANTA FE DEPOT

This Amendment No. 5 to SANBAG Contract No. C10164 is made and entered into by and between the San Bernardino Associated Governments ("SANBAG") and CityCom Real Estate Services, Inc. ("MANAGER").

RECITALS:

- A. SANBAG and the City of San Bernardino ("CITY") jointly own certain real property in the City of San Bernardino, California, located at 1170 West Third Street, which property is known as the San Bernardino Santa Fe Depot ("Depot"); and
- B. agreements at the Depot, pursuant to SANBAG Cooperative Agreement No. 04-040 with the CITY; and
- C. The SANBAG Board approved Agreement No. C10164 with MANAGER on May 12, 2010, for property management services for a one-year period, ending June 30, 2011, which includes the option to renew the Agreement for four (4) one-year extensions; and
- D. Amendment No. 1 to Contract No. C10164 extended the contract termination date to June 30, 2012; and
- E. Amendment No. 2 to Contract No. C10164 extended the contract termination date to June 30, 2013; and
- F. Amendment No. 3 to Contract No. C10164 extended the contract termination date to June 30, 2014; and
- G. Amendment No. 4 to Contract No. C10164 extended the contract termination date to June 30, 2015, thereby exercising its final option to extend; and
- H. SANBAG and MANAGER desire to extend the period of performance four (4) months, extending the termination date of the contract to October 31, 2015.

Attachment: C10164-05 (1809 : C10164-05 - CityCom)

NOW, THEREFORE, the parties hereto do mutually agree to amend Contract No. C10164 as follows:

1. Amend Section 2, "Management Term", to delete June 30, 2015 and replace with October 31, 2015.
2. Amend Section 4(a), "Fees", to delete "The total Not-To-Exceed Amount is Two Hundred Nine Thousand Seven Hundred Sixty Dollars, (\$209,760), which shall include all amounts payable to MANAGER for its profit, subcontracts, leases, materials and costs arising from or due to termination of this Agreement." and replace with "The total Not-To-Exceed Amount is Two Hundred Twenty-Three Thousand Four Hundred Forty Dollars, (\$223,440), which shall include all amounts payable to MANAGER for its profit, subcontracts, leases, materials and costs arising from or due to termination of this Agreement."
3. The Agreement and Amendments 1, 2, 3 and 4 are incorporated into this Amendment.
4. Except as amended by this Amendment, all other provisions of the Contract shall remain in full force and effect.
5. This Amendment No. 5 is effective on the date executed by SANBAG.

IN WITNESS WHEREOF, the parties have duly executed this Amendment No. 5 on the following page:

CITYCOM REAL ESTATE SERVICES, INC.

SAN BERNARDINO ASSOCIATED GOVERNMENTS

By: _____
Michael Fortunato
President

By: _____
Raymond W. Wolfe, Ph.D.
Executive Director

Date: _____

Date: _____

APPROVED AS TO FORM

By: _____
Eileen Monaghan Teichert
General Counsel

CONCURRENCE

By: _____
Jeffery Hill
Procurement Manager

Attachment: C10164-05 (1809 : C10164-05 - CityCom)

Minute Action

AGENDA ITEM: 8

Date: *April 1, 2015*

Subject:

Update on the progress of the Inland Empire 511 system

Recommendation:

Receive information on the progress of the Inland Empire 511 system since its launch in April 2010.

Background:

On July 21, 2000 the Federal Communications Commission (FCC) designated 511 as the single travel information telephone number to be made available to states & local jurisdictions across the country. The FCC ruling left all implementation and schedules to state and local agencies, as well as telecommunications carriers. In May 2009, San Bernardino Associated Governments (SANBAG) and the Riverside County Transportation Commission (RCTC) Board of Directors took action to develop and implement an Inland Empire only 511 system (IE511). In November 2009, a beta version of the system was available. On April 7, 2010, SANBAG and RCTC announced the program's launch at the SANBAG Board meeting. IE511 was the first 511 system to begin operations in the Los Angeles Metropolitan area.

Nearly five (5) years since its launch, the system has had great success and usage. In 2014, the IE511 system had more than 400,000 callers and more than 280,000 website visitors. More than 1.9 Million callers and more than 1.7 Million website visitors have benefitted from this system since its launch in April 2010. IE511 provides a source of information for all transportation needs including transit, rideshare, and real time traffic and incident information. There are three (3) ways to access the system: online at www.ie511.org from either a home computer or smart phone version, downloading the smartphone application for Android and Apple, dialing 5-1-1 from a cell phone or landline within San Bernardino and Riverside counties or if outside of the Inland Empire, the system can be reached by dialing 1-877-MYIE511.

In 2012, a smartphone application for Apple and Android was launched, which has had more than 30,000 downloads to date.

Since the launch date, SANBAG and RCTC have made great efforts in marketing the program. Marketing the system has been key in spreading the word about the system and gaining users. Marketing efforts include:

- KVCR Partnership – IE511 is featured as the primary source of traffic information
- Android and Apple smartphone application: IE511
- Installation of more than 80 IE511 freeway signs

Entity: CMA, COG, CTA, CTC, SAFE

Board of Directors Agenda Item

April 1, 2015

Page 2

- IE511 brochures
- Radio advertisements
- Newspaper advertisements
- Other print media such as the “Inland Empire Magazine”
- Billboard advertisements
- Facebook/Twitter pages- where followers are notified immediately of major highway incidents and sig alerts.

In addition, SANBAG is currently in discussions with the possibility of creating marketing and outreach opportunities with local San Bernardino minor league sports teams: the Inland Empire 66ers for instance for further advertising the IE511 system.

As always, a big part of this advertising, as well as all IE511 advertising and marketing will be the “Know Before Your Go” component of the campaign, reminding commuters to access IE511 prior to getting on the road for their commute.

Users can also visit IE511’s YouTube channel for an informative video on how to use the IE511 system. <http://www.youtube.com/user/IE511>

Financial Impact:

This item has no impact to the Fiscal Year 2014/2015 SANBAG Budget.

Reviewed By:

This item was reviewed by the General Policy Committee on March 11, 2015.

Responsible Staff:

Duane Baker, Director of Management Services

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 9

Date: April 1, 2015

Subject:

Release of Request for Proposals for Program Project Management and Other Technical Services

Recommendation:

Approve circulation of Request for Proposals (RFP) No. 15-1001195 for Program Project Management and Technical Services.

Background:

Staff is requesting approval to release a Request for Proposals for Program Project Management and Technical Services in support of the Major Projects Program and the various projects included within. The current contract does not expire for some time, however, in order to provide a smooth transition of Project Management teams, staff is requesting authority to release an RFP at this time. This professional services solicitation is intended to result in a consultant under contract with SANBAG by fall 2015. SANBAG staff will provide overall direction for the transportation program and assign the consultant staff to perform specific job responsibilities aimed at assisting staff and providing the technical expertise necessary for managing and overseeing transportation projects. Under this new 5-year, \$27 Million contract, the consultant will function both in-house as an extension of SANBAG staff and supplement SANBAG staff on an on-call basis. Specifically, on a full time basis the consultant will assist SANBAG staff in the oversight, management, and completion of all work associated with the development and approval of the projects through construction. On an as-needed basis technical services will be requested as required to effectively and efficiently manage the program as well as individual projects.

The following general categories describe the needs of the program:

- Program Management
- Project Management
- Technical Oversight and Support
- Procurement and Contract Management
- Project Controls
- Administrative Support
- Construction Management

Staff is requesting authority to release a Request for Proposals for Program Project Management and Technical Services.

Financial Impact:

This item has no impact on the current Fiscal Year 2014/2015 budget and will be budgeted in the next Fiscal Year.

Entity: CTA

Board of Directors Agenda Item

April 1, 2015

Page 2

Reviewed By:

This item was reviewed and recommended for approval (14-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the RFP.

Responsible Staff:

Paula Beauchamp, Project Delivery Manager

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Attachment A

SCOPE OF WORK

Program Project Management and other Technical Professional Services

The San Bernardino County Transportation Authority is contracting for Program Project Management Consultant services to support the implementation of various transportation projects.

1.0 BACKGROUND

San Bernardino County Transportation Authority (SANBAG) is responsible for managing transportation projects in San Bernardino County including environmental, design, right of way, and construction. The projects comprise improvements for freeways, highways, railroad grade crossings, and local roads. SANBAG is obligated to deliver the projects using the funds available and in a timely manner. The Program Project Management Consultant (CONSULTANT) will assist the SANBAG staff by providing staff assistance and technical expertise in managing and overseeing transportation projects.

Each project will be a significant undertaking that requires CONSULTANT assistance to serve as advisors, managers, and an extension to SANBAG staff.

2.0 GENERAL DESCRIPTION OF SERVICES

SANBAG will provide overall direction for the transportation program and assign its own staff to perform specific job responsibilities. Under this contract, CONSULTANT shall function as an extension of SANBAG staff and supplement SANBAG staff by providing specialized expertise as required to effectively manage the program as well as individual projects. CONSULTANT shall provide technical expertise and support in all areas of project management, construction management, project controls, contract management, and other technical subjects related to transportation projects. Specifically, CONSULTANT shall assist SANBAG staff in the oversight, management, and completion of all work associated with the development and approval of the projects through construction. CONSULTANT shall also assist in the procurement of professional services for project components. CONSULTANT's support shall be in the following general categories:

- Program Management
- Project Management
- Project Oversight and Support
- Contract Management
- Project Controls

- Administrative Support
- Construction Management
- Technical support

3.0 SCOPE OF SERVICES

3.1 Program Management

CONSULTANT shall assist in managing and directing CONSULTANT personnel assigned in project management, technical oversight and support, contract management, project controls, administrative support, and construction management in an effort to deliver Measure I Projects from project initiation through construction closeout. CONSULTANT shall provide technical expertise and support in all areas of program management required to successfully deliver the Major Projects program. Reporting of project scope, schedule, and cost shall be performed routinely and as requested for various audiences. The CONSULTANT Program Manager, who will be assigned full time and reports to the SANBAG facility daily, will also serve as a project manager on specific SANBAG projects.

3.2 Project Management

CONSULTANT shall assist SANBAG in managing both corridor and individual transportation projects. CONSULTANT shall work with SANBAG, other consultants, federal agencies and its agents, Caltrans, County of San Bernardino, utility companies, various local agencies, resource agencies, and other stakeholders to assist in developing these projects. Activities include, but are not limited to:

- Provide project management direction and coordination to the project team.
- Develop and sustain an integrated team relationship with SANBAG's staff.
- Perform project management activities, collaborative practices, and problem solving for both corridor and project level.
- Write, maintain, review and/or audit project management plans, with particular emphasis on meeting Federal Highway Administration (FHWA) and Caltrans requirements, and maintain adherence to them.
- Support and participate in interagency coordination and public outreach. Prepare presentation materials, make presentations, as requested, and document the results.
- Coordinate SANBAG projects and document reviews with other project stakeholders such as Caltrans, County of San Bernardino, cities, utility companies, and other local agencies and stakeholders.
- Foster and maintain relationships with state, federal and local governments, resource agencies, and other consultants.

- Maintain and report scope, cost, and schedule for projects and programs.
- Manage and oversee other consultant's work, including performing peer reviews, and auditing consultant quality practices.
- Assure quality, efficient, and timely completion of all project components.

3.3 Technical Support

CONSULTANT shall assist SANBAG in the oversight of work performed by other consultants. This work may be performed by CONSULTANT staff assigned to SANBAG's office or by others working out of the CONSULTANT's office. As necessary, support in technical areas will be specifically requested and identified by SANBAG. Activities include, but are not limited to:

Technical Support

- Provide technical expertise in all major elements of architecture and engineering (civil, structural, electrical, traffic, landscape architecture, drainage and storm water, utilities, etc.) as they pertain to transportation projects.
- Develop, maintain, and assure compliance of required criteria and standards for transportation projects.
- Prepare and review cost estimates, independent cost estimates, and unit costs in accordance with FHWA and/or Caltrans guidelines.
- Advise SANBAG staff in technical matters and assist in the resolution of technical issues and problems, including claims review and resolution.
- Value engineering and constructability review expertise as needed.
- Provide utility mapping and coordination, agreement preparation, and execution assistance.
- Assist in the preparation and implementation of Project Management Plans.
- Coordinate peer reviews and partnering sessions.
- Provide expertise in preparing information to meet Project Approval/Environmental Document (PA&ED), Project, Specifications & Estimates (PS&E), Bid Package, and Advertise & Award requirements including any progress reporting.
- Provide Risk Analysis support
- Prepare graphics and visuals.
- Prepare technical reports as assigned, including pre- and post-construction surveys.
- Evaluate alternative project delivery methods.

3.4 Contract Management

CONSULTANT shall provide contract management assistance to the SANBAG staff. Activities include, but are not limited to:

- Support in procurements of other consultants required for the development of transportation projects, including assistance with alternative project delivery methods, and contract administration.
- Assist SANBAG staff in preparing cooperative agreements with other agencies, consultant agreements, amendments, and scopes of work.
- Assist in reviewing other consultant, or local agency invoices for compliance with contract or cooperative agreement terms, including review for accuracy and consistency.
- Assist in administering payments and billings and other associated general administrative activities.
- Prepare contract status reports.

3.5 Project Controls

CONSULTANT shall assist the SANBAG staff with scheduling, budgeting, cost control, change control, quality control, and document control. Activities include, but are not limited to:

- Establish, maintain, and monitor the individual project schedules.
- Manage and maintain current cost estimates for each project and evaluate and incorporate any cost or project scope changes.
- Manage and maintain the program budget database, including the project's baseline cost and schedule, the current cost and schedule, and performance indicators such as earned value.
- Manage the Quality Assurance/Quality Control (QA/QC) program to ensure that the QA/QC program established by other consultants working on individual projects adheres to SANBAG's requirements.
- Update, manage, and maintain the SANBAG document control system and database per SANBAG procedures. All incoming and outgoing items shall be logged, filed and distributed. Other document control activities include the logging and storage of archival information, security of controlled documents, and electronic file maintenance. Accurate records of correspondence, drawings, reports, and other project related documents and deliverables shall be maintained.
- Provide expertise on state-of-the-art knowledge of information technology practices as related to project controls.

3.6 Administrative Support

CONSULTANT shall provide day-to-day administrative support to the SANBAG Project Management Team developing transportation projects. This administrative support shall provide all necessary administrative and secretarial assistance. Anticipated activities include, but are not limited to:

- Prepare reports and correspondence.
- Perform data processing to develop databases, spreadsheets, flow diagrams, agendas, meeting reports, and assist in drafting power point presentations.
- Research and summarization as requested.
- Coordinate meeting accommodations and travel arrangements.
- Other administrative duties as assigned.

3.7 Construction Management Support

CONSULTANT will perform a wide variety of construction management, support and contract administration duties as needed for various projects in accordance with Caltrans Construction Manual and FHWA requirements.

SANBAG assigns a Construction Manager for each construction contract that it self-administers and when it has an oversight role. Typical tasks of the Contract Manager include:

- a. Develop consultant scopes-of-work, plan and administer the consultant selection process, and negotiate contract terms for individual project construction management consultants. Consultant management services may include inspection, materials testing, construction surveying, independent quality assurance, and public outreach.
- b. Coordinate development of the construction contract bid package with the design and construction management consultants;
- c. Oversees the advertisement and award of construction contract;
- d. Directs the work of the construction management consultant and other construction related consultants in administering the construction contract;
- e. Represents SANBAG in meetings with the construction management consultants, construction contractor and other stakeholders;
- f. Foster a partnering relationship with the construction contractor, construction management consultant, facility owner (generally Caltrans or local jurisdiction) and other stakeholders;
- g. Review and recommend approval of contractor progress payments and change orders.
- h. Review and assist in the analysis of contractor schedules, claims and change orders;

- i. Ensure that the work is executed in accordance with encroachment permits, environmental permits, cooperative agreements and other requirements of facility owner and regulatory agencies;
- j. Perform Labor Compliance and other contract compliance reviews;
- k. Oversee and direct work of construction management consultant to ensure compliance of contractor with certifications and licenses, materials certification and testing, labor compliance, and other contractual compliances.
- l. Execute construction close-out including, transferring improvements to facility owner, resolving claims, and completion of as-built plans and other project records.

4.0 STAFFING

4.1 Level of Support

All CONSULTANT staff shall work in an integrated team relationship with SANBAG staff members, as well as other consultants. The level of effort required by the CONSULTANT key staff team under this contract shall be of such level to provide the project management and project control to ensure the successful delivery of a well-managed program. The CONSULTANT key staff shall be assigned full-time and shall be available Monday through Friday at a minimum. The level of effort of this key staff will be re-evaluated periodically to assure that the appropriate level of support is maintained. SANBAG shall have sole discretion in defining and making changes in positions and tasks assigned to CONSULTANT during any re-evaluations. CONSULTANT shall provide support in the following functions:

- Program Management
- Corridor Project Management
- Project Management
- Technical Oversight, Peer Review, and Support
- Project Controls
- Contract Management
- Administrative Support
- Construction Management

Due to the potential variability in the transportation program requirements, CONSULTANT shall supplement the core staff by providing SANBAG approved specialized personnel/expertise as required to assist in effectively providing the functions above.

4.2 Location

The CONSULTANT core staff shall be co-located with SANBAG staff at its administration facilities located at 1170 W 3rd St, San Bernardino, CA 92410.

4.3 Material and Services Provided By SANBAG

SANBAG will provide office space, furniture, basic computer hardware and software, telephones, office supplies, and printing services to individuals assigned to SANBAG's office in San Bernardino, California. Any special equipment, specialized computer software, or supplies required by these individuals shall be provided by CONSULTANT.

5.0 DELIVERABLES

5.1 Anticipated Deliverables

CONSULTANT shall be responsible for assuring an efficient and timely production of deliverables and performance of activities for the transportation program. Items and activities include, but are not limited to:

- Project management plans
- Project schedules
- Design/other consultant reviews
- Utility agreements
- Design criteria(s) and standards
- Cost estimates (capital and O&M)
- Value engineering, constructability and peer review session reports
- Risk analysis documentation
- Technical reports and studies as assigned
- Constructability Review
- Claims Review, Consultation
- Planning reports and studies as assigned
- Graphics and visuals
- Agency cooperative agreements
- Procurement and contract management documents
- Project status reports
- Program schedules
- Project budgets
- QA/QC monitoring reports
- Document control logs
- Project closeouts

Specific deliverables will be further defined during the term of the Agreement.

Minute Action

AGENDA ITEM: 10

Date: April 1, 2015

Subject:

Glen Helen Grade Separation Construction Cooperative Agreement Amendment

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve Amendment No. 1 to Construction Cooperative Agreement C12229 with the County of San Bernardino for the Glen Helen Grade Separation Project committing \$14,775,730 in SANBAG funding, including \$7,603,730 in Measure I 2010-2040 Valley Fund Major Street Bond funds.

Background:

The SANBAG Board approved Construction Cooperative Agreement C12229 with the County of San Bernardino at its July 11, 2012, meeting. This agreement specified roles and responsibilities as well as funding commitments for the Glen Helen Grade Separation project. The project consists of the construction of the grade separation as phase 1 and a final tie-in to the ultimate alignment as phase 2. The agreement specified the County as lead agency for administration of the construction phases of the project and committed SANBAG to providing Trade Corridor Improvement Funds (TCIF) of \$7,172,000 and an overall fund share of 72.2% of public share costs of the project. Based on the preconstruction cost estimates, the total estimated cost for the construction phases of the project was \$19,735,000. SANBAG's share of this total was estimated to be \$14,248,670 which did not include a reduction in the project costs from an anticipated railroad contribution of \$2 million.

Construction bids were opened in March 2013, and came in higher than the engineer's estimate. As a result, at its April 11, 2013, meeting, the Board approved increasing the expenditure authority up to \$14,891,198 including \$7,172,000 in TCIF funds and \$7,719,198 in Measure I funds. This expenditure amount was based on the bid amount, the supplemental and contingency funds, the final known railroad contribution of \$2,320,000, and the estimated phase 2 costs. This action was taken since with the higher bid amount, it was known that the final phase 1 and 2 costs would exceed the approved funding limit in the cooperative agreement.

As construction is nearing completion on the first phase of the project, construction cost estimates have been updated. This new estimate includes construction change orders which came in less than originally estimated, railroad flagging and inspection costs which came in higher than estimated, and final right of way costs required to complete the project. This current estimate at completion for phases 1 and 2 is slightly below that projected in April 2013. This agreement amendment reflects a \$3.05 million cost increase above the original project cost estimate in the original contract and results in a new SANBAG funding contribution of \$7,172,000 in TCIF funding and \$7,603,730 in Measure I 2010-2040 Valley Major Street Bond

Entity: CTA

Board of Directors Agenda Item

April 1, 2015

Page 2

funds. This amendment should be sufficient to fund remaining phase 1 right of way and construction costs and phase 2 construction costs.

Staff recommends approval of this first amendment to Construction Cooperative Agreement C12229.

Financial Impact:

This item is consistent with the SANBAG Fiscal Year 2014/2015 budget. The funding source is Measure I 2010-2040 Valley Major Streets, task 0869.

Reviewed By:

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. SANBAG General Counsel has reviewed this item and the amendment.

Responsible Staff:

Dennis Saylor, Project Manager

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:



CONTRACT SUMMARY SHEET

Contract No. C 12229 Amendment No. 1

By and Between

County of San Bernardino

and San Bernardino County Transportation Authority

Contract Description Construction Cooperative Agreement for the Glen Helen Grade Sep Project

Board of Director's Meeting Date: 4/1/2015
Overview of BOD Action: Approve amendment 1 to cooperative agreement with the County of San Bernardino for additional funding for the construction phase for the Glen Helen Grade Sep Project

Is this a Sole-Source procurement? Yes No

CONTRACT OVERVIEW					
Original Contract Amount	\$	5,632,670.00	Original Contingency Amount	\$	0
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	0	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	0
Current Amendment Amount	\$	1,971,060.00	Contingency Amendment	\$	0
TOTAL CONTRACT VALUE	\$	7,603,730.00	TOTAL CONTINGENCY VALUE	\$	0
TOTAL BUDGET AUTHORITY (contract value + contingency)					\$ 7,603,730.00

Contract Start Date 7/11/12	Current Contract Expiration Date 6/30/16	Revised Contract Expiration Date Completion of project obligations
Has the contract term been amended? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - please explain. Revised language such that expiration upon completion of all project obligations		

FINANCIAL INFORMATION

Budget authority for this contract currently exists in Task No. 0869.
 A Budget Amendment is required.

How are we funding current FY? Measure I 2010-2040 Valley Major Streets

Federal Funds State Funds Local Funds TDA Funds Measure I Funds

Provide Brief Overview of the **Overall Funding** for the duration of the Contract:
 SANBAG will reimburse County for a share of their expenses using Meas I 2010-40 Valley Major Streets

Payable Receivable

CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

Retention? If yes, indicate % _____.

Disadvantaged Business Enterprise (DBE) Goal _____ %

Dennis Saylor	
Project Manager (Print Name)	Signature <u>Dennis Saylor</u> Date <u>2/5/15</u>
Task Manager (Print Name)	Signature <u>Jay Chan</u> Date <u>2-5-15</u>
Dir. of Fund Admin. & Programming (Print Name)	Signature <u>Andrea Jurcik</u> Date <u>2/12/15</u>
Contract Administrator (Print Name)	Signature <u>Jeff Hill</u> Date <u>2/12/15</u>
Chief Financial Officer (Print Name)	Signature <u>William Stawarski</u> Date <u>2/17/15</u>

AMENDMENT NO. 1 TO

COOPERATIVE AGREEMENT NO. C12229

BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

AND

COUNTY OF SAN BERNARDINO

FOR

**CONSTRUCTION OF A RAIL-HIGHWAY GRADE SEPARATION ON
GLEN HELEN PARKWAY AT THE BURLINGTON NORTHERN SANTA
FE/UNION PACIFIC RAILWAYS IN THE DEVORE AREA**

This AMENDMENT NO. 1 to COOPERATIVE AGREEMENT NO. C12229 is made and entered into as of the Effective Date by and between the San Bernardino County Transportation Authority (hereinafter referred to as "AUTHORITY"), and the County of San Bernardino (hereinafter referred to as "COUNTY").

RECITALS:

WHEREAS, COUNTY and AUTHORITY have previously entered into Cooperative Agreement, No. C08-211 (County Contract No. 08-885) (hereinafter referred to as the "Design Agreement"), which sets forth the responsibilities and obligations of each as they pertain to the environmental clearance and design work, Cooperative Agreement, No. C10227 (County Contract No. 10-307) (hereinafter referred to as the "ROW Agreement"), which sets forth the responsibilities and obligations of each as they pertain to the right-of-way work and property acquisition, and Cooperative Agreement, No. C12229 (County Contract No. 12-459) (hereinafter referred to as the "Construction Agreement"), which sets forth the responsibilities and obligations of each as they pertain to the construction work associated with the Glen Helen Parkway at Burlington Northern Santa Fe/Union Pacific Railroad Grade Separation project, located in the Devore area (hereinafter referred to as "PROJECT"); and

WHEREAS, COUNTY and AUTHORITY wish to amend the Construction Agreement to document and reconcile all estimated Right-of-Way and Construction phases costs of the PROJECT under a single agreement through completion and closeout of the PROJECT; and

WHEREAS, COUNTY and AUTHORITY anticipate that the Construction Agreement may need to be amended at a future date following completion of the

PROJECT to reconcile all actual PROJECT costs for right-of-way and construction phases of the PROJECT; and

WHEREAS, Environmental Clearance and Design have been completed and the Design Agreement has been closed-out and no further PROJECT costs are anticipated to occur for that PROJECT phase; and

WHEREAS, COUNTY and AUTHORITY agree to amend the Construction Agreement to increase construction funding as a result of commitment of the participating railroad agencies' to finance a portion of the PROJECT costs, additional flagging services, the discovery during construction of an unknown underground storage structure that contained unknown hazardous material(s), and additional right-of-way funding needed for ongoing eligible property acquisition expenses that occurred beyond the termination of the ROW Agreement; and

WHEREAS, COUNTY and AUTHORITY wish to extend the termination date of the Construction Agreement to allow completion of all PROJECT work beyond June 30, 2016; and

WHEREAS, the total estimated cost of ROW (as defined in the ROW Agreement) and construction work for the PROJECT has increased by \$3,050,000 (from \$19,735,000 to \$22,785,000); and

WHEREAS, Burlington Northern Santa Fe/Union Pacific Railroad (BNSF/UPRR) have committed to finance \$2,320,000 of the PROJECT construction costs, which in accordance with Measure I Strategic Plan Policy 40001/VS-30 buys down the total cost of the PROJECT after which the Nexus Study Development Shares are applied; and

WHEREAS, COUNTY's share of the PROJECT cost increased by \$202,940 (from \$5,486,330 to \$5,689,270) and AUTHORITY's share of the PROJECT cost increased by \$527,060 (from \$14,248,670 to \$14,775,730). The amounts take into account the BNSF/UPRR buy down.

NOW, THEREFORE, it is hereby agreed to amend Cooperative Agreement No. C12229 (County Contract No. 12-459) between COUNTY and AUTHORITY as follows:

1. Delete Paragraph 1. of Section I, entitled "AUTHORITY AGREES" and replace with the following:

"1. In accordance with the Measure I 2010-2040 Strategic Plan ("Strategic Plan"), to be responsible for 72.2% of the total eligible ROW and CONSTRUCTION expenses that are incurred by COUNTY for an amount not to exceed \$14,775,730, subject to Section III, paragraphs 3, 4, and 7 through 9."

2. Delete Paragraph 3. of Section I, "AUTHORITY AGREES" and replace it with the following:

"3. To reimburse COUNTY, subject to Section I, paragraph 2 and Section III, paragraphs 7 through 9 within 30 calendar days after COUNTY submits to AUTHORITY an original and two copies of the signed invoices in the proper form covering those actual allowable ROW and CONSTRUCTION expenditures that were incurred by COUNTY, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to AUTHORITY as frequently as monthly."

3. Delete Paragraph 6. of Section I, "AUTHORITY AGREES" and replace it with the following:

"6. AUTHORITY's financial responsibility shall be 72.2% of actual cost, subject to the provisions of Section III, paragraphs 7 through 9. An estimate of costs for ROW and CONSTRUCTION phases is provided in the Revised Attachment A. AUTHORITY's financial contribution includes \$7,172,000 in Proposition 1B Trade Corridor Improvement Funds, which will be invoiced directly to the State of California for reimbursement per Section II, paragraph 5."

4. Delete Paragraph 7. of Section II, "COUNTY AGREES" and replace it with the following:

"7. To provide 27.8% share of total eligible ROW and CONSTRUCTION expenses which represents the development share."

5. Delete Paragraph 3. of Section III, "IT IS MUTUALLY AGREED" and replace it with the following:

"3. That AUTHORITY and COUNTY expect BNSF/UPRR to finance an amount of \$2,320,000 towards the PROJECT."

6. Delete Paragraph 4. of Section III, "IT IS MUTUALLY AGREED" and replace it with the following:

"4. The final PROJECT cost may ultimately exceed current estimates of PROJECT cost. Any additional eligible costs resulting from increased bid/contract prices or change orders arising from unforeseen conditions, including Utility relocation, over the estimated total of the PROJECT cost of \$22,785,000, shall be borne by each Party in proportion to the public and development shares, as part of the Parties' respective obligations to pay the cost for the final ROW and CONSTRUCTION Phases, subject to Section III, paragraphs 7 through 9."

7. Delete Paragraph 5. of Section III, "IT IS MUTUALLY AGREED" and replace it with the following:

“5. In the event that the final PROJECT cost may ultimately be less than current estimates of PROJECT cost, the realized savings shall be received by each Party in proportion to the public and development shares, as part of the Parties’ respective obligations for the final ROW and CONSTRUCTION phases, subject to Section III, paragraphs 7 through 9.”

8. Delete Paragraph 15. of Section III, “IT IS MUTUALLY AGREED” and replace it with the following:

“15. This Agreement shall terminate upon completion of all PROJECT ROW and CONSTRUCTION obligations of COUNTY, the delivery of the required PROJECT documents to each Party, and the payment of all funds to COUNTY except that the indemnification provisions shall remain in effect until terminated or modified, in writing, by mutual agreement. ”

9. Replace Attachment “A” with the Revised Attachment “A” which is attached to this Amendment No.1 and by this reference incorporated herein; and replace all references to Attachment “A” with Revised Attachment “A” throughout Cooperative Agreement No. C12229 (County Contract No. 12-459).
10. Except as amended by this Amendment No. 1, all other terms and conditions of Cooperative Agreement No. C12229 (County Contract No. 12-459) shall remain in full force and effect.
11. The recitals are incorporated into the body of this Amendment No. 1.
12. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.
13. The Effective Date as defined herein is the date on which AUTHORITY executed this Amendment No. 1.

SIGNATURES ON FOLLOWING PAGE:

COUNTY OF SAN BERNARDINO

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY

►

James Ramos, Chairman, Board of Supervisors

By ►

L. Dennis Michael, President
Board of Directors

Date: _____

Date: _____

SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

Laura H. Welch
Clerk of the Board of Supervisors
of the County of San Bernardino

By _____
Deputy

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Scott M. Runyan
Deputy County Counsel

By: _____
Eileen Monaghan Teichert
General Counsel

CONCURRENCE BY:

By: _____
Jeffery Hill
Procurement Manager

Attachment: C1222901 (1827 : Glen Helen Grade Separation Construction Cooperative Agreement Amendment)

Revised Attachment “A”

Project Cost and Funding

Proposed Project Phase Work: Right-of-Way and Construction Capital and Support

Summary of Project Phase Costs (Estimate):

Estimated Total Cost	BNSF/UPRR Buy Down	Remaining Balance	Authority Public Share 72.2%	County Share 27.8%
\$22,785,000	\$2,320,000	\$20,465,000	\$14,775,730	\$5,689,270

* Includes \$7,172,000 of State Proposition 1B Trade Corridor Funds.

Attachment: C1222901 (1827 : Glen Helen Grade Separation Construction Cooperative Agreement Amendment)

Minute Action

AGENDA ITEM: 11

Date: April 1, 2015

Subject:

I-10 Pepper Avenue Project - Trade Corridor Improvement Funds

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Commission:
 Authorize staff to submit an application to the California Transportation Commission (CTC) for programming and allocation of \$1,157,775 of Trade Corridor Improvement Fund (TCIF) funding to fund a cost increase on the Interstate 10 (I-10) Pepper Interchange Project.

Background:

In February 2013, the Board approved Contract No. C13040 with the City of Colton and the County of San Bernardino to fund the Interstate 10 (I-10) Pepper Avenue Interchange. The project is largely funded with \$7 million of federal funds comprised of \$6.1 million of federal TEA-21 Demonstration (DEMO) funds and \$0.9 million of SAFETEA-LU Interstate Maintenance Discretionary (IMD) funds. Due to the risk of rescission of these older federal funds the Board approved proceeding with the development of the project. The project proposes to increase the number of lanes of the I-10 Pepper Avenue Bridge from three lanes to five to address traffic congestion at the interchange. The final design is currently being completed with construction scheduled to begin in late-2015.

At the time of approval, the estimate for the construction phase of the project was \$7 million. The original concept to widen the bridge was to append a new structure to the existing I-10 Pepper Avenue Bridge. During design of the structure it was determined that required upgrades to the existing bridge to meet seismic standards were more extensive than assumed at the concept stage. The cost of these upgrades was determined to cost as much as replacing the existing structure. Given this, it was decided to proceed with the replacement of the existing bridge. The preliminary estimated total cost for the full bridge replacement then was still within the construction phase budget.

The project is being delivered under the Caltrans Streamlined Oversight Permit (SOP) program, which is an expedited delivery process. The 95% design plans were recently completed and the latest detailed estimates indicate cost increases from the preliminary estimate. The construction phase estimate for project costs is now \$9.48 million, which includes \$700,000 for the cost to install a water line in the bridge for West Valley Water District (WVWD). The cost for the water line will be fully reimbursed to SANBAG by WVWD. This leaves a \$1.75 million funding need over the programmed amount. Staff worked with Caltrans to limit cost increases and, as a result, Caltrans approved several exceptions that eliminated or deferred features that would have resulted in additional construction costs. In addition, the scope of the project was reviewed to see if any work could be deleted. It was determined that the final project design is limited to the

Entity: CTA, CTC

core and essential features of the bridge. The following items were the major contributors to the cost increase:

1. Construction staging: The I-10 Pepper Avenue Interchange is the primary freeway access point for the Arrowhead Regional Medical Center, which contains a trauma center and other vital medical services. As such, it is imperative to maintain good access to the hospital at all times during construction. The conceptual cost estimates did include funds for construction staging of a typical interchange project, which was later found to be inadequate due to the complexity of the staging for the Pepper Avenue Interchange project.

Another factor that impacted the cost of staging is the duration of construction. The original concept plan assumed a 12-month construction duration when the preliminary estimate to replace the whole bridge was developed. The increase of cost on staging is due to the lengthened duration of construction from 12 months to 18 months was mistakenly not accounted for.

2. Pavement: The quality and thickness of pavement increased during final design due to considerations for impacts from the high truck volumes at this interchange. Also, the required area of new paving was increased from the original concept based on final design requirements for bridge depth, bridge approaches, condition of the existing pavement, and other considerations to satisfy State geometric requirements.
3. Electrical: The conceptual estimate assumed that some of the electrical items such as traffic signal poles and street lights would be reused. The final design has determined that, due to the change in the roadway profile and the age of the equipment, the replacement of this electrical equipment is required.
4. Construction Management: As stated above, one thing that was not accounted for when the decision was made to replace the whole structure was the cost impact to items that are tied to the duration. Construction Management cost is impacted by the duration. With the duration of construction increasing from the 12 months to 18 months, Construction Management costs will increase by a similar magnitude. This cost increase was mistakenly not accounted for. In addition, there are new Caltrans requirements for local agencies administering construction projects on the State Highway System. These requirements include a more rigorous storm water pollution prevention plan (SWPPP) program, and full responsibility for source inspection and material testing requirements.

In accordance with the 2013 Nexus Study, project cost responsibility is 34% Developer Share from the City of Colton and 66% Public Share, which is SANBAG's responsibility. In accordance with Contract No. C13040, the County of San Bernardino fulfilled its Developer Share contribution in Phase 1. The City's portion for the increased construction phase is \$596,430 and SANBAG's portion for the increased construction phase cost is \$1,157,775. Staff is recommending that the Board authorize submittal of an application to the California Transportation Commission to seek programming and allocation of \$1,157,775 of Trade Corridor Improvement Fund (TCIF) to fund the public share of the cost increase. The \$1.15M of TCIF funds are savings from other SANBAG projects and are available to

SANBAG for projects that meet the TCIF criteria and that can be ready for construction by June 2016. Due to the high volume of trucks using the I-10 Pepper Avenue Interchange and because I-10 is an essential trade corridor route, the project should qualify for TCIF funding.

Staff is working with the City on an amendment to Contract No. C13040 for approval at a future SANBAG Board meeting to address the cost increase. A summary of the funding plan for the construction phase of the project is provided in the table below. Staff will also take a draft TCIF Baseline Agreement for Board approval at a future meeting.

I-10 Pepper Avenue Interchange - Construction Phase Funding Plan						
Component	DIF (34%)	IMD	DEMO	TCIF (66%)	By Others	TOTAL
Capital	\$493,378	\$0	\$5,695,889	\$957,733	\$700,000	\$7,847,000
Support	\$103,052	\$904,000	\$431,906	\$200,042	\$0	\$1,639,000
TOTAL	\$596,430	\$904,000	\$6,127,795	\$1,157,775	\$700,000	\$9,486,000

Financial Impact:

The project is consistent with the 2014/2015 Fiscal Year Budget. Use of additional City Developer Funds and TCIF funds for the construction phase will be reflected in the Fiscal Year 2015/2016 Budget.

Reviewed By:

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015.

Responsible Staff:

Dennis Saylor, Project Manager

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 12

Date: April 1, 2015

Subject:

Express Lanes Tolling Policy and Toll Revenue Policy

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Commission:
 Approve the Express Lane tolling policies included in Table 1, and approve the toll revenue policies included in Table 2.

Background:

At the July 2014 Board Meeting, the SANBAG Board approved the Express Lanes Alternative as the Locally Preferred Alternative for the I-10 Corridor Project, subject to the completion of the California Environmental Quality Act/National Environmental Policy Act (CEQA/NEPA) review. SANBAG is also evaluating an Express Lanes Alternative as the sole build alternative for the I-15 corridor. In order to continue the development of these two corridor projects, several activities need to advance concurrently with the environmental process, one of which is completion of the Investment Grade Traffic and Revenue Forecast.

A Preliminary Traffic and Revenue Forecast was completed in 2011, which confirmed the potential for Express Lanes on the I-10 and I-15 corridors. The Intermediate Traffic and Revenue Study, presented to the Board in October 2013, confirmed financial feasibility for the two corridor projects. The next financial analysis step is to develop an Investment Grade Traffic and Revenue Forecast, which will serve as a key component of the updated financial plan for the two corridors, and is required to be completed prior to submission of a Transportation Infrastructure Finance and Innovation Act (TIFIA) Application.

In order to advance the I-10 and I-15 project most effectively, the Investment Grade Traffic and Revenue studies should be completed in 2016, which would enable the TIFIA process to move forward in 2017. To complete this high level traffic and revenue study requires the approval of key tolling policies that would impact the results of the study. The tolling policies recommended by the I-10 and I-15 Corridor Sub-Committee are included in Table 1. Additional background information on these tolling policies is included in Attachment 1.

Table 1: Key Tolling Policies

1. Provide free or discounted travel for HOV 3+ vehicles
2. Maintain 24-hour tolling with a minimum toll rate
3. Utilize both switchable transponders and License Plate Recognition (LPR) for toll collection

Entity: CTC

Board of Directors Agenda Item

April 1, 2015

Page 2

4. Implement dynamic pricing with pricing by segment
5. Maintain normal toll pricing for Clean Air Vehicles
6. Create a Low Income Equity Program for San Bernardino County residents
7. Enable California Highway Patrol (CHP) to reroute General Purpose lane traffic into the Express Lanes in the event of a severe incident
8. Evaluate tolling HOV 3+ at a discounted rate (as opposed to free) during super-peak events

Toll revenue generated by an Express Lanes project must first be used to cover operations, maintenance, debt service and major maintenance and rehabilitation reserves for the toll facility. Toll revenue may also be dedicated to complete the Express Lanes system, or to pay back any local contributions. Remaining “excess” revenue is typically allocated to corridor improvements including transit. Toll revenue use is typically broadly defined within legislation, and is then more specifically defined within Board-approved expenditure plans and project financing documents.

In order to allocate toll revenue in the Investment Grade Traffic and Revenue Forecast for the I-10 and I-15 corridors, it is necessary to establish a toll revenue policy. After discussion with the I-10 and I-15 Joint Sub-Committee on January 15, 2015 and February 12, 2015, the sequential toll revenue policy shown in Table 2 is recommended for inclusion in the updated financial plans.

Table 2: Toll Revenue Policy

1. Operate the Express Lanes System
2. Maintain the Express Lanes System
3. Pay Express Lanes Debt Service
4. Complete the Express Lanes System
5. Pay back the Measure I Contributions
6. Implement Transit and Corridor Improvements within I-10 and I-15 Corridors

The policy will allow toll revenue to be reflected appropriately in the updated financial plan, while preserving flexibility to further define projects for completion within the Express Lanes system, projects to be completed using funds paid back to Measure I and additional transit and corridor improvements within the I-10 and I-15 corridors. Potential projects for inclusion in the Express Lanes System include the I-10/I-15 Direct Connectors and the extension of the I-15 Express Lanes from US-395 to the potential High Desert Corridor. Payback of the Measure I contributions would need to return to the source of the funds, i.e. the Valley Freeway Program. If toll revenue is used to complete the Express Lanes System and pay back the Measure I contributions, it is anticipated that any “excess” revenue would not be available until 2045.

Approval of the tolling policies is needed to develop an accurate Investment Grade Traffic and Revenue Forecast. Similarly, approval of the toll revenue policies is needed in order to allocate estimated toll revenue properly in the updated financial plan. Staff recommends approval of the Express Lanes policies listed in Tables 1 and 2.

Board of Directors Agenda Item
April 1, 2015
Page 3

Financial Impact:

This item imposes no impact on the Fiscal Year 2014/2015 budget.

Reviewed By:

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on March 20, 2015.

Responsible Staff:

John Meier, Project Manager

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Express Lanes Tolling Policy

<u>Item One:</u>	High Occupancy Vehicle (HOV) Policy
<u>Description:</u>	Establishes HOV requirements for free travel within the Express Lanes.
<u>2013 Traffic and Revenue (T&R) Assumption:</u>	HOV 2+ travel free until 2024; HOV 3+ travel free 2024 and beyond.
<u>Discussion:</u>	<p>Traffic and Revenue (T&R) modeling indicates that HOV 2+ free would not be financially viable. From a capacity standpoint, two Express Lanes in each direction could support HOV 2+ free, but there would be little excess capacity to sell to Single Occupant Vehicles (SOVs). Therefore, funds would not be available to construct the second lane.</p> <p>Under the assumed HOV 3+ policy, approximately 15 to 20% of the vehicles would be traveling free in 2030. Shifting from HOV 3+ to HOV 2+ free during off-peak hours would reduce toll revenue by 20 to 25%, possibly more in the early years. Off-peak is defined as 9:30 a.m. to 3:30 p.m. and 7:30 p.m. to 6:30 a.m.</p> <p>Note I: A single-lane HOV 2+ addition would be degraded within 10 years of opening, and would provide no relief for existing HOV 2+ congestion between the Los Angeles County line and Haven Avenue.</p> <p>Note II: The 2013 Traffic and Revenue (T&R) assumed HOV 2+ would travel free during the initial I-10 segment opening from Los Angeles County Line to I-15 in 2022 and 2023, which includes the portion of existing HOV lanes from LA County Line to Haven that would be converted to Express Lanes. This segment would be converted to HOV 3+ in 2024, which is when the remaining I-10 segments are scheduled to be completed. On 12/11/14, the Express Lanes Ad Hoc Committee recommended that this HOV2+ to HOV3+ transition be eliminated, and that all Express Lanes segments open as HOV3+.</p> <p>Note III: Vehicles would be required to have a transponder in order to obtain the HOV 3+ credit, as the geometric design does not contain HOV 3+ declaration lanes.</p> <p>Note IV: For the time period from July through October 2014, OCTA data from the 91 Express Lanes indicates approximately 21% of trips were HOV 3+.</p>
<u>Recommendation:</u>	Implement free travel for HOV 3+ for all Express Lanes segments, including the initial I-10 segment opening in 2022.

Attachment: 20150312 Express Lanes Tolling Policy (1825 : Express Lanes Toll Policy)

Express Lanes Tolling Policy

<u>Item Two:</u>	Minimum Toll Rate / Hours of Operation
<u>Description:</u>	Establishes minimum toll for entry into the Express Lanes.
<u>2013 T&R Assumption:</u>	24-hour tolling, with a minimum toll for entry into the Express Lanes of \$0.05 per mile from point of entry to the end of a segment or \$0.50 per segment, whichever is greater.
<u>Discussion:</u>	<p>Tolls in an Express Lanes Facility can be collected either during peak-hours only, or 24 hours a day.</p> <p>Peak-hour only tolling would allow access to all passenger vehicles during off-peak hours, which is defined as volumes in the Express Lanes below 1,200 vehicles per hour per lane. Under 24 hour tolling, a minimum toll rate would be charged during off-peak hours.</p> <p>Traffic and Revenue models indicate that the off-peak hours would run from approximately 9:30 a.m. to 3:30 p.m. and 7:30 p.m. to 6:30 a.m. for the I-10 corridor in 2030. Eliminating minimum toll during off-peak hours would reduce toll revenue by at least 15 to 25% prior to 2030; 15% in 2030; and 2-5% in 2046, based on the off-peak hours specified above.</p> <p>Establishing a minimum toll rate minimizes weaving in and out of Express Lanes, which can caused congestion and reduce throughput in both the Express Lanes and General Purpose lanes.</p> <p>24-hour tolling is consistent with neighboring Riverside, Orange and Los Angeles counties. Off-peak only tolling could create confusion at county lines as well additional complexity for users as to when to expect free travel.</p> <p>Note I: For the I-10 project, the minimum toll rate is estimated at \$2.15 for the 33-mile trip in 2030 (expressed in 2012 dollars). For the I-15 project, the minimum toll rate is estimated at \$2.30 for the 33-mile trip in 2030 (expressed in 2012 dollars).</p> <p>Note II: For comparison, the minimum toll rate for the 10-mile trip on the OCTA 91 Express Lanes is currently \$1.45, which would be even higher if based on 2030 volumes.</p>
<u>Recommendation:</u>	Maintain 24-hour tolling with a minimum toll rate of \$0.50 per zone in order to maximize efficient and safe operation of Express Lanes and General Purpose lanes, and to maintain financial feasibility of the Express Lanes project.

Express Lanes Tolling Policy

<u>Item Three:</u>	Toll Collection Methodology
<u>Description:</u>	Establishes toll collection methodology for the Express Lanes Facility
<u>2013 T&R Assumption:</u>	Switchable RFID Transponders and License Plate Recognition
<u>Discussion:</u>	<p>Toll collection methodology varies across the country, and includes cash collection, Radio-Frequency Identification (RFID) transponders, switchable RFID transponders and license plate recognition (LPR).</p> <p>Cash collection introduces additional operations cost, traveler delay and requires a larger geometric footprint, and is largely being phased out across the country.</p> <p>All-Electronic Tolling, which includes the use of transponders and LPR, allows tolling without the need to stop at a cash collection booth.</p> <p>Transponder-only facilities provide the lowest administrative cost of the toll collection methods, but restricts use of the Express Lanes to those with a transponder. Switchable transponders provide the added benefit of declaring vehicle occupancy, thereby eliminating the need for declaration lanes for qualifying HOV vehicles.</p> <p>LPR has a higher administrative cost than transponder-only, but allows access to a much broader range of users than transponder-only facilities. For example, visitors or infrequent users can still use the facility and pay the toll via the web. LPR users would be charged a surcharge to offset the higher administrative cost.</p> <p>Note I: Transponders issued in California are required by law to be interoperable, e.g. an OCTA transponder works on a Metro Express Lanes facility, and this requirement will soon be in effect nationwide.</p> <p>Note II: As tolling technology continues to evolve, there is the potential that transponders would no longer be required by the time of construction. This issue will be monitored further during future Concept of Operations development.</p>
<u>Recommendation:</u>	Utilize switchable RFID Transponders and License Plate Recognition for toll collection.

Express Lanes Tolling Policy

<u>Item Four:</u>	Toll Pricing Process
<u>Description:</u>	Establishes the tolling concept for the Express Lanes
<u>2013 T&R Assumption:</u>	Dynamic Pricing with Pricing by Segment
<u>Discussion:</u>	<p>The I-10 and I-15 Express Lanes would utilize dynamic pricing, which maximizes the ability to manage traffic demand by adjusting pricing based on real-time traffic demand. Actual pricing can be based on a per-mile basis or a per-segment basis.</p> <p>Per-mile pricing would charge users based on the distance covered within the Express Lane facility, with the per-mile rate varying based on demand.</p> <p>Under segment pricing, per-mile toll rates are converted into toll charges for each segment by multiplying the per-mile rate by the longest distance covered by each tolling segment.</p> <p>Segment-based pricing tends to increase the share of long-distance trips, i.e. minimizes weaving, due to a relatively higher price for trips using only a short portion of a tolling segment. Shorter trips lead to increased weaving in and out of the Express Lanes, which may cause operational issues leading to increased congestion and reduced corridor throughput.</p> <p>Utilizing per-mile pricing on a long corridor with multiple ingress-egress points introduces signage complexity, with a wide range of total trip distance scenarios available upon entry into the facility. Segment pricing simplifies signage by indicating cost for using the initial segment, followed by cost to the end of the facility.</p> <p>Note I: Tolls that are displayed on signage are guaranteed upon entry.</p>
<u>Recommendation:</u>	Utilize Dynamic Pricing with Pricing by Segment

Express Lanes Tolling Policy

<u>Item Five:</u>	Clean Air Vehicle Policy
<u>Description:</u>	Establishes policy for free or discounted travel for Clean Air Vehicles in the Express Lanes facility.
<u>2013 T&R Assumption:</u>	No discount or free travel for Clean Air Vehicles
<u>Discussion:</u>	<p>Current State policy, which expires in 2019, provides free travel for qualifying Clean Air vehicles in many managed lanes facilities.</p> <p>Tolling Clean Air Vehicles has a positive financial impact; however, actual impact has not been quantified as it was a core assumption in the 2013 Traffic and Revenue Forecast.</p> <p>Tolling Clean Air Vehicles reduces incentive for Clean Air Vehicle use, which is a potential air quality issue.</p> <p>SCAG is moving towards a blanket exemption for Clean Air Vehicles priority usage of managed lanes, i.e. no discount or free travel for Clean Vehicles.</p>
<u>Recommendation:</u>	Consistent with law anticipated at the start of tolling in 2022, maintain normal toll pricing for Clean Air Vehicles

Express Lanes Tolling Policy

<u>Item Six:</u>	Low-Income Equity Program
<u>Description:</u>	Policy would establish a program to attract and facilitate usage of the Express Lanes facility by low-income users.
<u>2013 T&R Assumption:</u>	Not modeled
<u>Discussion:</u>	<p>Policy would be modeled after Metro Express Lanes Equity Program, which provides \$25 credit for account set-up and waives the monthly account fee</p> <p>Primary recommendation from the Equity Study Report; financial impact to be quantified.</p> <p>Note I: Metro annual cost is approximately \$54,000 in toll credits.</p> <p>Note II: Participation in the Low Income Equity Program requires registration and issuance of a transponder. The requirement of a transponder will be further reviewed during Concept of Operations development, as toll collection technology is evolving rapidly.</p>
<u>Recommendation:</u>	Recommend including Equity Program for San Bernardino County residents; financial impact to be verified during Investment Grade Traffic and Revenue analysis.

Express Lanes Tolling Policy

<u>Item Seven:</u>	Incident Management
<u>Description:</u>	Establish policy to allow or not allow General Purpose lane traffic to be rerouted into Express Lanes toll-free in event of traffic incident in General Purpose lanes
<u>2013 T&R Assumption:</u>	Not modeled
<u>Discussion:</u>	<p>In the event of a significant incident in the General Purpose lanes, the flexibility to reroute General Purpose lane traffic into the Express Lanes could serve to alleviate congestion associated with the incident, benefitting the General Purpose lane users of the Corridor.</p> <p>The drawbacks include the lack of choice for a “guaranteed” travel time in the Express Lanes facility during severe General Purpose lane incidents, and the drop in Express Lane throughput due to congestion resulting from the influx of General Purpose Lane traffic.</p> <p>Note I: If General Purpose lane traffic is rerouted into the Express Lanes due to an incident, a tolling reversal (credit) would be issued to the Express Lane users. Similarly, if the Express Lanes become congested due to an incident in the Express Lanes, traffic would be rerouted into the General Purpose lanes and a tolling reversal (credit) would be issued.</p> <p>Note II: Specific language would need to be drafted specifying the conditions under which CHP could reroute traffic into the Express Lanes facility.</p>
<u>Recommendation:</u>	Develop specific language, coordinated with CHP, to enable CHP to reroute General Purpose lane traffic into the Express Lanes in the event of a severe incident in the General Purpose lanes. Financial impact would need to be reflected during development of the Investment Grade Traffic and Revenue Forecast.

Express Lanes Tolling Policy

<u>Item Eight:</u>	Tolling during Super-Peak Traffic Hours
<u>Description:</u>	Policy would charge 3+ vehicles at a full or discounted rate rather than free during weekend and Holiday Super-Peak periods.
<u>2013 T&R Assumption:</u>	HOV 3+ vehicles travel free 24 hours a day, 365 days per year.
<u>Discussion:</u>	<p>Peak hours are defined as the hours during which traffic volumes reach a point near which the traffic flow become unstable. Since the capacity of the Express Lanes facility is limited, pricing is used to manage the demand to keep traffic flowing at optimal levels during peak hours.</p> <p>“Super-Peak” hours are defined as the hours during which demand greatly outstrips capacity (supply), resulting in high toll prices to manage the demand. Super-Peak demand is typically directional in nature. For example, the demand on the I-15 northbound is typically highest on a Friday night, particularly in the Cajon Pass area, and I-15 southbound is typically highest on a Sunday night.</p> <p>For the I-10 and the I-15 corridors, the super-peak events typically coincide with the weekends and holidays, i.e. recreational traffic. Much of the recreational traffic is HOV 3+, meaning it takes a higher percentage of the Express Lanes capacity without paying a toll. Additionally, much of the recreational traffic is coming from outside San Bernardino County.</p> <p>Charging HOV 3+ a partial toll during super-peak events provide an overall positive financial impact. Additionally, it captures revenue from HOV 3+ traffic emanating from outside San Bernardino County.</p> <p>Note: The OCTA 91 Express Lanes charge HOV 3+ one half of the posted toll rate Monday through Friday from 4:00 p.m. to 6:00 p.m in the eastbound direction only.</p>
<u>Recommendation:</u>	Evaluate tolling HOV 3+ at a discounted rate (as opposed to free) during super-peak events in the next phase of Traffic and Revenue forecasting.

Minute Action

AGENDA ITEM: 13

Date: *April 1, 2015*

Subject:

Release Request for Proposal for US-395 Phase I Right-of-Way Services

Recommendation:

That the Board, acting as the San Bernardino County Transportation Commission:

Approve the release of Request for Proposal No. 15-1001188 for Right-of-Way Services for the US-395 Phase I Project.

Background:

On March 4, 2015, the SANBAG Board of Directors approved Cooperative Agreement No. 15-1001175 with Caltrans for the U.S. 395 (US-395) Phase I Right of Way (ROW) phase. The Cooperative Agreement defines the roles, responsibilities, and funding commitments of the parties relative to the ROW. Under this agreement, CALTRANS will provide the ROW Engineering and will be responsible for issuing the ROW Certification. SANBAG, acting as the San Bernardino County Transportation Commission, will be the lead for all ROW tasks associated with acquisitions and utility relocation.

The next step is to procure a consultant to perform ROW tasks assigned to SANBAG. The purpose of the scope of work is to fulfill requirements leading to the successful right of way certification and project closeout. The scope of work includes title and escrow, appraisal, acquisition, condemnation support, relocation assistance, utility coordination, property management, demolition and clearance, disposal/sale of excess property or land, ROW certification support and other specialty ROW related services for both pre- and post- ROW certification activities and successful project closeout.

The improvements for the US-395 were divided into nine segments to make project funding and delivery more manageable. Phase I includes Segments 5, 6, 7 and 8 and proposes widening US-395 to four lanes, adding turn lanes and signals at various intersections between State Route (SR) 18 to Chamberlain Way in the City of Adelanto.

Since the ROW Cooperative Agreement (No.15-1001175) with Caltrans for Phase I was approved by the SANBAG Board of Directors, staff is requesting authorization to release the Request for Proposals (RFP) 15-1001188 for the ROW Services for the US-395 Phase I Project.

Entity: CTC

Board of Directors Agenda Item
April 1, 2015
Page 2

Financial Impact:

This item imposes no impact on the Fiscal Year 2014/2015 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on March 20, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the RFP.

Responsible Staff:

Paula Beauchamp, Project Delivery Manager

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

ATTACHMENT A - SCOPE OF WORK

Attachment: RFP 15-1001188 US-395 Phase I ROW Att A SOW (Exhibits A.1 & A.2) (1822 : US-395 Phase I ROW Services RFP)

ATTACHMENT A – SCOPE OF WORK

OVERVIEW:

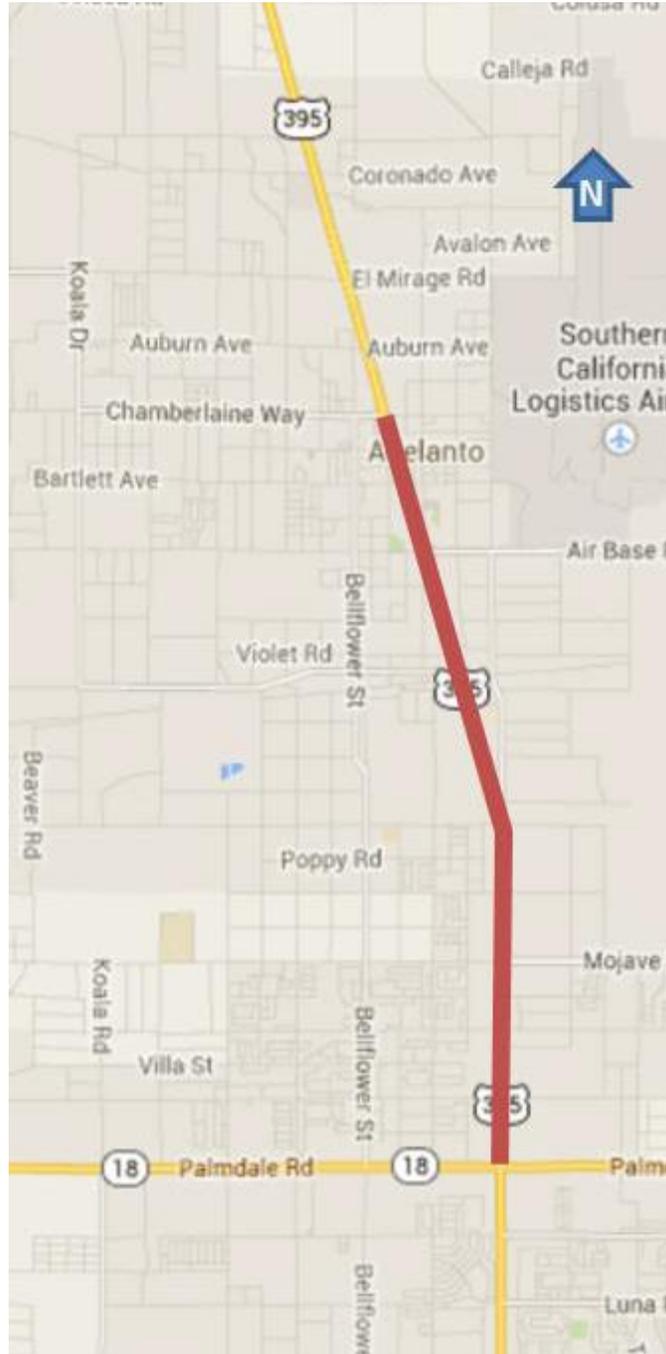
The San Bernardino Associated Governments, acting as the San Bernardino County Transportation Commission (SANBAG), is seeking professional services to provide RIGHT OF WAY SERVICES for the US-395 Phase I Project (PROJECT) in the City of Adelanto.

PROJECT DESCRIPTION, LOCATION AND SCOPE:

The improvements for the US-395 were divided into nine segments to make PROJECT funding and delivery more manageable. Phase I includes Segments 5, 6, 7 and 8 and proposes widen US-395 to four lanes, add turn lanes and signals at various intersections between State Route (SR) 18 to Chamberlain Way in the City of Adelanto.

SANBAG will be the lead for all ROW tasks associated with acquisition and utility relocation, CALTRANS will provide the ROW Engineering and will be responsible for issuing the ROW Certification. The purpose of the scope of work is to fulfill requirements leading to the successful right of way certification and project closeout.

Exhibit A.1 PROJECT LOCATION



Attachment: RFP 15-1001188 US-395 Phase I ROW Att A SOW (Exhibits A.1 & A.2) (1822 : US-395 Phase I ROW Services RFP)

EXHIBIT A.2 - DETAILED SCOPE OF SERVICES

CONSULTANT will provide SANBAG with professional services required to obtain the ROW Certification for the PROJECT. Specific scope items and deliverables are documented in the following sections. Additional review cycles and/or deliverables resulting from changes in California Department of Transportation (CALTRANS) reviewers for completed documents, changes in CALTRANS or other agency policies or requirements will be considered as additional scope and may require budget augment.

I. APPLICABLE STANDARDS

- A. All documents will be prepared in accordance with current Federal Highway Administration (FHWA), California Department of Transportation (CALTRANS), SANBAG, and City of Adelanto (CITY) laws, status, regulations, policies, procedures, manuals, and standards where applicable. CONSULTANT will obtain, at its expense, all applicable Manuals.
- B. This PROJECT utilizes federal funds and is in the State Highway System; therefore, CONSULTANT will comply with the requirements set forth by federal and state laws, statutes and regulations, particularly [49 CFR Part 24, Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended \(Uniform Act\)](#), [Title 25 California Code of Regulations Ch. 6, Art 1, Section 6000 et seq.](#), Relocation Assistance and Real Property Acquisition Guidelines; and the [California Code of Civil Procedure Sections 1230.010-1230.070](#); [California Government Code Sections 7260-7277](#).
- C. CONSULTANT will follow the Uniform Act and Caltrans Right-of-Way Manual.
- D. CONSULTANT will comply with SANBAG Right-of-Way Procedures Manual and Policy nos. 34507 and 34509.

II. GENERAL DESCRIPTION OF REQUIRED SERVICES

- A. CONSULTANT Services include the title and escrow, appraisal, acquisition, condemnation support, relocation assistance, utility coordination, property management, demolition and clearance, disposal/sale of excess property or land, right-of way certification support and other specialty ROW related services to obtain the ROW certification for the PROJECT and any post-ROW Certification work that is required.
- B. CONSULTANT will have sole responsibility for the accuracy and completeness of all the documents furnished under this Scope of Services. CONSULTANT will independently check all the documents prior to any submittal. All the documents submitted will be reviewed by SANBAG, and/or SANBAG's designee for peer reviews, overall PROJECT consistency, and verification of implementation of CONSULTANT Quality Assurance/Quality Control process. CONSULTANT is subject to audits by SANBAG or SANBAG's designee for implementation of a Quality Assurance/Quality Control process.

- C. All the documents furnished under this Scope of Services will be of a quality acceptable to SANBAG. The criteria for acceptance will be a product of neat appearance, well organized, technically and grammatically correct, checked, and having the preparer and checker identified. The appearance, organization and content of the drawings will be to applicable standards.
- D. CONSULTANT will not suspend performance of this Contract during the negotiations of any change orders except as they may be directed by SANBAG. CONSULTANT will perform all changes in accordance with the terms and conditions of this Contract.
- E. CONSULTANT will employ quality control procedures that identify potential risks and uncertainties related to the ROW of the PROJECT.
- F. CONSULTANT will coordinate with all agencies involved or potentially impacted by the PROJECT. CONSULTANT will inform SANBAG prior to all contacts, meetings, and correspondence. CONSULTANT is required to coordinate activities with adjacent Projects.
- G. CONSULTANT will be required to meet with and coordinate their efforts with SANBAG staff, SANBAG legal counsel, and other consultants and/or Caltrans staff; participate in office or project site meetings.
- H. As directed by SANBAG, CONSULTANT will coordinate with other SANBAG staff and/or CONSULTANTS for supplemental work required for the effective delivery of the Measure I Program and other Federally Funded Programs. Fees charged by SANBAG staff and/or CONSULTANTS will be paid directly by SANBAG
- I. If legal issues exist during CONSULTANT's performance of services required by SANBAG, CONSULTANT will request legal opinion. All legal opinions will be rendered or concurred to by SANBAG's legal counsel.
- J. CONSULTANT must demonstrate knowledge and experience in working with the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the California Department of Transportation (Caltrans) and major utility owners.
- K. CONSULTANT will implement and comply with the SANBAG Quality Assurance procedures. Copy of these procedures is available on the SANBAG internet website: www.sanbag.ca.gov under "Vendor Portal".

III. SCOPE OF SERVICES

The PROJECT will be performed in accordance to the CALTRANS' Workplan Standards Guide for Delivery of Capital Projects. The Workplan is an outline used to plan and control the PROJECT but does not limit the CONSULTANT from providing services necessary to delivering the ROW work. The Task Number is a modification of the CALTRANS WBS.

TASK 100 – PROJECT MANAGEMENT/ RIGHT OF WAY

CONSULTANT will provide the management of the Right of Way services through completion of the PROJECT. The services provided include the requirements for meetings, schedules, progress reports, and administration of the CONSULTANT and sub-consultants work. CONSULTANT will provide but is not limited to the following project management activities:

Task 100.01 – Coordination and Meetings

CONSULTANT will meet with the relevant parties to discuss issues pertinent to the PROJECT assignments. CONSULTANT will participate in the PROJECT meetings (i.e. Project Development Team (PDT) meetings, resource agencies coordination meetings, focus meetings, workshops,..) and be prepared to discuss the PROJECT status, issues, policy, or procedural issues. CONSULTANT will bring progress plans as appropriate and assist in developing meeting notices, agenda, minutes and/or handouts as needed.

Deliverables:

- ROW Focus Meeting Agendas and Minutes

Task 100.02 – Administration

Administration will include the following elements of the work:

- Supervise, coordinate, and monitor work for conformance with the appropriate standards and policies
- Apply for and/or assist to obtain City approvals and permits as required
- Prepare, circulate, and file correspondence and memoranda as appropriate

Task 100.03 – Schedule and Progress Reports and Progress Payment Invoice

CONSULTANT will submit an initial ROW Schedule. As directed by SANBAG, the schedule will be tailored for PROJECT specific activities as appropriate to track right of way acquisition and PROJECT clearance activities from the initial appraisal phase through property possession. Following approval by SANBAG, this schedule will become the ROW Baseline Schedule and will be tracked throughout the duration of the PROJECT.

CONSULTANT will submit a progress payment invoice to the SANBAG for services completed on a monthly basis. The invoice will be detailed so it can be verified and approved by the SANBAG on a timely basis. If CONSULTANT fails to submit the required deliverable items according to the agreed schedule set at start of the PROJECT, the SANBAG will have the right to delay payment until the required information is received.

CONSULTANT will track the actual progress relative to the schedule and ensure that all significant completion dates of the ROW Schedule are being met.

At the end of each month, CONSULTANT will report the progress of the work. Progress will be based on physical percent complete, such as the number of deliverable completed or estimated progress toward completion. Progress payments will be based upon percent complete of the major tasks identified.

CONSULTANT will submit one copy of a monthly progress report to the SANBAG

project manager consisting of a written narrative and an updated bar-chart format of the ROW Schedule.

The narrative portion of the monthly progress report will describe the overall progress of the work, discuss significant problems and present proposed corrective action and show the status of major changes.

Deliverables:

- Monthly Progress Report
- Monthly ROW Schedule Update and Physical Percent Complete by Task

Task 100.04 –Quality Assurance/Quality Control (QA/QC) Plan

CONSULTANT will maintain a Quality Assurance/Quality Control (QA/QC) Plan throughout term of this Contract. The QA/QC Plan is intended to ensure that the appraisals, maps, reports, plans, studies, estimates, and other documents submitted under this Scope of Services are complete, accurate, checked, and proofread to meet professional standard practices in effect at the time of execution of the Contract. Copy of SANBAG Quality Assurance procedures is available on the SANBAG internet website: www.sanbag.ca.gov under “Vendor Portal”.

Upon receipt of the Notice to Proceed (NTP), CONSULTANT will discuss and explain their plan to provide a reasonable quality control check system and quality assurance program for the contract services described herein follow the applicable standard practices in effect at the time of execution of the Contract. Within twenty (20) working days of receiving the NTP, CONSULTANT will submit a draft copy of the QA/QC Plan for review and approval by SANBAG. If requested by SANBAG, CONSULTANT will modify and/or revise the QA/QC Plan as needed to appropriately control the PROJECT quality program for the contract.

Deliverables:

- Quality Assurance/Quality Control Plan

Task 100.05 - Project Management Plan, Risk Management Plan and Risk Register

CONSULTANT will develop and maintain a Project Management Plan, Risk Management Plan and Risk Register for the Right of Way components.

Deliverables:

- Project Management Plan
- Risk Management Plan and Risk Register

Task 100.06 –Maintain Complete Project Files

CONSULTANT will maintain a set of Project files that are indexed in accordance with CALTRANS’ Project Development Uniform File System. At the completion of this Scope of Services all electronic files and correspondence relating to the PROJECT will be turned over to SANBAG who will then forward said files to CALTRANS. This includes all working data, field data, and background information used in creating the deliverables listed in the Scope of Services.

Deliverables:

- Project Files

Task 100.07 - Support for Legal Challenges

CONSULTANT will support all efforts related to legal challenges during the Right of Way phase.

Task 100.08 - Close Out

The PROJECT is complete, and the PROJECT can be closed out, when the Construction component, the Right of Way component (including excess property disposal), postconstruction environmental mitigation, and other necessary actions are finished. CONSULTANT will support the process of formally bringing the Right of Way component to an end.

Deliverables:

- Lessons Learned
- Project Files

TASK 220 TITLE AND ESCROW SERVICES**220.01 - Existing Records**

As needed, CONSULTAN will perform thorough research to locate all relevant survey and land ownership records required to complete existing land-net field survey boundary analysis, determination, and delineation being performed by CALTRANS. Services may include, but are not limited to, the following work program:

1. CONSULTANT will provide Preliminary Title Reports and Litigation Guaranties on all Fee Simple and less than Fee Simple property and property interests as requested by SANBAG.
2. CONSULTANT will ensure that all Preliminary Title Reports are accurate and complete.
3. CONSULTANT will provide all additional legal documents required by SANBAG, such as, copies of conveyance deed, deed restrictions, liens and encumbrances, title chains and the like.

Deliverables:

- Preliminary Title Reports and Litigation Guaranties

220.02 - Aquisition Documents

As needed, CONSULTAN will prepare all property acquisition document. Services may include, but are not limited to, the following work program:

1. CONSULTANT staff will prepare and review all legal documents necessary to ensure that SANBAG is acquiring good title to the property or property interests to be purchased, free from liens and encumbrances.
2. CONSULTANT will provide all necessary assistance to SANBAG to clear all exceptions stated in the Preliminary Title Reports, unless waived by SANBAG in writing.
3. CONSULTANT will ensure that all conditions precedent and conditions subsequent provided for in Purchase and Sales Agreements are met and satisfied prior to Close of Escrow.
4. CONSULTANT will prepare, subject to review and approval by SANBAG's Legal Counsel, Escrow Instructions for execution by SANBAG and the grantor(s) or

- grantee(s). CONSULTANT will ensure that all legal requirements are satisfied prior to Close of Escrow.
5. CONSULTANT will provide efficient Escrow Services to SANBAG and property owners involved in SANBAG related transactions.
 6. CONSULTANT will prepare all necessary conveyance documents; demand and release of lien/encumbrance documents and submit the same for approval by SANBAG Legal Counsel prior to close of escrow.
 7. CONSULTANT will obtain grantor(s) Tax Identification Number, Social Security Number, Employer Identification Number or Federal Employer Identification Number prior to Close of Escrow and provide the same to SANBAG.
 8. CONSULTANT will record all documents necessary for the acquisition of property/property rights, release of liens and encumbrances with the proper State, County and City recorder's office.
 9. CONSULTANT will prepare an Escrow Closing Schedule in accordance with written instructions from SANBAG and property owners.
 10. Immediately prior to Close of Escrow, CONSULTANT will order and provide SANBAG with an Updated Preliminary Title Report to ensure that no new liens and/or encumbrances are recorded on the property/property interests to be acquired by SANBAG.
 11. At Close of Escrow, CONSULTANT will prepare and submit an Escrow Closing Statement to SANBAG and other parties to the transaction, together with copies of all documents conveying title to SANBAG, copies of releases of liens and encumbrances, receipt for payments made on behalf of SANBAG and the other parties to the transaction.
 12. At Close of Escrow, the CONSULTANT will issue a Standard Owner's Policy of Title Insurance effectively insuring SANBAG's interest and ownership of the property or property rights acquired, unless an ALTA Policy of Title Insurance is requested by SANBAG.
 13. CONSULTANT will provide multi-lingual services as needed for efficient closing of SANBAG transactions.
 14. As requested by SANBAG, CONSULTANT may be required to testify in any administrative or judicial proceeding.
 15. CONSULTANT will perform any other normal procedures and processes necessary to implement the assignment or work program and will provide any other supporting information and/or correspondence required by SANBAG.

Deliverables:

- Preliminary Title Reports and Litigation Guaranties
- Updated Preliminary Title Reports
- Escrow Instructions
- Escrow Closing Schedule

TASK 225 – OBTAIN RIGHT OF WAY INTERESTS FOR PROJECT RIGHT OF WAY CERTIFICATION

Task 225.01 –Right Of Way Appraisal Services

CONSULTANT will provide right of way appraisal services for developed or undeveloped residential, commercial, industrial and agricultural properties. CONSULTANT may be required to produce appraisal reports for full or partial

acquisitions, easements, temporary construction easements, leased or licensed properties, and sale or disposition of excess/surplus properties. Such appraisal services may include, but are not limited to, the following work program:

1. CONSULTANT will prepare appraisals in accordance with the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended, and implemented by 49 CFR Part 24; the State of California Government Code, the State of California Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Code of Regulations Ch 6, Art 1, Section 6000 et seq.), the California Code of Civil Procedure, the Uniform Standards of Professional Appraisal Practice (USPAP), and in some cases, the Uniform Appraisal Standards for Federal Land Acquisition Act. CONSULTANT must be licensed by the State of California.
2. CONSULTANT must be qualified to provide expert witness testimony and defend the conclusions reached in the appraisal at any Administrative or Judicial proceeding.
3. Deliverables will typically consist of three (3) originals of the completed appraisal report, specialty reports and component valuations which may be performed by someone other than CONSULTANT, and incorporated into the overall fair market valuation.
4. Appraisal reports may be reviewed for acceptance and independent approval by the review appraisers. Revisions may be required by reason of this review process. CONSULTANTS may be requested to complete and deliver revised and/or updated appraisals. In the event of non-acceptance due to errors or omissions, CONSULTANT will have fifteen (15) calendar days to make corrections and return the revised appraisals to the review appraiser.
5. For proposed acquisitions, the owner of the real property or a designated representative will be invited by CONSULTANT to accompany the CONSULTANT during the inspection of the property. This invitation must be in the form of a letter entitled "Notice to Appraise" written by the CONSULTANT to the owner. A copy of the invitation will be included in the appraisal report.
6. It is the CONSULTANT's responsibility to contact CALTRAN's project engineers for discussion and/or clarification of any project design matters. This is critical in the appraisal of partial acquisitions and easements where the CONSULTANT may need cross sections or other project engineering data to complete the report.
7. The highest and best use for the property in the before condition must be determined and supported. If a partial acquisition is involved, the highest and best use of the property in the after condition must be determined and supported. If the existing use is not the premise on which the valuation is based, the appraisal will contain an explanation justifying the determination that the property is available and adaptable for a different highest and best use and there is demand for that use in the market.
8. Where the acquisition involves only a part (or portion) of the property, the CONSULTANT will estimate any severance damages and special benefits to the remainder, including reasoning and market data to support the conclusion. The CONSULTANT will indicate if the remainder constitutes an economic or uneconomic unit in the market and/or to the present owner.
9. The California Eminent Domain Law will be followed in partial acquisitions. Special benefits are to be offset only against damages to the remainder in accordance with the law.

10. Appraisal for easement acquisitions will reflect the restrictive elements of the easement to be acquired and the potential effect of such elements on the utility of the property considering its highest and best use. Full details with respect to any interference with the highest and best use of the property affected must be explained and supported.
11. The CONSULTANT must estimate and support the economic rent, state the contract rent and the remaining term of the lease as of the date of value. Include lessor and lessee responsibilities for paying major expenses, e.g. taxes, insurance and maintenance.
12. CONSULTANT will itemize in detail the “improvements pertaining to realty” (Eminent Domain Law-CCP Section 1263.205) showing their replacement cost new, depreciated value in place, salvage value if any, and relocation estimate. To the extent possible, determine the ownership claims of the Improvements Pertaining to the Realty.
13. In cases where the Appraisal Assignment requires a Specialty Appraisal (Furniture, Fixtures, Machinery and Equipment) and/or Specialists Reports (title, survey, soils, and engineering), CONSULTANT may be required to coordinate with SANBAG staff and/or CONSULTANTS for such services as directed by SANBAG. Fees charged by SANBAG staff and/or CONSULTANTS for Specialty Appraisal and/or Specialists Reports will be paid directly by SANBAG.
14. It is the CONSULTANT’s responsibility to thoroughly review the Specialty Appraisal for adoption (with adjustments or not, as appropriate) and inclusion in the overall appraisal. The estimated values that the specialty items actually contribute to the overall value of the real estate will be separately stated but included in the total value of the property.
15. If any legal issues exist during the course of the appraisal assignment, CONSULTANT will notify SANBAG who will request legal opinion. All legal opinions will be rendered by SANBAG’s legal counsel.
16. It is the CONSULTANT’s responsibility to contact SANBAG project manager to arrange for legal counsel discussions and/or clarifications in identifying personal or real property.
17. If hazardous waste is discovered on the property, CONSULTANT will seek further direction from SANBAG.
18. Additional Qualifications:
 - a. CONSULTANT should have a minimum five years experience as full time appraiser
 - b. CONSULTANT should be a member of a professionally recognized appraisal society or institute, such as the Appraisal Institute.
 - c. CONSULTANT should have completed a minimum ten appraisal assignments in California involving potential acquisition pursuant to the laws of eminent domain.
 - d. Should should certify that CONSULTANT has not been disciplined in the last five years as an appraiser by any government or professional association.

Deliverables:

- Completed Appraisal Reports
- Specialty Reports

- Component Valuations

Task 225.02 - Goodwill Appraisal Services

Such appraisal services may include, but are not limited to, the following work program:

1. CONSULTANT's Appraiser will prepare Goodwill Valuations in accordance with the California Code of Civil Procedure, and the Uniform Standards of Professional Appraisal Practice (USPAP). Appraiser must be licensed by the State of California.
2. Appraiser must be qualified to provide expert witness testimony and defend the conclusions reached in the appraisal at any Administrative or Judicial proceeding.
3. Deliverables will typically consist of three (3) originals of the completed appraisal report.
4. In valuing the loss of goodwill to a business, Appraiser will rely upon the definition of fair market value found in Section 1263.320 of the California Code of Civil Procedure, and compensation for loss of goodwill as outlined in Section 1263.510 of the California Code of Civil Procedure.
5. It is the Appraiser's responsibility to contact SANBAG's staff for discussion and/or clarification of any PROJECT design matters as well as relocation sites for the business.
6. Appraiser will work with and take direction from SANBAG legal counsel in the delivery of their reports.
7. If any legal issues exist during the course of the appraisal assignment, Appraiser will request legal opinion. All legal opinions will be rendered by SANBAG's legal counsel.
8. Additional Qualifications:
 - e. CONSULTANT should have a minimum of five years experience as a full time Goodwill appraiser.
 - f. CONSULTANT should be a member of a professionally recognized appraisal society or institute, such as the Appraisal Institute.
 - g. CONSULTANT should have completed a minimum ten Goodwill Valuation assignments in California involving potential acquisition pursuant to the laws of eminent domain.
 - h. CONSULTANT should certify that CONSULTANT has not been disciplined in the last five years as a Goodwill Appraiser by any government body or professional association.

Deliverables:

- Completed Appraisal Reports

Task 225.03 - Furniture, Fixtures, Machinery and Equipment Appraisal Services

Such appraisal services may include, but are not limited to, the following work program:

1. CONSULTANT will prepare Furniture, Fixtures, Machinery and Equipment appraisals in accordance with the California Code of Civil Procedure, the Uniform Standards of Appraisal Practice (USPAP), the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended, and implemented by 49 CFR Part 24; the State of California Government Code; the State of California Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Code of

Regulations Ch 6, Art 1, Section 6000 et seq.). Appraiser must be licensed by the State of California.

1. CONSULTANT must be qualified to provide expert witness testimony and defend the conclusions reached in the appraisal at any Administrative or Judicial proceeding.
2. Deliverables will typically consist of three (3) originals of the completed appraisal report.
3. It is the CONSULTANT's responsibility to contact CALTRANS's project engineers for discussion and/or clarification of any PROJECT design matters.
4. It is the CONSULTANT responsibility to contact SANBAG's legal counsel for discussion and/or clarification in identifying personal or real property.
5. If any legal issues exist during the course of the appraisal assignment, CONSULTANT will request legal opinion. All legal opinions will be rendered by SANBAG's legal counsel.
6. Additional Qualifications:
 - a. CONSULTANT should have a minimum five years experience as full time Furniture, Fixtures, and Equipment (F F & E) appraiser
 - b. CONSULTANT should be a member of a professionally recognized appraisal society or institute, such as the Appraisal Institute.
 - c. CONSULTANT should have completed a minimum ten F F & E appraisal assignments in California involving potential acquisition pursuant to the laws of eminent domain.
 - d. CONSULTANT should certify that CONSULTANT has not been disciplined in the last five years as an appraiser by any government or professional association.

Deliverables:

- Completed Appraisal Reports

Task 225.04 - Right Of Way Acquisition and Relocation, Real Property Searches, Identification and Feasibility Studies for Replacement and Mitigation Sites, and Cost Estimates

CONSULTANT services may include, but are not limited to, the following work program:

1. All CONSULTANT work will comply with applicable Federal, State and local statutes and regulations, including but not limited to, the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended, and implemented by 49 CFR Part 24; the California Government Code; the State of California Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Code of Regulations Ch 6, Art 1, Section 6000 et seq.); the California Code of Civil Procedure; the Uniform Standards for Federal Land Acquisition Act; the California Public Utilities Code; and the California Streets and Highways Code.
2. CONSULTANT deliverables will typically consist of three (3) originals, together with specialist's reports which may be performed by someone other than CONSULTANT.
3. As directed by SANBAG, CONSULTANT will coordinate with other SANBAG staff

and/or CONSULTANTS for supplemental work required for the effective delivery of the Measure I Program and other Federally Funded Programs. Fees charged by SANBAG staff and/or CONSULTANTS will be paid directly by SANBAG.

4. CONSULTANT may be required to take direction from SANBAG's legal counsel in the delivery of services, and to provide testimony in any Administrative or Judicial proceeding related to services rendered by CONSULTANT to SANBAG.
5. CONSULTANT's Acquisition/Negotiation Agents must provide evidence of proper real estate license in the State of California.

Deliverables:

- Cost Estimates
- Feasibility/Mitigation Documents,
- Property Maps, correspondence,,
- Correspondence

TASK 195 - PROPERTY MANAGEMENT, HAZARDOUS MATERIAL REMOVAL, DEMOLITION AND CLEARANCE SERVICES

Property Management, Hazardous Material Removal, Demolition and/or Clearance services support maybe needed for the PROJECT. If deemed necessary, CONSULTANT will provide these services to SANBAG for all currently owned or acquired property, until the property is turned over to either Caltrans or the contractor for this PROJECT's construction, or as otherwise directed by SANBAG. All work will be performed in accordance with federal, state and local regulations and policies and procedures. Services may include, but are not limited to, the following work program::

Task 195.01 - General Property Management Services

As needed, CONSULTANT will manage all property held for the PROJECT and all excess properties. CONSULTANT services may include, but are not limited to, the following work program:

1. Terminating tenancies, monitoring and coordinating properties for hazardous waste cleanup, and final preparation of the properties to clearance and demolition or excess land sales.
2. Maintain a Certified Property Manager (CPM) on staff during the full term of the agreement and/or task order as necessary.
3. Prepare and maintain a monthly Property Inventory Report.
4. Inspecting properties for loss prevention
5. In cases where occupants need to remain in the property prior to relocation, administer temporary lease agreements, which include rent collection, ensure payment of utility bills and maintain decent living conditions for occupants. Prepare, maintain and submit a monthly Rent Collection and Receivables Aging Report.
6. Preparing the property to be transferred to clearance status, including vacating tenants, terminating utility services (disconnects/removals) and boarding up improvements.
7. After occupants have been relocated and properties are vacant, CONSULTANT will coordinate with SANBAG to appropriately fence and secure properties and prevent trespassers, intruders and vandals from gaining entry to properties.
8. As directed by SANBAG, CONSULTANT will coordinate with other SANBAG staff

and/or CONSULTANTs for supplemental work (i.e. perform soil testing, environmental clean-up) required for the effective delivery of the Measure I Program and other Federally Funded Programs. Fees charged by SANBAG staff and/or CONSULTANTs will be paid directly by SANBAG.

Deliverables:

- Monthly Property Inventory Report

Task 195.02 - Hazardous Material Removal, Demolition and Clearance

As needed, CONSULTANT will monitor and coordinate properties for hazardous waste cleanup, and final preparation of the properties to clearance and demolition or excess land. Services may include, but are not limited to, the following work program::

1. The CONSULTANT may be required to provide survey activities. Survey activities may include the surveying and testing, as applicable, of buildings, structures, stored materials, tank contents and containers to determine whether hazardous waste or materials are present. The CONSULTANT may also be required to perform environmental site assessment work to confirm that the properties are free and clear of hazardous materials, potentially requiring the on call team to assist with required environmental assessment and/or site remediation work as directed by SANBAG.
2. Typical surveys or assessments may include, but not be limited to inspections for:
 - Asbestos containing materials (ACM) in buildings and pipelines
 - PCB containing materials in transformers, equipment, containers
 - Fuels and other chemicals in tanks, barrels and storage containers
 - Review of buildings or structures to determine whether hazardous materials are being used or stored
 - The presence of lead paint
 - Environmental Assessment (i.e. Phase 1, Phase 2)

Only if needed a Certified Industrial Hygienist (CIH) be utilized for survey plans and work. When surveys are included in a task order, survey activities as well as results will be included as a report or as part of the Site Investigation Report.

3. The CONSULTANT may be required to remove and dispos asbestos and lead paint. This work will consist of identifying, quantifying, removing and disposing of materials containing friable and/or non-friable asbestos prior to the demolition of improvements and obtaining all necessary licenses, permits, certification and other documents needed for the work. No grinding equipment that may expose asbestos containing materials may be used.

CONSULTANT will prepare a plan presenting the methods for removing, handling, transporting and disposing of friable or non-friable asbestos. Prior to submittal to the SANBAG project manager, the local Air Quality Management District must approve the plans for friable asbestos. The submittal of these plans to the Southern California Air Quality Management District (SCAQMD) must occur 14 days prior to the start of work. This plan will include identification of all Environmental Protection Agency (EPA) and Occupational Safety and Health Administration (OSHA) licenses, permits and certifications required for asbestos abatement work, removal, handling and transport.

All asbestos work and lead paint removal will conform to federal, state and local laws governing the identification, preparation, workers, equipment, safety, monitoring, signing, fencing, removing, and hauling of friable and non-friable asbestos and will supply copies or information on all applicable licenses, permits, and notifications required by applicable laws and regulations.

In cleaning sites that involve asbestos removal, CONSULTANT must be properly licensed for such work. CONSULTANT will be responsible for maintaining, monitoring, securing, and posting the site in accordance with all laws, regulations and permits required for asbestos abatement work. The CONSULTANT will be provided with an asbestos report prior to starting the job, and will be required to provide the SANBAG manager with copies of all documents required for abatement and certification at the conclusion of the removal and disposal of asbestos.

CONSULTANT will use a California Uniform Hazardous Waste Manifest, which will be signed by the CONSULTANT project manager or his designee. SANBAG project manager will supply the EPA Generator number for the CONSULTANT if necessary.

CONSULTANT will use hazardous waste haulers having current registration with the California Department of Health Services (CDOHS), and will have a U. S. EPA Identification Number (US EPA ID Number). All vehicles used to transport hazardous waste will have a valid Certificate of Compliance affixed to the vehicle.

Asbestos containerized for transportation to a disposal site will be appropriately labeled. CONSULTANT will pay any disposal site charges.

Non-friable asbestos containing material is to be considered hazardous waste. CONSULTANT will take precautions during removal that it remains wet, breakage is minimized, minimal visual emissions are allowed and it is not physically altered or powdered to result in the release of free asbestos fibers.

If the CONSULTANT discovers any asbestos containing material or other hazardous waste not noted in the port provided by SANBAG, the CONSULTANT must stop work. The CONSULTANT must call the SANBAG project manager and should give an estimate of cost for this unforeseen work. said materials will be removed only after approval in writing by the SANBAG project manager. The removal of unforeseen asbestos will comply with the requirements pertaining to removal and disposal of asbestos.

4. CONSULTANT will immediately notify the SANBAG project manager upon encountering any type of hazardous and/or toxic wastes or materials during the demolition and removal process. SANBAG Project manager will request an immediate site investigation by SANBAG's designated CONSULTANT.

Should it become necessary to terminate the demolition and removal process, CONSULTANT will be compensated only for work in progress or actually completed. The amount of such compensation is to be determined by the SANBAG project manager. No payment will be made for delay or lost profits anticipated for uncompleted work.

Failure of the CONSULTANT to notify SANBAG of the presence of hazardous and/or toxic wastes or materials may result in legal liability to the CONSULTANT for all actual damages resulting to SANBAG.

5. CONSULTANT may be required to provide related demolition and clearance services, including but not limited to, demolition and clearance, removal of walls, fences, trees and shrubs, asbestos and lead based paint removal and disposal, site remediation of

hazardous materials, and fencing or securing properites.

CONSULTANT will work through a Demolition Contractor whom will furnish all labor, tools, materials and equipment necessary to provide routine and/or emergency demolition and clearance services for residential, commercial and industrial properties. In the performance of this task, CONSULTANT will at all times comply with all applicable laws, decisions, ordinances, statutes, rules, and regulations of the U. S. Government, the state of California, and any political subdivision or public SANBAG thereof, including without limitation, tax, labor, prevailing wage, safety, security and social security laws and regulations. In addition, CONSULTANT will perform the services there under in a manner so as not to endanger the safety or any person and property.

CONSULTANT will procure all permits and licenses, pay all charges and fees, and give all notices necessary for the due and lawful performance of work. CONSULTANT will comply with the provisions of said statutes in obtaining such permits, licenses and other authorizations, and they will be obtained in sufficient time to prevent delays to the work.

CONSULTANT will preserve and protect all structures, equipment, and vegetation (such as trees, shrubs, and grass) adjacent to the work site, which is not to be removed and which does not unreasonably interfere with the work required under this contract.

CONSULTANT will protect from damage all existing improvements and utilities near the work site, and on adjacent property owned by a third party, the locations of which are made known to or should be known by the CONSULTANT. CONSULTANT will repair any damage, at its own cost or expense, to those facilities, including those that are the property of a third party, resulting from failure to comply with the requirements of this contract or failure to exercise reasonable care in performing the work. If the CONSULTANT fails or refused to repair the damage promptly, SANBAG may have the necessary work performed and charge the cost to the CONSULTANT.

6. All materials resulting from provision of demolition and clearance services will become the property of the Demolition Contractor and will be removed from the premises. Hazardous materials will be disposed of in accordance with appropriate laws and regulations including OSHA Construction Standard (29 CFR 1926.1101) and EPA National Emission Standards for Hazardous Air Pollutants (NESHAP 40 CFR subpart M).

Sewer capping will be the first order of work. CONSULTANT will disconnect and cap sewer lines at the property line or back of sidewalk. All sewer capping will be subject to inspection by the responsible agency. CONSULTANT will notify the responsible agency a minimum of 24 hours prior to capping the sewer. The excavation resulting from the sewer cap operation will be covered until inspection by the responsible agency and immediately backfilled after inspection. CONSULTANT or his representative will be on the site at the time the responsible agency inspects the sewer cap.

Prior to starting demolition operations, CONSULTANT will contact utility companies to verify the location of their service lines to be protected in place and/or verify removal of their service lines.

Prior to starting demolition operations adjacent to any public way, CONSULTANT will erect a protection fence. A protection fence will not be necessary when the

distance from the improvement to the public way is more than one-half the height of the improvement being demolished.

Where a protection fence is erected on a public sidewalk, a pedestrian walkway will be provided. The walkway and sidewalk will meet the Code requirements established by the City where the PROJECT is located. The required width of the walkway will be unobstructed.

No structural member in any level will be demolished or removed until the level next above is completely removed, excepting Class "A" masonry and/or concrete improvements, subject to the approval of the responsible agency.

The cleaning of brick on the site is prohibited. CONSULTANT will break the floor of and fill all basements, pits, and sumps and backfill all excavations resulting from the removal operations.

CONSULTANT will not proceed from one item of work to the next until the previous item is in non-hazardous condition and all combustible material has been removed.

CONSULTANT will clear and grub all trees, shrubs and vegetation unless otherwise specified in a task order. Tree removal will include removing the major root ball and backfilling the resulting excavations.

CONSULTANT will not remove fencing adjoining improved property unless instructed to do so by the SANBAG project manager.

Unless specifically stated otherwise in these provisions, SANBAG assumes no responsibility for conditions not evident at the time of bid openings or for subsequent change or damage of any nature to the improvements not within the control of the Agencies.

The SANBAG project manager reserves the right to remove such items from the improvements as deemed suitable before directing CONSULTANT to begin demolition operations.

7. The workmanship will be in conformance with the building codes of the state, county, and city in which the work is being done. CONSULTANT will conduct operations in such a manner to cause the least obstruction and/or inconvenience to the surrounding tenants and/or property owners.

It is the CONSULTANT's responsibility to notify the SANBAG project manager to have all work inspected within 24 hours of work completion for final inspection of work. CONSULTANT will leave each work site in a clean and neat condition, and will haul away and legally discard any materials or debris caused by work actions from the job site, at no additional cost.

8. As directed by SANBAG, CONSULTANT will coordinate with other SANBAG staff and/or CONSULTANTS for supplemental work (i.e. perform soil testing, environmental clean-up) required for the effective delivery of the Measure I Program and other Federally Funded Programs. Fees charged by SANBAG staff and/or CONSULTANTS will be paid directly by SANBAG.

Deliverables:

- Site Investigation Report
- Asbestos and Lead Paint Removal Plan

Task 195.03 - Relocation Services

The CONSULTANT will provide a Relocation Assistance Coordinator, as needed, to implement the Relocation Assistance Program (RAP) in accordance with applicable laws, regulations, and policies. Services may include, but are not limited to, the following work program:

1. Implement the Uniform Act and other requirements.
2. Prepare Relocation Impact Documents (RID), Replacement Housing Valuations, and other R/W Planning documents.
3. Identify that sufficient CONSULTANTs are available to perform the RAP requirements of the PROJECT such that there is adequate time to spend with each displace to ensure the appropriate level of advisory assistance is provided and that claims are processed in a timely manner.
4. Coordinate increase of rental rates with Caltrans ROW staff to ensure that increases for RAP eligible occupants are in accordance with rental policy for residential rental rates. Increases in rental rates for 90-day Occupants may drastically affect their entitlements.
5. Perform inspections of the real property just prior to or at the close of escrow to determine if the acquired items of realty are still on-site, and explain to the displaces who will remain in occupancy that they are responsible for maintenance of the property until they vacate. Describe grace period, if any, for businesses renting from the State, in the rental agreement.

Deliverables:

- Relocation Impact Documents (RID)
- Replacement Housing Valuations,
- Other ROW Planning documents.

TASK 200 - UTILITY RELOCATION

CONSULTANT will provide all work involved in the protection, removal and/or relocation of utility facilities necessary to clear and certify Right of Way for the PROJECT; as well, administering the physical utility relocation work prior to, during, or after the construction of the project pursuant to a Notice to Owner to relocate and includes determining the construction schedule for utility relocation. Services may include, but are not limited to, the following work program:

1. Provide a Utility Relocation Coordinator with knowledge and experience with Local, State, and Federal laws, policies, and procedures that deal with Utility Relocation to verify utilities, identify utility conflicts, coordinate utility relocation, and manage and track billings related to these activities for utilities in physical conflict or in violation of the Department's utility accommodation policy for transportation projects. Additionally, the Utilities' Relocation Coordinator will be knowledgeable in liability determination for cost of utility relocation by understanding and using Master Contracts between Caltrans and utility companies, State Streets and Highways Code, and Statutes relating to the Department of Transportation.
2. Establish files that document action taken or recommended.
3. Prepare estimates based on possible relocations. Update and revise the estimates when necessary.

4. Identify and verify all utility facilities lying within existing and proposed rights of way.
5. Coordinate all positive location requirements for all high/low risk utility facilities within the PROJECT limits.
6. Reviwe utility relocation plans from utility companies.
7. Coordinate “avoidance” and relocation of facilities.
8. Assist in preparing and/or reviewing: encroachment exception requests, high/low risk policy exceptions, FHWA Request for Authorization packages, FHWA Approval of Utility Agreement, portions of the Right of Way Data Sheets, portions of the R/W Certification document.
9. Prepare Notices to Owners, Utility Agreements, and Encroachment Permits.
10. Administer relocation work includes pre-construction meetings, coordination with utility owner and monitoring utility relocation work.
11. Verify relocation billings and process for payment when acceptable.
12. Utility Close Out.

Deliverables:

- Notices to Owners
- Utility Agreements
- Encroachment Permits

TASK 245 -POST RIGHT OF WAY CERTIFICATION WORK

CONSULTANT will assure that all Right of Way deliverables are completed after the project has been certified.

Minute Action

AGENDA ITEM: 14

Date: April 1, 2015

Subject:

Congestion Management Program Cost Allocation

Recommendation:

That the Board, acting as the San Bernardino County Congestion Management Agency:

- A. Approve the 2013/2014 Congestion Management Program Cost Allocation.
- B. Approve Mountain/Desert Subarea Jurisdiction Invoicing for Shares.

Background:

Congestion Management Program (CMP), Task No. 0203 in the SANBAG Budget, accumulates expenses related to the general activities and updates of the countywide CMP. Examples of these activities include updates to the Development Mitigation Nexus Study (which applies to the Valley and Victor Valley), further development of SANBAG travel demand forecasting capabilities, and review of traffic studies as related to the CMP network.

Expenses related to the CMP for Fiscal Year 2013/2014 have been compiled and allocated between the Valley and Mountain/Desert subareas. Those expenses related to the Mountain/Desert subarea are further divided by formula and billed annually to the various jurisdictions on a per capita basis. This provides for the sharing of general and administrative expenses associated with the administration of this program. The reimbursement amount for Fiscal Year 2013/2014 of \$8,939.93 is less than the \$17,112.56 reimbursement from Fiscal Year 2012/2013.

The item includes three attachments. Attachment 1 provides an overview of the CMP and its role within San Bernardino County. Attachment 2 provides the Fiscal Year 2013/2014 Cost Allocation Schedule of the costs to be reimbursed by the Mountain/Desert jurisdictions. Attachment 3 provides for comparison of the Fiscal Year 2012/2013 Cost Allocation Schedule approved by the Board of Directors on March 5, 2014.

To simplify the process associated with reimbursement of program administration, the SANBAG Fiscal Year 2015/2016 budget will be developed so that local jurisdiction reimbursement of CMP related activities will no longer be required. SANBAG-incurred expenses will be drawn against the Mountain/Desert CMP funds under Task 0203 until that fund balance is exhausted, and future Fiscal Year budgets will utilize Mountain/Desert subregion Project Development-Traffic Management Systems funds for CMP-incurred expenses.

Entity: CMA

Board of Directors Agenda Item
April 1, 2015
Page 2

Financial Impact:

This item will result in a reimbursement to the Congestion Management Program fund (Fund 1093).

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Mountain/Desert Policy Committee on March 20, 2015.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Attachment 1

CONGESTION MANAGEMENT PROGRAM

Assembly Bills 471, 1791, and 3093, first implemented in 1990 by Proposition 111, require adoption and biennial updating of Congestion Management Programs (CMPs) for each county with an urbanized area of more than 50,000 population. In San Bernardino County, San Bernardino Associated Governments (SANBAG) was designated the Congestion Management Agency by the local governments, and is charged with developing and monitoring compliance with the program. Implementation of the program, and local compliance, are required to gain access to transportation funding through the Regional Transportation Improvement Program. The State controller is required to withhold local gas tax subventions from local jurisdictions which are not in conformance with the adopted CMP.

The CMP for San Bernardino County was developed by SANBAG through technical and policy committees with representation from all local jurisdictions, Caltrans, and the private sector. It was adopted by the Congestion Management Agency Board of Directors on November 4, 1992, and was updated in November 1993 and every odd-numbered year thereafter.

WHAT IS THE INTENT OF THE CMP?

The CMP is intended to strengthen the nexus between transportation and land use decisions, with consideration for air quality. It has resulted in more consistent analysis and a better understanding of regional or multi-jurisdictional transportation consequences of local actions.

HOW DOES IT ACCOMPLISH THIS?

The CMP requires definition of the regional multimodal transportation system, maintenance of level of service standards on regional roads, and implementation of measures to maximize the efficiency of the existing system. It also provides mechanisms to objectively identify and prioritize improvements to the regional system, and is the vehicle through which various state and federal transportation funds are accessed. The statutory CMP requirements are described below.

REQUIRED CMP ELEMENTS

1. **Establishment of Level of Service (LOS) Standards, as calculated by a uniform LOS methodology, for the system of highways and principal arterial roadways within the county.** Once designated, no roadway can be removed from the system. All new highways and principal arterials must be added to the system. The LOS standard must be LOS E or better, except on links or intersections which currently operate at LOS F. Deficiency plans must be completed and adopted for facilities which fail to meet the standard. Deficiency plans are described below.

2. **Standards for public transit service including frequency and routing, and for coordination among separate transit operators.**
3. **A trip reduction and travel demand element** that promotes carpools, vanpools, transit, bicycles, park-n-ride, jobs/housing balance, flextime, and parking management.
4. **A program to analyze the impacts of local land use decisions on the regional transportation system**, including an estimate of the costs to mitigate the identified impacts. This has been implemented through preparation of Traffic Impact Analyses. However, following the passage of Measure I 2010-2040, this requirement will be met in urban parts of the County through locally implemented development mitigation programs that are consistent with the SANBAG Development Mitigation Nexus Study.
5. **A capital improvements program (CIP) to maintain or improve the traffic level of service and transit performance standards, and mitigate the regional transportation impacts of further development.** The capital improvements program must conform to transportation-related vehicle emissions air quality mitigation measures. The actions identified within deficiency plans, traffic impact analyses, or other transportation master plans to mitigate the impacts of development and growth will serve as bases for the CIP.

MODELING REQUIREMENTS

SANBAG, with cooperation from SCAG, the cities, and the County, is required to develop a uniform data base on traffic impacts for use in transportation computer models or compatible analytical tools. The CMA must approve the consistency of local modeling efforts that are used to determine the impacts of development on the circulation system. Local modeling is to be compatible with CMP models, which in turn are to be consistent with regional models. The data base used in the County is to be consistent with the data base used by SCAG. The CMP model(s) for San Bernardino County are more locally detailed versions of the SCAG Regional model, and are maintained at SANBAG.

MONITORING

SANBAG must monitor implementation of all elements of the CMP, and is required to make an annual determination of conformance with the CMP for each city and the County. Conformance criteria include:

1. Consistency with LOS and performance standards. Exceptions are segments or intersections for which deficiency plans for implementation of needed improvements have been adopted.
2. Adoption and implementation of a program to analyze the impacts of land use decisions by each local jurisdiction, including documentation of the costs associated with impact mitigation. Within the Valley and Victor Valley areas, their requirement is met by local implementation of development mitigation programs consistent with the SANBAG

Development Mitigation Nexus Study. In non-urban areas, it is met by preparation of TIA Reports on qualifying projects.

In addition, traffic levels of service on the CMP roads are to be determined annually. Within San Bernardino County, the owner/operator of each facility has been responsible for monitoring the performance of the facility.

CONFORMANCE

If the Congestion Management Agency determines, following a public hearing, that a jurisdiction has not conformed to the requirements of the CMP, it will notify that city or the County in writing of the specific areas of nonconformance. If the city or County has not reached conformance within 90 days, the SANBAG Board is required to make a finding of nonconformance and submit the finding to the State Controller. The Controller then withholds apportionment of funds otherwise apportioned to the jurisdiction under Section 2105 of the Streets and Highways Code. If, within the 12-month period following receipt of the notice of nonconformance, the Controller is notified by the CMA that the local jurisdiction is again in conformance, the withheld monies will be provided to that jurisdiction. If the local jurisdiction continues to be out of conformance beyond the 12-month period, the apportionments withheld from that jurisdiction are to be returned to the CMA to be expended for capital projects of regional significance. Apportionments returned to the CMA cannot be expended for administration or planning purposes

Attachment 2
2013-2014 CMP COST ALLOCATION SUMMARY
MOUNTAIN-DESERT SUBAREA

JURISDICTION	Regular Full-Time Employees 1093.20.0203.51010	Regular Part-Time Employees 1093.20.0203.51015	Fringe Allocation- General 1093.20.0203.51990	Indirect Allocation- General 1093.20.0203.58110	CMP Total by Agency
COLORADO RIVER SUBAREA					
Needles	\$24.71	\$0	\$24.73	\$26.76	\$76.20
San Bernardino County	\$10.95	\$0	\$10.96	\$11.86	\$33.78
MOUNTAINS SUBAREA					
Big Bear Lake	\$25.78	\$0	\$25.80	\$27.92	\$79.50
San Bernardino County	\$226.74	\$0	\$226.96	\$245.57	\$699.27
MORONGO BASIN SUBAREA					
Twentynine Palms	\$133.78	\$0	\$133.91	\$144.90	\$412.60
Yucca Valley	\$125.35	\$0	\$125.47	\$135.77	\$386.59
San Bernardino County	\$125.35	\$0	\$125.47	\$135.77	\$386.59
NORTH DESERT SUBAREA					
Barstow	\$117.25	\$0	\$117.37	\$126.99	\$361.61
San Bernardino County	\$167.61	\$0	\$167.77	\$181.53	\$516.91
VICTOR VALLEY SUBAREA					
Adelanto	\$163.66	\$0	\$163.82	\$177.26	\$504.74
Apple Valley	\$356.18	\$0	\$356.53	\$385.77	\$1,098.48
Hesperia	\$460.64	\$0	\$461.09	\$498.91	\$1,420.64
Victorville	\$607.05	\$0	\$607.64	\$657.48	\$1,872.18
San Bernardino County	\$353.70	\$0	\$354.05	\$383.09	\$1,090.84
GRAND TOTAL	\$2,514.26	\$0.00	\$2,901.59	\$3,139.59	\$8,939.93

Attachment: Attachment 2 2013/2014 Cost Allocation Summary (1841 : Congestion Management Program Cost Allocation)

Attachment 3
2012-2013 CMP COST ALLOCATION SUMMARY
MOUNTAIN-DESERT SUBAREA

JURISDICTION	Regular Full-Time Employees 1093.20.0203.51010	Regular Part-Time Employees 1093.20.0203.51015	Fringe Allocation- General 1093.20.0203.51990	Indirect Allocation- General 1093.20.0203.58110	CMP Total by Agency
COLORADO RIVER SUBAREA					
Needles	\$46.18	\$0	\$42.23	\$58.35	\$146.76
San Bernardino County	\$20.39	\$0	\$18.65	\$25.76	\$64.80
MOUNTAINS SUBAREA					
Big Bear Lake	\$48.05	\$0	\$43.94	\$60.71	\$152.70
San Bernardino County	\$422.21	\$0	\$386.12	\$533.44	\$1,341.77
MORONGO BASIN SUBAREA					
Twentynine Palms	\$245.23	\$0	\$224.27	\$309.83	\$779.33
Yucca Valley	\$233.42	\$0	\$213.47	\$294.91	\$741.80
San Bernardino County	\$233.42	\$0	\$213.47	\$294.91	\$741.80
NORTH DESERT SUBAREA					
Barstow	\$217.81	\$0	\$199.19	\$275.20	\$692.20
San Bernardino County	\$312.10	\$0	\$285.42	\$394.32	\$991.85
VICTOR VALLEY SUBAREA					
Adelanto	\$294.16	\$0	\$269.02	\$371.66	\$934.84
Apple Valley	\$662.20	\$0	\$605.59	\$836.66	\$2,104.46
Hesperia	\$859.30	\$0	\$785.84	\$1,085.68	\$2,730.81
Victorville	\$1,131.64	\$0	\$1,034.90	\$1,429.77	\$3,596.31
San Bernardino County	\$658.63	\$0	\$602.33	\$832.15	\$2,093.11
GRAND TOTAL	\$5,384.76	\$0.00	\$4,924.43	\$6,803.36	\$17,112.56

Attachment: Attachment 3 2012/2013 Cost Allocation (1841 : Congestion Management Program Cost Allocation)

Minute Action

AGENDA ITEM: 15

Date: *April 1, 2015*

Subject:

Development Mitigation Annual Report for Fiscal Year Ending June 30, 2014

Recommendation:

Receive information on the Development Mitigation Annual Report for Fiscal Year ending June 30, 2014.

Background:

Preparation of the Development Mitigation Annual Report is an on-going requirement of the SANBAG Congestion Management Program (CMP). Each jurisdiction is required to provide information on development activity and the expenditure of development mitigation funds on projects contained in the Nexus Study over the past fiscal year. This agenda item provides a summary of the local jurisdiction Development Mitigation Annual Reports. Table 1 presents development mitigation data for each jurisdiction and Figure 1 presents a historical reference of development mitigation fees. City data is provided in Table 1 on the first page, and County data is provided on the second page, organized by sphere of influence.

Implementation and maintenance of a development mitigation program is required of each local jurisdiction in the Valley and Victor Valley to maintain conformance with the SANBAG Land Use/Transportation Analysis Program of the CMP. Failure to submit the annual Development Mitigation Annual Report would result in non-compliance with the provisions of the Development Mitigation Program and other provisions in the CMP.

Based on the information provided to SANBAG by the jurisdictions submitting reports, \$33,725,645 in development mitigation fees for transportation projects was collected and \$46,157,073 of development mitigation fees was expended on Nexus Study projects during Fiscal Year ending June 30, 2014. Of the approximately \$33.7 million of transportation related development impact fees collected by local jurisdictions, a portion of the fees are associated with local projects that were not included in the Nexus Study, which addresses only regional projects. Therefore, not all of the fees will be expended on Nexus Study projects. The \$33,725,645 of development mitigation represents a 59.5% increase in development mitigation revenue from the \$21,150,465 collected in Fiscal Year 2012/2013 which was a 66% increase from Fiscal Year 2011/2012 revenue.

Since the implementation of the SANBAG Development Mitigation Program began in Fiscal Year 2006/2007, a total of \$197,136,914 has been collected and a total of \$133,582,408 in development mitigation has been expended on projects contained in the SANBAG Development Mitigation Nexus Study. It should be noted that some of the data on quantities of development

Entity: CMA

Board of Directors Agenda Item

April 1, 2015

Page 2

(units and square footage) could not be included in the table because it did not fit standard development type categories. However, all the fees for these developments were included.

The Development Mitigation Annual Report is an attempt to secure information on development fees collected and expended on Nexus Study projects in a manner that is less formal than a full audit. Overall, the annual reporting has been informative and provides the mechanism for SANBAG staff to monitor the level of development contributions being generated by local jurisdictions for projects included in the Nexus Study. Accurate and reliable information is imperative for implementation of the Measure I Valley Freeway Interchange, the Valley Major Street and Victor Valley Major Local Highway as outlined in the Measure I 2010-2040 Strategic Plan.

Financial Impact:

This item is consistent with the adopted Fiscal Year 2014-2015 budget as part of Task 0203. The Development Mitigation Program is an essential element of the funding for projects contained in the Expenditure Plan for Measure I 2010-2040.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on March 11, 2015.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Table 1
City/Town Development Mitigation Summary Table
For the Year Ending June 30, 2014

City/Town	Number of Single Family Units Permitted	Number of Multiple Family Units Permitted	Square Feet of Commercial Permitted	Square Feet of Office Permitted	Square Feet of Industrial Permitted	Fees Collected in FY 13/14 ¹	Fees Expended on Nexus Projects in FY 13/14	Cumulative Development Mitigation Revenue ²	Cumulative Development Mitigation Expenditure On Nexus Projects ³
Adelanto	52	0	47	0	74	\$278,842	\$0	\$2,703,323	\$0
Apple Valley	16	94	9,100	26,032	2,000	\$406,657	\$94,949	\$7,555,201	\$5,136,667
Chino	371	0	19	0	2,958	\$5,522,176	\$0	\$25,703,732	\$465,976
Chino Hills	13	286	11,686 ¹	2 locations ⁴	0	\$5,110,041	\$0	\$13,618,076	\$4,430,363
Colton	18	1	9	0	453	\$1,039,764	\$0	\$2,005,339	\$0
Fontana	73	0	12,476	24,593	1,050,033	\$1,995,008	\$5,055,553	\$32,271,072	\$26,773,690
Grand Terrace	1	0	8	0	0	\$78,931	\$0	\$1,063,736	\$243,190
Hesperia	44	0	24	5,058	69,367	\$634,238	\$1,168,463	\$11,602,551	\$26,156,754
Highland	230	0	0	30,406	16,632	\$251,605	\$0	\$4,091,187	\$0
Loma Linda	0	38	43,968	4,327	0	\$445,968	\$1,673,622	\$2,787,353	\$2,643,404
Montclair	1	23	0	16	92	\$133,423	\$0	\$1,445,049	\$0
Ontario	192	0	91	11	2,495	\$4,452,658	\$3,298,157	\$22,710,000	\$9,067,324
Rancho Cucamonga	207	368	0	25	224	\$2,620,085	\$1,715,244	\$13,130,013	\$4,488,478
Redlands	35	2	23	11	822	\$639,405	\$7,800	\$7,585,540	\$1,858,938
Rialto	50	0	3	0	4	\$2,388,984	\$556,552	\$6,685,694	\$3,607,877
San Bernardino	21	0	24	0	839	\$1,450,694	\$2,783,038	\$9,681,554	\$3,472,569
Upland	21	0	12	0	0	\$102,207	\$182,491	\$1,055,175	\$1,353,927
Victorville	56	0	119	0	0	\$1,156,091	\$27,886,092	\$18,851,261	\$36,692,988
Yucaipa	89	2	0	0	0	\$825,678	\$251,551	\$3,459,289	\$5,452,785
Total	1,490	814	65,924	90,479	1,145,994	\$29,532,454	\$44,673,512	\$188,005,145	\$131,844,929

Notes:

1. May include fees from other sources not listed in the summary table
2. Only includes revenue collected beginning FY06/07
3. Only includes expenditure of development mitigation fees
4. Does not include square footage

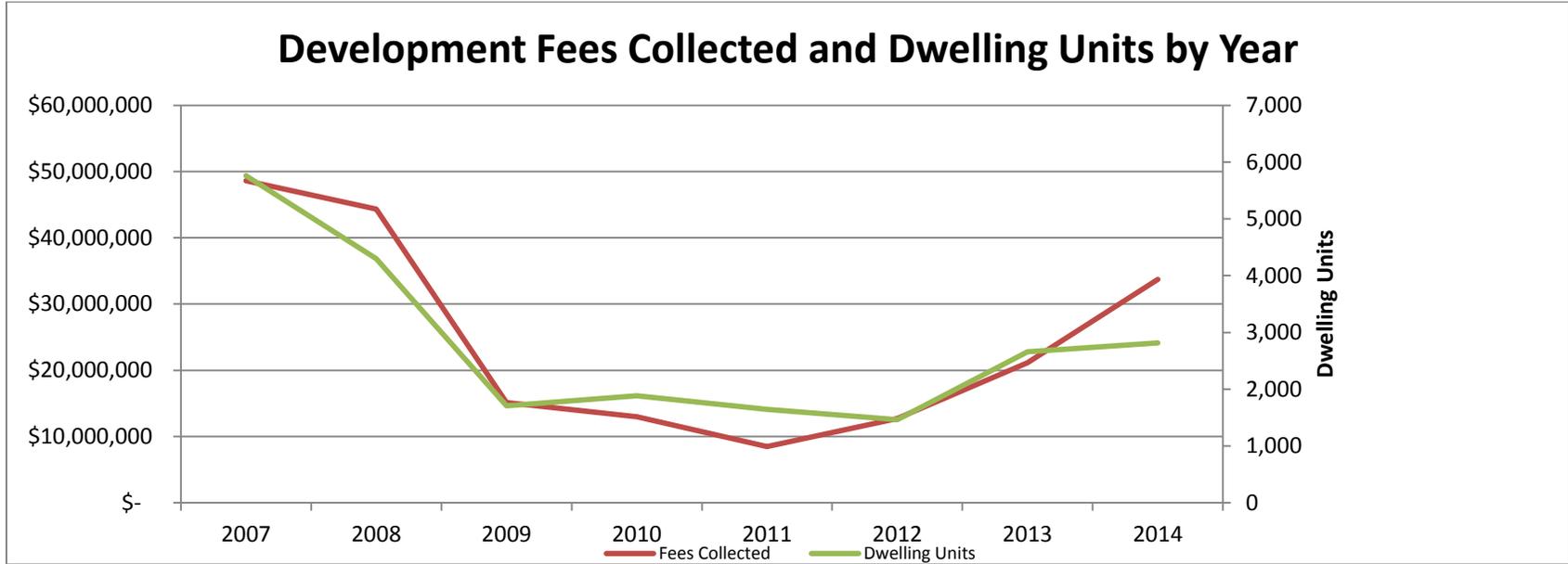
Table 1, Continued
San Bernardino County Development Mitigation Summary Table
For the Year Ending June 30, 2014

County Sphere/Subarea	Number of Single Family Units Permitted	Number of Multiple Family Units Permitted	Square Feet of Commercial Permitted	Square Feet of Office Permitted	Square Feet of Industrial Permitted	Fees Collected in FY 13/14 ¹	Fees Expended on Nexus Projects in FY 13/14	Cumulative Development Mitigation Revenue ²	Cumulative Development Mitigation Expenditure on Nexus Projects ³
Adelanto Sphere	0	0	0	0	0	\$0	\$0	\$0	\$0
Apple Valley Sphere	5	0	0	0	0	\$30,360	\$0	\$485,382	\$0
Chino Sphere	3	0	0	0	0	\$21,066	\$0	\$219,882	\$0
Colton Sphere	0	0	0	0	0	\$0	\$0	\$6,081	\$0
Devore/Glen Helen	3	0	0	0	0	\$19,239	\$36,540	\$58,194	\$36,540
Fontana Sphere	45	0	240	0	28,203	\$496,325	\$156,305	\$1,263,613	\$156,305
Hesperia Sphere	10	0	0	0	0	\$100,600	\$622,315	\$672,496	\$622,315
Loma Linda Sphere	0	0	0	0	0	\$0	\$0	\$0	\$0
Montclair Sphere	0	0	0	0	0	\$0	\$0	\$30,050	\$0
Redlands Sphere	1	16	0	0	0	\$78,528	\$0	\$226,873	\$0
Redlands Donut Hole	0	306	122,160	0	755,297	\$2,057,087	\$0	\$2,719,013	\$0
Rialto Sphere	17	0	0	0	610,120	\$1,244,633	\$668,401	\$2,637,458	\$922,319
San Bernardino Sphere	4	1	0	0	6,681	\$19,062	\$0	\$435,104	\$0
Upland Sphere	11	80	0	0	0	\$76,865	\$0	\$160,430	\$0
Victorville Sphere	11	0	0	0	0	\$49,426	\$0	\$217,192	\$0
Yucaipa Sphere	0	0	0	0	0	\$0	\$0	\$0	\$0
Total	110	403	122,400	0	1,400,301	\$4,193,191	\$1,483,561	\$9,131,769	\$1,737,479
GRAND TOTAL	1,600	1,217	188,324	90,479	2,546,295	\$33,725,645	\$46,157,073	\$197,136,914	\$133,582,408

Notes:

1. May include fees from other sources not listed in the summary table
2. Only includes revenue collected beginning FY06/07
3. Only includes expenditure of development mitigation fees

Figure 1 Development Mitigation Fee Trends



Attachment: Development Fees Collected and Dwelling Units by Year (1810 : Development Mitigation

Minute Action

AGENDA ITEM: 16

Date: April 1, 2015

Subject:

January 2015 Right-of-Way Grants of Use Report

Recommendation:

Receive the January 2015 Right-of-Way Grants of Use Report.

Background:

The Board of Directors adopted the SANBAG Rail Property Policy (Policy No. 31602) on July 2, 2014. Within the policy under Section B - Policy Principals and Authority to Execute Grants of Right of Use, the Board authorized the Executive Director, or designee, to approve all grants of rights of use documents as approved to form by General Counsel.

There have been no grants of use approved since last reporting to the March Board of Directors meeting.

Financial Impact:

This item imposes no impact on the Fiscal Year 2014/2015 budget. Presentation of the monthly Right-of-Way report demonstrates compliance with the SANBAG Rail Property Policy (Policy No. 31602).

Reviewed By:

This item was received by the Commuter Rail and Transit Committee on March 12, 2015.

Responsible Staff:

Mitch Alderman, Director of Transit and Rail Programs

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

Entity: CTA, CTC

Minute Action

AGENDA ITEM: 17

Date: April 1, 2015

Subject:

Diesel multiple unit purchase options with TEX-Rail for the Redlands Passenger Rail Project

Recommendation:

Authorize the Director of Transit and Rail to submit a letter to TEX Rail requesting they include a procurement option of diesel multiple units (DMU) for the Redlands Passenger Rail Project.

Background:

As adopted by the Board of Directors on March 4, 2015, the Locally Preferred Alternative for the Redlands Passenger Rail Project (RPRP) included the implementation of diesel multiple unit (DMU) passenger vehicles. DMUs are self-propelled, widely used in Europe, and are becoming more popular in the United States (US). Some of the systems in the US employing DMUs include North County Transit District's Sprinter line that runs from Oceanside to Escondido; Austin, Texas' 32-mile Capitol Metro Rail; and Denton County, Texas' A-Train. Planned DMU systems include Sonoma Marin Area Rail Transit (SMART) from San Rafael to Santa Rosa and TEX Rail from Ft. Worth to the Dallas/Ft. Worth airport. While Sprinter employed DMUs manufactured by Siemens, SMART has contracted with Nippon Sharyo, and Capitol Metro Rail and the A-Train both use Stadler vehicles, all were non-federal projects. However, the TEX Rail project does incorporate federal funds thus triggering the requirement for Buy America compliance. The TEX Rail project is much like RPRP in which both have completed their environmental clearances and are beginning final design. In addition, TEX Rail is finalizing their DMU procurement process and is currently in negotiations with Stadler for the purchase of their Flirt series DMUs. These negotiations also include the Federal Transit Administration (FTA).

As part of the TEX Rail DMU procurement with Stadler, certain options are available to other agencies such as SANBAG for RPRP. These options include the purchase of varying configurations of the Flirt series DMUs with minor changes. Since procurement of rail vehicles can take two or three years as a result of the complicated and technical nature of the processes, especially if Buy America is required, it is common for agencies to include purchase options for added flexibility and lower costs.

Working with Stadler and TEX Rail, SANBAG has been offered to participate in TEX Rail's purchase options for Stadler's Flirt DMUs. This has the potential to provide SANBAG with a tremendous opportunity by eliminating the need for a complete Buy America vehicle procurement process and by reducing the vehicle delivery schedule and related start of rail service. For TEX Rail to comply with FTA vehicle procure option requirements, SANBAG will need to provide a letter of intent to consider purchasing options on the TEX Rail/Stadler contract. This letter is only a consideration and does not bind SANBAG to any contractual agreements. If

Entity: CTC

Board of Directors Agenda Item

April 1, 2015

Page 2

after further development of RPRP it is determined that the Flirt DMUs meet SANBAG's needs, then a contract for purchase of these DMUs will be brought forward to the Board for consideration.

Financial Impact:

This item imposes no impact on the Fiscal Year 2014/2015 budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015.

Responsible Staff:

Mitch Alderman, Director of Transit and Rail Programs

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 18

Date: *April 1, 2015*

Subject:

Amendment to the San Bernardino Transit Center Funding Agreement with Omnitrans

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Commission:

A. Approve Amendment No.1 to Contract No. R14070 with Omnitrans for the San Bernardino Transit Center, increasing Omnitrans' contribution amount by \$1,900,000 for an amended not-to-exceed amount of \$22,661,690, with such revisions as may be approved by the Executive Director in consultation with General Counsel.

B. Approve a Fiscal Year 2014/2015 budget amendment to increase Task No. 0322, San Bernardino Transit Center by \$1,900,000 to be funded by Omnitrans.

Background:

The San Bernardino Transit Center (SBTC) is currently under construction and will provide a multi-modal transit center that will serve as a transfer point for bus routes serving downtown San Bernardino, including the recently constructed sbX Bus Rapid Transit system, as well as providing connectivity to Metrolink service upon completion of the Downtown San Bernardino Passenger Rail Project (DSBPRP) which is currently underway.

In October 2011, SANBAG approved Contract No. C12117 for the planning, design, construction, operation, and maintenance of the San Bernardino Transit Center. Parties to the agreement included SANBAG, Omnitrans, the City of San Bernardino, and the San Bernardino Economic Development Corporation (SBEDC). The agreement was intended to provide initial funding to complete the design, engineering, environmental and right-of-way acquisition phase of the project and a subsequent agreement was envisioned to provide additional funding from both Omnitrans and SANBAG to complete the construction phase of the project.

In December 2013, SANBAG approved Contract No. R14070 between Omnitrans and SANBAG adding funding to the SBTC project and further defining roles and responsibilities. In accordance with Contract No. R14070, Omnitrans' contribution was \$19,769,690 which included \$6,943,261 previously committed by Omnitrans under Contract No. C12117, and SANBAG's contribution was \$3,747,593.

Omnitrans, as the Federal Transit Administration (FTA) grantee, submitted a Fiscal Year 2014 5307 grant application to the FTA for the \$992,000 of Federal Highway Administration (FHWA) Transportation Enhancement (TE) funding as identified as a SANBAG contribution in the original agreement. Omnitrans, as the FTA grantee, received approval from FHWA and FTA to

Entity: *CTC*

Board of Directors Agenda Item

April 1, 2015

Page 2

“flex” the TE funds and will now pass the \$992,000 of TE funds through to SANBAG along with Omnitrans’ other funding contributions. This increased Omnitrans’ original contributions to \$20,761,690 and reduced SANBAG’s original contributions to \$2,755,593.

Since Contract No. R14070 was approved several additional project components have been identified and requested by Omnitrans. Staff is requesting that Contract No. R14070 be amended to increase Omnitrans’ contributions by \$1,900,000 from \$20,761,690 to a total amount not to exceed of \$22,661,690.

The additional funding will be used to implement additional project components which include, but are not limited to:

- Emergency generator: An emergency generator was planned for Phase 2 of the San Bernardino Transit Center, according to the phasing plan and 15% design concept approved by the SANBAG Board of Directors on November 7, 2012. Omnitrans staff since determined that an emergency generator is needed upon opening of the Omnitrans bus facility in order to maintain proper function of the security and IT equipment in the event of a power outage.
- Electronic real-time bus arrival variable message system: Infrastructure required for the installation of a variable message sign system was incorporated into the project design and constructed by the site/building construction contractor. Additional funding is required for the design and implementation of the system.
- Security fence: Omnitrans anticipates a need to close-off the site during night-time hours and has requested the planning, design and construction of a perimeter security fence.
- Project contingency: Agreement includes contingency funds for the construction closeout phase and to cover unanticipated cost associated with the items described above.

Additionally, although the total SANBAG contribution is not increasing, the specific amounts of Local Transportation Funds and State Transit Assistance Funds are being updated to reflect prior SANBAG Board actions.

The following table identifies the various funding sources identified by SANBAG and Omnitrans.

SANBAG Contributions – Contract No. R14070	
State Transportation Assistance Funds - Population	\$118,607
Local Transportation Funds	\$2,136,986
State Proposition 1B Security	\$500,000
SANBAG Total Contribution	\$2,755,593

Omnitrans Contributions – Contract No. R14070	
Federal Transit Administration 5309 (Fiscal Year 2011 and Fiscal Year 2012)	\$8,300,000
Local Transportation Fund	\$966,197
State Transit Assistance Funds - Population	\$153,896
State Proposition 1B PTMISEA*	\$3,406,336
SANBAG FHWA Transportation Enhancement Funds flexed to Omnitrans Federal Transit Administration 5307 funds	\$992,000
R14070 Amendment No. 1-Federal Transit Administration 5307 (Fiscal Year 2010-2014)	\$1,525,146
R14070 Amendment No. 1-Omnitrans State Proposition 1B PTMISEA*	\$110,000
R14070 Amendment No. 1-Omnitrans State Transit Assistance Funds	\$264,854
Contract No. R14070	\$15,718,429

*Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)

Contract No. C12117	\$6,943,261
Contract R14070 (includes amendment No. 1)	\$15,718,429
Total Omnitrans Contribution	\$22,661,690
Total SANBAG Contribution	\$2,755,593
Combined SANBAG/Omnitrans Contribution	\$ 25,417,283

Financial Impact:

This item is not consistent with the current Fiscal Year 2014/2015 budget. This item requires a budget amendment as outlined in the recommendation section.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015.

Responsible Staff:

Mitch Alderman, Director of Transit and Rail Programs

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

AMENDMENT NO. 1**SANBAG CONTRACT NO. R 14070 - SAN BERNARDINO TRANSIT CENTER
(SBTC) FUNDING SUBGRANTEE AGREEMENT**

BY AND AMONG

SAN BERNARDINO ASSOCIATED GOVERNMENTS

and

OMNITRANS

This Amendment No. 1 to the above entitled Agreement is entered into on this _____ day of _____ 2015, by and between the San Bernardino Associated Governments, acting in its capacity as the San Bernardino County Transportation Commission, (“SANBAG”) and Omnitrans, a joint powers public transit agency (“Omnitrans”).

RECITALS

- A. The San Bernardino Transit Center (SBTC) Funding Subgrantee Agreement (“**Agreement**”) was entered into between the parties on December 4, 2013, and sets forth the respective responsibilities of SANBAG and Omnitrans relative to the development and construction of the San Bernardino Transit Center (“**Project**”), as said project is further described in the Agreement.
- B. Since the Agreement was signed, \$1.9 million of additional costs were identified for additional needed contingency, electronic real-time bus arrival variable message signs, an emergency generator, and site perimeter fencing. Omnitrans is providing an additional \$1.9 million of pass-through funds to SANBAG to cover these costs.
- C. These funds are available from Omnitrans’ Federal Transit Administration 5307 funds (CFDA 20.507), State Proposition 1B, and State Transit Assistance Funds. The grant numbers are outlined in the table in Section 3.2 as amended.
- D. Additionally, the SANBAG funds sources are being updated.
- E. SANBAG will reimburse Omnitrans for furnishings, fixtures, and equipment for the Omnitrans Facility, utilizing SANBAG Local Transportation Funds, in an amount not to exceed \$372,320, which is a part of SANBAG’s total contribution.

NOW THEREFORE, the parties agree to amend the Agreement as follows:

- 1.0 **Section 1.4** is amended as follows:

The total cost for the Omnitrans Facility, including planning, design, right-of-way and construction, is estimated at ~~\$23,517,283~~ **\$25,417,283**.

2.0 Section 2.2 is amended as follows:

To permit the Omnitrans Facility Project to move forward despite the loss of funds and increased costs due to the defaults of the City and EDC, SANBAG shall provide, to the extent such funds are and remain available to SANBAG and budgeted for the Omnitrans Facility by SANBAG’s Board of Directors, an amount not to exceed ~~\$3,747,593~~ **\$2,755,593** from the funding sources shown in the table below.

Fund Source	Grant Number	Amount
SANBAG FHWA Transportation Enhancement Funds *	CA-90-Z121	\$ 992,000
SANBAG Local Transportation Funds		\$ 320,000 \$2,136,986
SANBAG State Proposition 1B Security		\$500,000
SANBAG State Transit Assistance Funds-Population		\$ 1,935,593 \$118,607
Total		\$3,747,593 \$2,755,593

* The FHWA Transportation Enhancement Funds were “flexed” from the Federal Highway Administration (FHWA) to the Federal Transit Administration (FTA) and converted to transit funds as contemplated in Section 3.3 of the Agreement; these funds are now shown on the table of funding sources Omnitrans is passing through to SANBAG in Section 3.2 as amended below.

3.0 The following sections will be added to the Agreement:

Section 2.17 SANBAG will reimburse Omnitrans for furnishings, fixtures, and equipment for the Omnitrans Facility, utilizing SANBAG Local Transportation Funds, in an amount not to exceed \$372,320, which is part of SANBAG’s total contribution listed in the above table. SANBAG will reimburse Omnitrans in conformity with the following procedure:

a. Omnitrans shall submit a Disbursement Request to SANBAG, which shall consist of a written invoice specifying the amount requested to be disbursed, the purpose of the disbursement, and such additional supporting documentation and background information as SANBAG may reasonably require (“Disbursement Request”), including the following:

- 1. The total amount incurred;**

2. A detailed breakdown of labor, material, and direct costs, including backup information as necessary to satisfy SANBAG audit requirements.

b. Each Disbursement Request shall be accompanied by a written certification by Omnitrans that such Disbursement will not constitute any violation of the terms of the Agreement, or Applicable Law, and will meet the requirements of the California Transportation Development Act, and that Omnitrans will use the Disbursement for the purpose indicated in the Disbursement Request.

c. Within five (5) business days of the receipt of a Disbursement Request and accompanying certification, SANBAG shall notify Omnitrans as to any additional supporting documentation and background information it requires.

d. SANBAG shall: (i) disburse all or that portion of the requested funds which it reasonably believes it can disburse without violating the terms of the Agreement, or Applicable Law, and will meet the requirements of the California Transportation Development Act; and (ii) if applicable, notify Omnitrans why it reasonably believes that it is unable to disburse some or all of the requested funds without violating the terms of either the grant or of Applicable Law.

e. SANBAG shall have no liability to Omnitrans for any refusal to disburse funds so long as SANBAG has acted in good faith and reasonable belief that such disbursement of funds would constitute a violation of the terms of the Agreement, or of Applicable Law, and will meet the requirements of the California Transportation Development Act. SANBAG, upon receipt of a legal opinion upon which SANBAG can reasonably rely supporting the disbursement, will release the requested funds within five (5) days.

4.0 Section 3.2 is amended as follows:

Omnitrans shall provide to SANBAG an amount not to exceed \$19,769,690 \$22,661,690 from the funding sources shown in the table below, to the extent that such funds are and remain available to Omnitrans and are budgeted to the Omnitrans Facility by Omnitrans' Board of Directors:

Fund Source	Fiscal Year	Grant Number	Amount
Contract C12117			\$ 6,943,261
Omnitrans Federal Transit Administration 5309	2011	CA-04-0229	\$ 3,000,000

Attachment: SBTC_R14070-1 (1820 : SANBAG/Omnitrans SBTC Funding Agreement)

Omnitrans Federal Transit Administration 5309	2012	CA-04-0229	\$ 5,300,000
Omnitrans Local Transportation Fund			\$ 966,197
Omnitrans State Transit Assistance Funds-Population			\$ 153,896
Omnitrans State Proposition 1B PTMISEA*			\$ 3,406,336
SANBAG FHWA Transportation Enhancement Funds flexed to Omnitrans Federal Transit Administration 5307 funds	2014	CA-95-X297	\$ 992,000
Omnitrans Federal Transit Administration 5307	2014	CA-90-Z112	\$ 200,000
Omnitrans Federal Transit Administration 5307	2013	CA-90-Z009	\$ 460,000
Omnitrans Federal Transit Administration 5307	2012	CA-90-Y939	\$ 124,000
Omnitrans Federal Transit Administration 5307	2011	CA-90-Y850	\$ 381,130
Omnitrans Federal Transit Administration 5307	2010	CA-90-Z112	\$ 360,016
Omnitrans State Proposition 1B PTMISEA*	2013	TBD	\$ 110,000
Omnitrans State Transit Assistance Funds	2013	13-10-OMN-B	\$ 55,000
Omnitrans State Transit Assistance Funds	2012	13-10-OMN-B	\$ 31,250
Omnitrans State Transit Assistance Funds	2011	11-03-OMN-B	\$ 88,600
Omnitrans State Transit Assistance Funds	2010	13-10-OMN-B	\$ 90,004
Total			\$ 19,769,690 \$ 22,661,690

* Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)

5.0 The following sections will be added to the Agreement:

Section 3.7 Omnitrans shall be responsible for all duties relative to the purchase of the furnishings, fixtures, and equipment for the Omnitrans Facility, including, but not limited to, complying with all requirements of SANBAG’s Local Transportation Funding (California Transportation Development Act) with all due diligence and in a skillful and competent manner.

Section 3.8 Omnitrans will be responsible for providing all information required by SANBAG for progress reporting and invoicing of SANBAG’s Local Transportation Funding for fixtures, furnishings, and equipment for the Omnitrans Facility.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto as of the day and year first written above.

SANBAG

OMNITRANS

By: _____
Raymond Wolfe
Executive Director

By: _____
P. Scott Graham
CEO/General Manager

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Eileen Monaghan Teichert
SANBAG General Counsel

By: _____
Eric Vail
Omnitrans Counsel

Date: _____

Date: _____

Attachment: SBTC_R14070-1 (1820 : SANBAG/Omnitrans SBTC Funding Agreement)

Minute Action

AGENDA ITEM: 19

Date: April 1, 2015

Subject:

Amendment 3 to Contract No. C12077 with HDR Engineering, Inc.

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve Amendment No. 3 to Contract No. C12077 with HDR Engineering, Inc. for additional design services on the San Bernardino Transit Center Project, increasing the contract amount by \$292,636 for an amended not-to-exceed amount of \$4,910,933, and contingent on approval of an amendment to Contract No. R14070 with Omnitrans for the funding required for these additional design services.

Background:

In January 2012, the SANBAG Board of Directors approved Contract No. C12077 with HDR Engineering for design and engineering services, project management, right-of-way delineation & acquisition and environmental permitting and clearance, including California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance, for the Omnitrans bus facility at the San Bernardino Transit Center in the amount of \$2,670,635.

Since the contract was awarded, the design phase has been completed and significant progress has been made on the overall construction. Throughout the construction phase there have been several facility additions and revisions that have been requested by the facility's end user, Omnitrans, which were not included in the original scope of work.

This amendment is being proposed to address the additional design effort required to incorporate the request by the end user or for additional design services not included in the original scope of work. See Attachment A.3 for Amendment No. 3 Scope of Work for the San Bernardino Transit Center (SBTC). In general, the Scope of Work includes:

- Additional design work to prepare bid package for the construction of an emergency generator as requested by Omnitrans. Task includes planning phase to determine type, capacity, and location of generator. Task also includes preparing bid documents and construction support.
- Additional design work to prepare bid package for the procurement of furniture, fixtures and equipment (FF&E). Task includes planning phase to determine furniture needs, desk configurations and storage requirements. Task also includes preparing bid documents and construction support during procurement and installation of the FF&E.
- Additional design work to prepare bid package for the construction of security fence and gates as requested by Omnitrans. Task includes planning phase to explore alternatives that achieve Omnitrans' goals, final design and construction support.

Entity: CTA, CTC

Board of Directors Agenda Item

April 1, 2015

Page 2

- Additional design work required to prepare bid package for Variable Message System (VMS) not part of original scope of work. This task will include programming phase to determine system type and compatibility requirements, preparing bid package and construction support.
- Additional design work required to prepare bid package that incorporates electronic card readers for the various doors/gates around the building.

For reference Amendment No. 1 for this contract was for construction administration, continuation of design support, environmental, and right-of-way services for an additional amount of \$1,079,832 for a new total of \$3,953,533.

Amendment No. 2 for this contract was primarily for additional out-of-scope items requested by the City of San Bernardino, additional utility coordination and right-of-way property acquisition for an additional amount of \$664,764 for a new total of \$4,618,297.

Approval of this amendment is recommended to be contingent upon approval of an amendment to the existing cooperative agreement for this project between SANBAG and Omnitrans to include increased funding for this additional design work. This additional design work will be paid by SANBAG and reimbursed by Omnitrans.

Financial Impact:

This item is consistent with the current adopted Fiscal Year 2014/2015 SANBAG Budget. Funding for the contract amendment is contingent upon approval of amendment to receivable contract R14070 between SANBAG and Omnitrans.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015. SANBAG General Counsel has reviewed this item and the contract amendment.

Responsible Staff:

Mitch Alderman, Director of Transit and Rail Programs

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Contract Summary Sheet

General Contract Information

Contract No: C12077/00-1000612 Amendment No.: 3 Vendor No.: 982
 Vendor/Customer Name: HDR Engineering Inc Sole Source? Yes No
 Description: A/E Services for the San Bernardino Transit Center Omnitrans Bus Facility
 Start Date: 3/7/2012 Expiration Date: 12/31/2015 Revised Expiration Date: NA
 Has Contract Term Been Amended? No Yes - Please Explain _____
 List Any Related Contracts Nos.: A/R C12117/1000565 City of San Bernardino, R14070

Dollar Amount			
Original Contract	\$ 2,620,180.00	Original Contingency	\$ 253,521.00
Revised Contract (Inclusive of Prior Amendments)	\$ 4,264,776.00	Revised Contingency (Inclusive of Prior Amendments)	\$ 353,521.00
Current Amendment	\$ 292,636.00	Contingency Amendment	\$ -
TOTAL CONTRACT VALUE	\$ 4,557,412.00	TOTAL CONTINGENCY VALUE	\$ 353,521.00
		TOTAL DOLLAR AUTHORITY (Contract Value and Contingency)	\$ 4,910,933.00

Contract Authorization

Executive Director Date: _____
 Executive Director Action: _____
 Board of Directors Date: 3/4/2014
 Board of Directors Action: _____

Contract Management: Payable/Miscellaneous

Invoice Warning: 20% Renewals: _____ Type: Capital PAA Other
 Retention: 0 % Maximum Retention: \$ _____
 Services: Construction Intrgrnt/MOU/COOP A & E Services Other Professional Services
 Disadvantaged Business Enterprise (DBE) Goal _____ %

Contract Management: Receivable

E-76 and/or CTC Date _____ (Attach Copy) Program Supplement No.: _____
 Finance Letter Reversion Date: _____ EA No.: _____

All of the above MUST be submitted to FINANCE including originals, amendments and miscellaneous transaction changes

Additional Information

Project Manager: Mitchell A Alderman

Attachment: C12077-3_CSS (1817 : Amendment 3 to Contract No. C12077 with HDR Engineering, Inc.)



**SAN BERNARDINO TRANSIT CENTER
OMNITRANS BUS FACILITY (SBTC)**

**SCOPE AND FEE FOR
AMENDMENT NO. 3**

FOR

**Design Services, Bidding, and Construction Support Services Including:
Furniture, Fixtures & Equipment (FFE), Variable Message System (VMS),
Card Reader Modifications (CRM), Site Fencing & Gate Design (SF),
Emergency Generator Project (EGP)**

SANBAG Contract No. C12077

Prepared for:

San Bernardino Associated Governments

1170 W. 3rd Street, 2nd Floor

San Bernardino, CA 92602

Prepared by:

HDR Engineering, Inc.

2280 Market Street, Suite 100

Riverside, CA 92501-2110



Table of Contents

SCOPE OF WORK 2

EXECUTIVE SUMMARY 2

TASK 1 PROJECT MANAGEMENT 2

 TASKS 1.1 through 1.8 PROJECT MANAGEMENT - NOT USED 2

 TASK 1.9 ADDITIONAL PROJECT MANAGEMENT SERVICES FOR CONTRACT
 AMENDMENT NO. 3 2

TASKS 2 through 12 NOT USED 3

TASK 13 FURNITURE, FIXTURES and EQUIPMENT (FFE) DESIGN SERVICES 3

 TASK 13.1 FURNITURE PROGRAMMING & MEETING 3

 TASK 13.2 BASIS OF DESIGN, FURNITURE ALTERNATIVES & MEETING..... 3

 TASK 13.3 ISSUED FOR BID (IFB) - BID PACKAGE 4

 TASK 13.4 CONSTRUCTION SUPPORT SERVICES 4

TASK 14 VARIABLE MESSAGE SYSTEM (VMS) 5

 TASK 14.1 VMS PROGRAMMING & MEETING 5

 TASK 14.2 BASIS OF DESIGN, VMS ALTERNATIVES & MEETING 5

 TASK 14.3 ISSUED FOR BID (IFB) PACKAGE 5

 TASK 14.4 CONSTRUCTION SUPPORT SERVICES 6

TASK 15 CARD READER MODIFICATIONS (CRM) 6

 TASK 15.1 CARD READER PROGRAMMING & MEETING 6

 TASK 15.2 BASIS OF DESIGN, CARD READER ALTERNATIVES & MEETING 7

 TASK 15.3 ISSUED FOR BID PACKAGE (IFB) 7

 TASK 15.4 CONSTRUCTION SUPPORT SERVICES 7

TASK 16 SITE FENCING & GATE DESIGN (SF) 8

 TASK 16.1 SITE FENCING PROGRAMMING & MEETING 8

 TASK 16.2 BASIS OF DESIGN, SITE FENCING ALTERNATIVES & MEETING 8

 TASK 16.3 CITY OF SAN BERNARDINO (COSB) PLANNING PROCESSING 9

 TASK 16.4 BUILDING PERMIT PROCESSING 9

 TASK 16.5 ISSUED FOR BID PACKAGE (IFB) 9

 TASK 16.6 CONSTRUCTION SUPPORT SERVICES 10

TASK 17 EMERGENCY GENERATOR PROJECT (EGP) 10

Attachment: C12077-3_Scope of Work (1817 : Amendment 3 to Contract No. C12077 with HDR Engineering, Inc.)

TASK 17.1 EMERGENCY GENERATOR PROGRAMMING & MEETING 11

TASK 17.2 BASIS OF DESIGN, SITE FENCING ALTERNATIVES & MEETING..... 11

TASK 17.3 CITY OF SAN BERNARDINO (COSB) PLANNING PROCESSING..... 11

TASK 17.4 BUILDING PERMIT PROCESSING 12

TASK 17.5 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD)
PROCESSING 12

TASK 17.6 ISSUED FOR BID PACKAGE (IFB) 12

TASK 17.7 RIGHT OF WAY (ROW) LOT LINE ADJUSTMENTS FOR GENERATOR..... 13

TASK 17.8 CONSTRUCTION SUPPORT SERVICES 13

Attachment: C12077-3_Scope of Work (1817 : Amendment 3 to Contract No. C12077 with HDR Engineering, Inc.)

SAN BERNARDINO TRANSIT CENTER - OMNITRANS BUS FACILITY

EXHIBIT "A" SCOPE OF SERVICES

Amendment No. 3

Contract No. C12077

SCOPE OF WORK

HDR Engineering, Inc. proposes Design Services for the OmniTrans Bus Facility (Project) at the San Bernardino Transit Center (SBTC) including Furniture, Fixtures & Equipment (FFE), Variable Message System (VMS), Card Reader Modifications (CRM), Site Fencing & Gates (SF), and Emergency Generator Project (EGP)

EXECUTIVE SUMMARY

Various changes have occurred with SANBAG's approach to deliver Final Construction Documents and Construction Administration Services for the San Bernardino Transit Center – OmniTrans Bus Facility (SBTC). These design and procurement services were anticipated to be accomplished by OmniTrans. SANBAG has now determined to provide these services through Amendment No. 3. A brief summary of the work items are as follows:

TASK 1 PROJECT MANAGEMENT

HDR Engineering will provide overall project management, coordination, and supervision of the project staff to facilitate the performance of the work in accordance with the scope and requirements of SANBAG. In meetings with the Stakeholders, we will act as agents of SANBAG communicating the needs and intentions of the Project with other Stakeholders. This strategy of project management depends on clear and frequent communication between SANBAG and HDR, which we accomplish through face to face meetings, telephone consultations, email, and written progress reports.

TASKS 1.1 through 1.8 PROJECT MANAGEMENT - NOT USED

TASK 1.9 ADDITIONAL PROJECT MANAGEMENT SERVICES FOR CONTRACT AMENDMENT NO. 3

Additional labor hours are being requested to account for ongoing project management, coordination and project accounting due to the expanded scope and design revisions as described herein through construction.

Activities

- Added Project Management Services including four (4) meetings through the balance of this amendment assumed to be December 31, 2015.

Deliverables

- Monthly Invoicing and Status Report

TASKS 2 through 12 NOT USED

TASK 13 FURNITURE, FIXTURES and EQUIPMENT (FFE) DESIGN SERVICES

OmniTrans has requested FFE Design Services to provide FFE for the SBTC Project. To procure FFE through public bid, a preferred product will be determined, while allowing for acceptable alternative manufacturer's to comply with project Division 1 Specification requirements. This task includes meeting with OmniTrans users to confirm furniture needs including desk configurations, storage requirements and any special requirements like ergonomics that may be needed. Upon completion of programming FFE, a basis of design will be developed and a bid package will be prepared. This includes coordination and input with OmniTrans users. The FFE will be issued for bid (IFB) by SANBAG with support during bidding. Upon award, successful bidder's submittals will be reviewed and Requests for Information (RFI) will be addressed. After installation, a punch list will be prepared for final acceptance.

TASK 13.1 FURNITURE PROGRAMMING & MEETING

Kick-Off project and program OmniTrans SBTC furniture and equipment needs.

Activities

Kick-Off Meeting with OmniTrans

Deliverables

Meeting minutes

TASK 13.2 BASIS OF DESIGN, FURNITURE ALTERNATIVES & MEETING

Provide furniture Alternatives and selection of fabric and finishes

Activities

- Develop a Basis of Design - Specification for the furnishings systems selected for use in the SBTC
- Implement furniture into drawings
- Follow-up Selection Meeting with OmniTrans
- Selection of a basis of design preferred product and (2) alternative "Equals" for each furniture item on the plans that both meets the Buy America mandate and the Greenguard Indoor Air quality certification
- Selection of fabric and finishes

- Final Selection Meeting with OmniTrans to finalize furniture and finish selections

Deliverables

- FFE Specifications
- FFE Drawings including (1) Building Layout, (20) Option Sheets, and Summary Table

TASK 13.3 ISSUED FOR BID (IFB) - BID PACKAGE

Provide furniture bid package documents for bidding

Activities

- Respond to Requests for Information (RFI's) – HDR estimates 10 RFI's.
- Provide (1) Addendum
- SANBAG will select bid and award contract
- Once awarded to a contractor/vendor, review the final quote for accuracy of design intent before client processing

Deliverables

- Respond to RFI
- Addendum
- Create a bid package to get FFE bids

TASK 13.4 CONSTRUCTION SUPPORT SERVICES

Review Submittals, RFI, Installation and Punch-list.

Activities

- Review Submittals – HDR Estimates 5 Submittals.
- Respond to Requests for Information (RFI's) – HDR estimates 10 RFI's.
- Coordinate Furniture Installation
- Once installation is complete, conduct a project walk including punch list for final acceptance
- HDR will maintain a log for Requests for Information (RFI's) and Submittals.

Deliverables

- Punch list
- Follow-up confirmation
- Request for Information Log (RFI's)
- Submittal Log

TASK 14 VARIABLE MESSAGE SYSTEM (VMS)

OmniTrans has requested the following tasks that will need to be completed for the bidding of a preferred product while allowing for acceptable alternative manufactures to comply with project Division 1 Specification requirements. This task includes meeting with users to confirm system type, compatibility with existing sBX VMS, headquarters system and internet protocols. Upon completion of programing, a basis of design will be developed. VMS alternatives and a bid package will be prepared including meetings and input with the users. Follow up will include a punch list upon installation of the VMS.

TASK 14.1 VMS PROGRAMMING & MEETING

Activities

- Kick-Off Meeting with OmniTrans

Deliverables

- Meeting minutes

TASK 14.2 BASIS OF DESIGN, VMS ALTERNATIVES & MEETING

Provide VMS Alternatives and “Equal” selection

Activities

- Develop a Basis of Design for the furnishings systems selected for use in the SBTC
- Implement (9) canopy, (4) lobby, (4) break room monitors
- Selection of basis of design and (2) alternate manufacturers and “Equal” provision for each VMS item that meets the Buy America mandate
- Selection of local control and work station
- Final Selection Meeting with OmniTrans to finalize VMS and work station selections

Deliverables

- VMS Specifications
- VMS Drawings including (1) Site Layout and (3) Detail Drawings
- VMS Construction Cost Estimate

TASK 14.3 ISSUED FOR BID (IFB) PACKAGE

Provide VMS Bid package documents for bidding

Activities

- Three VMS Alternatives and “Equal” selections
- SANBAG will select bid and award contract

- Once awarded to a contractor/ vendor, review the final quote for accuracy of design intent before client processing

Deliverables

- Create a bid package to get VMS Bids
- Respond to Requests for Information (RFI's) – HDR estimates 10 RFI's.
- Provide (1) Addendum

TASK 14.4 CONSTRUCTION SUPPORT SERVICES

Activities

- Review Submittals – HDR Estimates 3 Submittals.
- Respond to RFI's
- Coordinate VMS Installation
- Once installation is complete, conduct a project walk including punch list for final acceptance
- HDR will maintain a log for Requests for Information (RFI's) and Submittals.

Deliverables

- Punch list
- Follow-up confirmation
- Request for Information Log (RFI's)
- Submittal Log

TASK 15 CARD READER MODIFICATIONS (CRM)

OmniTrans has requested the following tasks that will need to be completed for the bidding, of a preferred product while allowing for acceptable alternative manufactures to comply with project Division 1 Specification requirements. This task includes meeting with users to confirm the type, capacity, system type and location of card readers and support equipment. This includes adding card readers to four doors/gates including 102A1, 107A 107B, and 202. Additionally, add an exterior key pad for door 107C1. Review, seven other doors/gates will be reviewed for security appropriateness of previously specified card readers including doors/ gates: 102B1, 107C1, 210, 112A, 113A, 113B, and 114. Upon completion of programing, a basis of design, necessary drawings and a specification will be developed. CRP bid package will be prepared including meetings and input with the users. Follow up will include a punch list upon installation of the CRP.

TASK 15.1 CARD READER PROGRAMMING & MEETING

Activities

- Kick-Off Meeting with OmniTrans

Deliverables

- Meeting minutes

TASK 15.2 BASIS OF DESIGN, CARD READER ALTERNATIVES & MEETING

Provide CRM Alternatives and “Equal” selection

Activities

- Develop a Basis of Design for the CRM selected for use in the SBTC
- Implement location of card readers and equipment into drawings
- Selection of basis of design and (2) alternate manufacturers and “Equal” provision for each CRM item that meets the Buy America mandate
- Final Selection Meeting with OmniTrans to finalize CRM and work station selections

Deliverables

- CRM Specifications
- CRM Drawings including (1) Building Layout Drawing and (1) Detail Drawing

TASK 15.3 ISSUED FOR BID PACKAGE (IFB)

Provide CRM Bid package documents for bidding

Activities

- Respond to Requests for Information (RFI's) – HDR estimates 5 RFI's.
- Provide (1) Addendum
- SANBAG will select bid and award contract
- Once awarded to a contractor/ vendor, review the final quote for accuracy of design intent before client processing

Deliverables

- Create a bid package to get CRM bids
- Respond to RFI's
- Addendum

TASK 15.4 CONSTRUCTION SUPPORT SERVICES

Activities

- Review Submittals – HDR Estimates 3 Submittals.
- Respond to Requests for Information (RFI's) – HDR estimates 5 RFI's.
- Coordinate CRM Installation

- Once installation is complete, conduct a project walk including punch list for final acceptance
- HDR will maintain a log for Requests for Information (RFI's) and Submittals.

Deliverables

- Punch list
- Follow-up confirmation
- Request for Information Log (RFI's)
- Submittal Log

TASK 16 SITE FENCING & GATE DESIGN (SF)

OmniTrans has requested the following tasks that will need to be completed for the bidding, of a preferred product while allowing for acceptable alternative manufactures to comply with project Division 1 Specifications requirements. OmniTrans has requested that the SBTC site including development parcels be secured by adding additional fencing and gates. This task includes meeting with users to confirm the type, capacity, system type and location of fencing and its appropriateness. This includes adding fencing to discourage vagrancy and trespassing that discourages passengers from using the system. The site cannot be completely fenced due to its openness to the San Bernardino Passenger rails service to the south public plaza to the north of new SBTC building. Alternatives will be explored to achieve OmniTrans goals while maintaining an open public facility. Upon completion of programming, a basis of design, necessary drawings and a specification will be developed including landscape design. SF bid package will be prepared including meetings and input with the users. Follow up will include a punch list upon installation of the SF.

TASK 16.1 SITE FENCING PROGRAMMING & MEETING

Activities

- Kick-Off Meeting with OmniTrans

Deliverables

- Meeting minutes

TASK 16.2 BASIS OF DESIGN, SITE FENCING ALTERNATIVES & MEETING

Provide SF Alternatives and "Equal" selection

Activities

- Develop a Basis of Design for the SF selected for use in the SBTC
- Implement location of fences and gates onto drawings
- Selection of basis of design and (2) alternate manufacturers and "Equal" provision for each SF item that meets the Buy America mandate

- Final Selection Meeting with OmniTrans to finalize SF and gate selections

Deliverables

- SF Specifications
- SF Drawings including (1) Site Layout Drawings and (2) Fencing Detail Drawings
- SF Construction Cost Estimate

TASK 16.3 CITY OF SAN BERNARDINO (COSB) PLANNING PROCESSING

Provide supplemental planning permitting for security fence

Activities

- Review fence layout with COSB Planning Department
- Create a fence layout drawing and details for COSB Review
- Prepare COSB planning review application and submit for planning approval
- Coordinate submittal and respond to comments
- Resubmit for Final COSB Approval

Deliverables

- Fence layout drawings and specifications
- Prepare COSB planning review application
- Final Re-submittal

TASK 16.4 BUILDING PERMIT PROCESSING

Provide building permitting approval for security fence

Activities

- Review fence layout with COSB Building Department
- Provide final detail design for fence including details for COSB Review
- Prepare COSB planning review application and submit for planning approval
- Coordinate submittal and respond to comments
- Resubmit for Final COSB Approval

Deliverables

- Fence layout drawings and specifications
- Prepare COSB planning review application
- Final Re-submittal

TASK 16.5 ISSUED FOR BID PACKAGE (IFB)

Provide CRM Bid package documents for bidding

Activities

- Respond to Requests for Information (RFI's) – HDR estimates 5 RFI's.
- Provide (1) Addendum
- SANBAG will select bid and award contract
- Once awarded to a contractor/ vendor, review the final quote for accuracy of design intent before client processing

Deliverables

- Create a bid package to get CRM bids
- Respond to RFI
- Addendum

TASK 16.6 CONSTRUCTION SUPPORT SERVICES

Activities

- Review Submittals – HDR Estimates 3 Submittals.
- Respond to Requests for Information (RFI's) – HDR estimates 5 RFI's.
- Coordinate SF Installation
- Once installation is complete, conduct a project walk including punch list for final acceptance
- HDR will maintain a log for Requests for Information (RFI's) and Submittals.

Deliverables

- Punch list
- Follow-up confirmation
- Request for Information Log (RFI's)
- Submittal Log

TASK 17 EMERGENCY GENERATOR PROJECT (EGP)

OmniTrans has requested the following tasks that will need to be completed for the bidding of a preferred product while allowing for acceptable alternative manufactures to comply with project Division 1 Specifications requirements. This task includes meeting with users to confirm the type, capacity, system type and location of generator. Upon completion of programing, a basis of design, necessary drawings and a specification will be developed including Architectural Enclosure, Landscape, Structural (Enclosure), and Electrical design. EGP alternatives and a bid package will be prepared including meetings and input with the users. Follow up will include a punch list upon installation of the EGP.

TASK 17.1 EMERGENCY GENERATOR PROGRAMMING & MEETING

Activities

- Kick-Off Meeting with OmniTrans

Deliverables

- Meeting minutes

TASK 17.2 BASIS OF DESIGN, SITE FENCING ALTERNATIVES & MEETING

Provide EGP Alternatives and “Equal” selection

Activities

- Develop a Basis of Design for the EGP selected for use in the SBTC
- Implement location of Emergency Generator and Equipment onto drawings
- Selection of manufacturer basis of design and allow for (2) alternate manufacturers as an “Equal” for EGP that meets the Buy America mandate.
- Final Selection Meeting with OmniTrans to finalize EGP selection

Deliverables

- EGP Specifications
- EGP Drawings including (1) Site Layout, (1) Detail Architectural, (1) Detail Landscape, (1) Detail Structural, and (2) Detail Electrical Drawings
- EGP Cost Estimate

TASK 17.3 CITY OF SAN BERNARDINO (COSB) PLANNING PROCESSING

Provide supplemental planning permitting for emergency generator

Activities

- Review EGP layout with COSB Planning Department
- Create a generator and enclosure layout drawing and details for COSB Review
- Prepare COSB planning review application and submit for planning approval
- Coordinate submittal and respond to comments
- Resubmit for Final COSB Approval

Deliverables

- Generator and Enclosure layout drawings and specifications
- Prepare Southern California planning review application
- Final Re-submittal

TASK 17.4 BUILDING PERMIT PROCESSING

Provide building approval for emergency generator and enclosure

Activities

- Review emergency generator and enclosure layout with COSB Building Department
- Provide final detail design for fence including details for COSB Review
- Prepare COSB planning review application and submit for planning approval
- Coordinate submittal and respond to comments
- Resubmit for Final COSB Approval

Deliverables

- Fence layout drawings and specifications
- Prepare COSB planning review application
- Final Re-submittal

TASK 17.5 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) PROCESSING

Provide air quality permitting for emergency generator

Activities

- Review EPG layout with AQMD
- Create a generator and enclosure layout drawing and details for AQMD Review
- Prepare AQMD application and submit for planning approval
- Coordinate submittal and respond to comments
- Resubmit for Final AQMD Approval

Deliverables

- Generator and Enclosure layout drawings and specifications
- Prepare AQMD review application
- Final Re-submittal

TASK 17.6 ISSUED FOR BID PACKAGE (IFB)

Provide EGP Bid package documents for bidding

Activities

- Respond to Requests for Information (RFI's) – HDR estimates 10 RFI's.
- Provide (1) Addendum
- SANBAG will select bid and award contract

- Once awarded to a contractor/ vendor, review the final quote for accuracy of design intent before client processing

Deliverables

- Create a bid package to get EPG bids
- Respond to Requests for Information (RFI's) – HDR estimates 10 RFI's.
- Addendum

TASK 17.7 RIGHT OF WAY (ROW) LOT LINE ADJUSTMENTS FOR GENERATOR

Provide revised lot lines to allow for emergency generator and enclosure to be within a single parcel for final property subdivision for San Bernardino County (SBC)

Activities

- Review emergency generator and enclosure layout
- Provide final plat plan for SBC Review
- Prepare SBC plats and legal descriptions for planning approval
- Coordinate submittal and respond to comments
- Resubmit for Final SBC Approval

Deliverables

- Revise Subdivision Plat
- Prepare SBC planning review application
- Final Submittal

TASK 17.8 CONSTRUCTION SUPPORT SERVICES

Activities

- Review Submittals – HDR Estimates 5 Submittals.
- Respond to Requests for Information (RFI's) – HDR estimates 10 RFI's.
- Coordinate SF Installation
- Once installation is complete, conduct a project walk including punch list for final acceptance
- HDR will maintain a log for Requests for Information (RFI's) and Submittals.

Deliverables

- Punch list
- Follow-up confirmation
- Request for Information Log (RFI's)
- Submittal Log

END OF DOCUMENT



HDR Team - Detailed Labor and Fee Breakdown
 San Bernardino Associated Governments (SANBAG)
Architecture, Engineering, Environmental, ROW, TOD Services
OmniTrans Bus Facility (Project) at the San Bernardino Transit Center
 Amendment No. 3



EXHIBIT "B" - FEE ESTIMATE: SUMMARY

Task Description	TOTAL FEE HDR Engineering, Inc. (HDR)	TOTAL PROJECT FEE
PHASES 1 and 2		
TASK 1 PROJECT MANAGEMENT	\$24,240	\$24,240
TASK 2 Through 12: NOT USED		
TASK 13: FURNITURE, FIXTURES, & EQUIPMENT (FFE)	\$39,554	\$39,554
TASK 14: VARIABLE MESSAGE SYSTEM (VMS)	\$58,804	\$58,804
TASK 15: CARD READER MODIFICATIONS (CRM)	\$18,121	\$18,121
TASK 16: SITE FENCING & GATE DESIGN (SF)	\$19,649	\$19,649
TASK 17: EMERGENCY GENERATOR PROJECT (EGP)	\$122,268	\$122,268
ODC		
DESIGN SERVICES BUDGET FOR ODC'S	\$10,000	\$10,000
TOTAL ESTIMATED FEE FOR TRANSIT CENTER		
	\$292,636	\$292,636



HDR Team - Detailed Labor and Fee Breakdown
San Bernardino Associated Governments (SANBAG)
Architecture, Engineering, Environmental, ROW, TOD Services
OmniTrans Bus Facility (Project) at the San Bernardino Transit Center
Amendment No. 3



EXHIBIT "B" - FEE ESTIMATE: HDR

HDR - PROJECT FEE BY TASK BY PERSONNEL

Task Description	ARCHITECT/ ENGINEERING						VMS		ELECTRICAL					RIGHT OF WAY				CADD		ADMIN			TOTAL HOURS HDR	TOTAL FEE HDR	TOTAL PROJECT FEE						
	Managing Architect	Principal Engineer	Project Manager	Interior Designer	Senior Architect/ Engineer A	Architect/ Engineer B	Quality Control	Senior VMS Engineer	VMS Engineer	Electrical Engineer	Staff Engineer	Mechanical Engineer	Commissioning Engineer	CAD	Managing Agent	Senior Agent	Agent	Appraiser	Senior CADD Operator	CADD Operator	Senior Administrative Assistant	Administrative Assistant				Graphic Designer					
Burdened Average Hourly Rate (Calendar Yr 2015)	\$240	\$221	\$109	\$220	\$114	\$220	\$209	\$137	\$205	\$143	\$169	\$165	\$127	\$187	\$133				\$100	\$113											
TASKS 1.1 Through 1.8: PROJECT MANAGEMENT																															
Task 1.9 Additional Project Management Services for Contract Amendment 3			40			80	8																			40			168	\$24,240	
SUBTOTAL			40			80	8																			40			168	\$24,240	\$24,240
TASKS 2 Through 12: NOT USED																															
TASK 13: FURNITURE, FIXTURES & EQUIPMENT DESIGN SERVICES (FFE)																															
Task 13.1 Furniture Programing & Meeting			4	20	4	8																							36	\$4,856	
Task 13.2 Basis of Design, Furniture Alternatives & Meeting			2	100	2	8	2														4							118	\$13,586		
Task 13.3 ISSUED FOR BID (IFB)- BID PACKAGE			2	80	2	16	2																					102	\$11,866		
Task 13.4 CONSTRUCTION SUPPORT SERVICES			2	60	2	16																						80	\$9,246		
SUBTOTAL			10	260	10	48	4														4						336	\$39,554	\$39,554		
TASK 14: VARIABLE MESSAGE SYSTEM (VMS)																															
Task 14.1 VMS Programing & Meeting			4		4	8		8	8																			32	\$5,444		
Task 14.2 Basis of Design, VMS Alternatives & Meeting			2		2	8	2	40	80				80								4							218	\$32,166		
Task 14.3 IFB- BID PACKAGE			2		2	16	2	20	20				10															72	\$11,336		
Task 14.4 CONSTRUCTION SUPPORT SERVICES			2		2	16		8	40																			68	\$9,858		
SUBTOTAL			10		10	48	4	76	148				90								4						390	\$58,804	\$58,804		
TASK 15: CARD READER MODIFICATIONS (CRM)																															
Task 15.1 Card Reader Programing & Meeting			2		2	8				4																		16	\$2,614		
Task 15.2 Basis of Design, Card-Reader Alternatives & Meeting			1		16	8	2			8			8								4							47	\$8,201		
Task 15.3 IFB- BID PACKAGE			1		4	8	2			8																		23	\$4,093		
Task 15.4 CONSTRUCTION SUPPORT SERVICES			1		2	8				8																		19	\$3,213		
SUBTOTAL			5		24	32	4			28			8								4						105	\$18,121	\$18,121		
TASK 16: SITE FENCING & GATE DESIGN (SF)																															
Task 16.1 Site Fencing Programing & Meeting			2		2	8																						12	\$1,794		
Task 16.2 Basis of Design, Site Fencing Alternatives & Meeting			1		16	8	2						8								4							39	\$6,561		
Task 16.3 City Planning Processing			2			20																						22	\$2,722		



HDR Team - Detailed Labor and Fee Breakdown
San Bernardino Associated Governments (SANBAG)
Architecture, Engineering, Environmental, ROW, TOD Services
OmniTrans Bus Facility (Project) at the San Bernardino Transit Center
Amendment No. 3



EXHIBIT "B" - FEE ESTIMATE: HDR

HDR - PROJECT FEE BY TASK BY PERSONNEL

Task Description	ARCHITECT/ ENGINEERING						VMS		ELECTRICAL					RIGHT OF WAY				CADD		ADMIN			TOTAL HOURS HDR	TOTAL FEE HDR	TOTAL PROJECT FEE			
	Managing Architect	Principal Engineer	Project Manager	Interior Designer	Senior Architect/ Engineer A	Architect/ Engineer B	Quality Control	Senior VMS Engineer	VMS Engineer	Electrical Engineer	Staff Engineer	Mechanical Engineer	Commissioning Engineer	CAD	Managing Agent	Senior Agent	Agent	Appraiser	Senior CADD Operator	CADD Operator	Senior Administrative Assistant	Administrative Assistant				Graphic Designer		
Task 16.4 Building Permit Processing			2			20																			22	\$2,722		
Task 16.5 IFB- BID PACKAGE			1		4	16	2																		23	\$3,365		
Task 16.6 CONSTRUCTION SUPPORT SERVICES			1		2	16																			19	\$2,485		
SUBTOTAL			9		24	88	4						8								4			137	\$19,649	\$19,649		
TASK 17: EMERGENCY GENERATOR PROJECT (EGP)																												
Task 17.1 Generator Programing & Meeting			4		4	8			40																56	\$10,876		
Task 17.2 Basis of Design, Generator Alternatives & Meeting			16		2	80	8		140		16		40								4				306	\$51,792		
Task 17.3 City Planning Processing			2			30																			32	\$3,862		
Task 17.4 Building Permit Processing			2			30																			32	\$3,862		
Task 17.5 AQMD Permit Processing for Generator over 50 HP			2			40																			42	\$5,002		
Task 17.6 IFB- BID PACKAGE			2		2	16	2		20		4		20												66	\$10,462		
Task 17.7 ROW-Lot Line Adjustments for Generator			2											8	16										26	\$4,066		
Task 17.8 CONSTRUCTION SUPPORT SERVICES			2		2	16			100			40	20												180	\$32,346		
SUBTOTAL			32		10	220	10		300		20	40	80	8	16						4			740	\$122,268	\$122,268		
BUDGET FOR ODC'S																												
ODC's																											\$10,000	
SUBTOTAL																											\$10,000	\$10,000
ESTIMATED FEE																											\$292,636	\$292,636

AMENDMENT NO. 3

TO

CONTRACT NO. C12077

BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

AND

HDR ENGINEERING, INC.

This AMENDMENT No. 3 to Contract No. C12077 (this “Amendment”) is made by and between HDR Engineering, Inc. (hereafter called CONSULTANT) and the San Bernardino County Transportation Authority (hereafter called AUTHORITY):

RECITALS:

- A. **WHEREAS**, AUTHORITY, under Contract No. C12077, has engaged the services of CONSULTANT to provide certain architectural and engineering services, project management, right-of-way location, and acquisition and environmental, including CEQA and NEPA compliance as well as traffic studies, geotechnical work; hydrology work and landscaping for the San Bernardino Transit Center (“Project”); and
- B. **WHEREAS**, AUTHORITY and CONSULTANT desire to amend the aforesaid contract; and
- C. **WHEREAS**, the parties agree that the net increase will be \$292,636.

NOW THEREFORE, the parties mutually agree to amend Contract No. C12077 as follows:

1. The Scope of Services for Contract No. C12077 shall be amended to reflect the changes and additions described in Attachment A.3 to this Amendment No. 3, all to be performed to AUTHORITY’S satisfaction. Except as specifically amended in Attachment A.3, the current provisions of the Scope of Services shall remain in force and effect.
2. Amend Article 3, “Price”, sub-paragraph 3.2, to delete \$4,618,297 as the not-to-exceed amount and replace with \$4,910,933 as the revised not-to-exceed amount.
3. Except as otherwise specified herein or in Attachment A.3, the modified and additional services set forth in Attachment A.3 shall be compensated in the same manner and under the same procedures as for the services under Contract No. C12077 and are subject to the amended not-to-exceed figure set forth in paragraph 2 above. Attachment B.3 to this Amendment No. 3, contains the projected budget

for the cost components of the price increase negotiated by the parties for the completion of the modified and additional services set forth in Attachment A.3.

- 4. Contract No. C12077 and Amendment 1 and 2 are incorporated into this Amendment.
- 5. Except as amended by this Amendment No. 3, all other provisions of Contract No. C12077, as amended, remain in full force and effect.

IN WITNESS WHEREOF, the parties have duly executed this Amendment No. 3 below.

HDR ENGINEERING, INC.

AUTHORITY

By: _____
Thomas Kim
Sr. Vice President

By: _____
L. Dennis Michael
President

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Robert D. Herrick
Assistant General Counsel

CONCURRENCE:

By: _____
Jeffery Hill
Procurement Manager

Attachment: C12077-3_ (1817 : Amendment 3 to Contract No. C12077 with HDR Engineering, Inc.)

Minute Action

AGENDA ITEM: 20

Date: April 1, 2015

Subject:

SANBAG Short Range Transit Plan

Recommendation:

Receive the first four chapters of the SANBAG's Short Range Transit Plan (SRTP), including the public comments received, the draft goals and objectives, and provide direction to staff if necessary.

Background:

SANBAG has a number of significant transit capital projects in planning and/or implementation over the next several years. As part of its regional mobility program and as the County Transportation Commission, SANBAG oversees and coordinates the services of six different transit service operators as well as a consolidated transportation service agency which helps coordinate paratransit services. SANBAG is also a member agency of the Southern California Regional Rail Authority (SCRRA) and provides annual funding for SCRRA's METROLINK capital program and operations.

With all of these transit services and capital improvement initiatives underway, it has become critically important that SANBAG establish a regional plan for the identification, prioritization, development, funding, and implementation of transit improvements in San Bernardino County. In the past SANBAG, as a transportation planning agency, focused its Short Range Transit Plan (SRTP) on commuter and passenger rail activities. Last year, SANBAG staff identified the need for a short term planning document that includes both transit and commuter rail services, incorporating all of the transit and rail funding, ensuring that operating and capital needs of the various transit and rail operators throughout the county are identified and budgeted. Facilitating the discussion of increased connectivity between the different transit modes throughout the county was also identified as a priority. Recognizing the growing need for a short term planning document that includes both Bus and Commuter Rail, the Transit and Rail department issued a Contract Task Order (CTO) with Parsons Brinkerhoff to develop a SANBAG Short Range Transit Plan (SRTP) for Fiscal Year 2015-2019.

The purpose of the SANBAG SRTP is to provide a plan to guide transit improvements in San Bernardino County over the next five years. It establishes system goals, objectives, and standards, describes the existing system and regional setting/demographics, evaluates the system's performance against service standards, identifies service needs and deficiencies, and recommends proposed service changes over the following five year period. Although SRTPs plan for improvements spanning five years, they are normally updated every two years. It is important to note that SANBAG currently has a Long Range Transit Plan (LRTP) in place, which should be updated in Fiscal Year 2015/2016. A LRTP is a long term planning document

Entity: CTA, CTC

spanning the next 20 years and will include longer range projects that might not have funding yet identified such as a rail connection to the Ontario International Airport, Foothill Gold Line extension to Montclair, and High Speed Rail.

The SANBAG SRTP, currently under development, identifies the existing transit services, goals and objectives, service plans, and funding requirements of the six local transit operators, as well as region-wide transit needs, goals and future services, including the future SANBAG Redlands Passenger Rail Project. Additionally, the SRTP includes the planned programming of operating and capital projects to support the service plan and a financial plan covering total system costs (operating and capital, and funding sources).

One of the key components of a SRTP is the integration of a focused public participation process to ensure public and stakeholder involvement and input. An extensive public outreach program was developed and implemented specifically for the SANBAG SRTP. The program included public outreach meetings which were conducted in four different communities from January 26-29, 2015. In addition, several ways to offer input to the plan were provided, via electronic and other means. Public outreach was necessary to garner input on SANBAG's proposed goals and objectives for a regional SRTP, and to assist with identification of regional-level service needs and gaps.

A total of 81 public comments were documented as a result of the public outreach process. These have been grouped according to the overall SRTP goal area which they most closely related to, or placed in an "other" category. Tables 3-2 through 3-7 in the draft SRTP document provide these comment listings and SANBAG's response/disposition and can be found in the Existing Conditions report (additional support material). The Existing Conditions report includes Chapters 1 – 4 of the SRTP. Additional chapters covering service plans, capital plans, and financial plans will be developed and finalized for Committee and Board review once the goals and objectives in the Existing Conditions report have been reviewed and approved by the Committee and Board.

The public input offered key refinement to the originally-proposed SRTP goals and objectives, and helped identify additional proposed regional transit goals. Table 2-5 in the SRTP's Existing Conditions report has two parts; the first part identifies key goals and objectives for transit projects and services. It includes goals for increased capacity on commuter rail services, the introduction of light rail services, implementation of the Redlands Passenger Rail Project, and support for continued development of high quality, high capacity bus rapid transit (BRT) and express bus services in San Bernardino County where the market demand warrants and as funding resources allow. The second part of Table 2-5 lists broader regional mobility goals, such as network connectivity, facilitating inter-regional travel, accessibility programs for seniors and persons with disabilities, multi-modal alternatives to improve first-mile/last-mile access to transit services, and efforts to enhance integration of transit and land use.

Staff is asking the Board to receive the first four chapters of the SRTP including the public comments received, the draft goals and objectives, and provide direction to staff if necessary.

Financial Impact:

This item is consistent with the Fiscal Year 2014/2015 budget.

Reviewed By:

Board of Directors Agenda Item
April 1, 2015
Page 3

This item was received by the Commuter Rail and Transit Committee on March 12, 2015.

Responsible Staff:

Mitch Alderman, Director of Transit and Rail Programs

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 21

Date: April 1, 2015

Subject:

Measure I Valley Major Street Program Allocation Planning for Fiscal Year 2015/2016

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve the following amounts for consideration in the SANBAG Fiscal Year 2015/2016 Budget for the Valley Major Street Arterial Sub-program and the Valley Major Street Project Advancement Program, which includes an increased allocation of \$988,118.68 to the Major Street Project Advancement Program from the Major Street Arterial Sub-program:

- Arterial Sub-program: \$8,632,275.59
- Major Street Project Advancement Program: \$10,560,651.29

Background:

SANBAG staff is engaged in the allocation planning process for Fiscal Year 2015/2016. This process provides information for use by both SANBAG and its member agencies in preparation of their capital budgets. One of the allocation planning activities is to determine how much funding should be assigned for local jurisdiction use in the Valley Major Street Arterial Sub-program and Valley Major Street Arterial Project Advancement Agreement (PAA) Program.

Arterial PAAs were entered into for projects that were initiating construction prior to January 31, 2009, and eligible for reimbursement from the Major Streets Program. The local agencies advanced the funds necessary to complete the projects and are reimbursed the public share of project costs over time. Approximately \$68.9 million was committed to the Arterial PAA program, and the remaining balance at the beginning of Fiscal Year 2015/2016 is estimated at \$15.8 million.

The Valley Major Street Program receives 20% of the Valley Measure I revenue. Allocation to the Arterial PAA program is taken off the top, and the remaining revenue is allocated to two sub-programs with the grade separation sub-program receiving 33% of the remaining program funds and the arterial sub-program receiving 67%. The Valley Arterial PAA program was allocated 40% of the projected Measure I Valley Major Street revenue for the first two years of Measure I 2010-2040.

In early 2012, SANBAG staff conducted an analysis and found that only approximately 15% of the allocated arterial funds had been invoiced in Fiscal Year 2010/2011. As a result, staff recommended and the SANBAG Board approved increasing the Fiscal Year 2012/2013 Arterial PAA allocation by an amount equal to the unused Fiscal Year 2010/2011 Arterial Sub-program allocation to facilitate accelerated payoff of the Arterial PAA program. As of January 31, 2015, approximately 25% of the total arterial funds allocated between Fiscal Year 2010/2011 and Fiscal Year 2014/2015 have been invoiced by the local agencies.

Entity: CTA

Board of Directors Agenda Item

April 1, 2015

Page 2

As such, staff is recommending that the Fiscal Year 2015/2016 Arterial PAA allocation be increased by \$988,118.68 over the 40% allocation level of \$9,572,532.61, bringing the total recommended Fiscal Year 2015/2016 Arterial PAA allocation to \$10,560,651.29. Concurrently, staff is recommending that the Fiscal Year 2015/2016 proposed allocation to the Arterial Sub-program be reduced by \$988,118.68 from \$9,620,395.27 to \$8,632,276.59. This will enable SANBAG to go farther down the chronological list of local agency PAA invoices to be reimbursed. The impact to the Arterial PAA program is provided in Table 1; actual amounts may change slightly before reimbursement begins pending final invoice review.

SANBAG staff presented the PAA adjustment proposal to the Transportation Technical Advisory Committee (TTAC) on February 2, 2015 and March 2, 2015. Jurisdictions were provided an opportunity to inform SANBAG staff of forthcoming invoices, and these forecasts of pending invoices were taken into consideration. There are six jurisdictions requesting that their Fiscal Year 2015/2016 Arterial Sub-program allocation not be decreased: Chino, Colton, Grand Terrace, Rancho Cucamonga, Rialto, and San Bernardino County. The proposed allocation amounts reflect this request in Table 1.

Table 1
Impact of Adjustment to Arterial Project Advancement Agreement Program⁽¹⁾

Jurisdiction	Total Public Share Amount after Buy Down Funds	Invoices Received to Date ⁽²⁾	Allocation without Adjustment		Allocation with Adjustment	
			FY15/16 PAA Allocation Amount	FY15/16 Balance of Invoices Received	FY15/16 PAA Allocation Amount	FY15/16 Balance of Invoices Received
Chino	\$4,849,213.00	\$2,362,659.23	\$0.00	\$0.00	\$0.00	\$0.00
Chino Hills	\$7,293,287.59	\$7,293,287.59	\$15,223.68	\$1,805,680.68	\$39,228.99	\$1,781,675.37
Fontana	\$34,926,493.75	\$34,926,493.75	\$4,143,718.84	\$3,521,351.75	\$4,810,230.51	\$2,854,840.08
Highland	\$170,493.90	\$170,493.90	\$0.00	\$0.00	\$0.00	\$0.00
Rancho Cucamonga	\$20,628,713.27	\$20,628,713.27	\$5,073,998.73	\$3,193,463.30	\$5,143,263.83	\$3,124,198.20
Rialto	\$913,800.00	\$898,003.57	\$1,728.00	\$0.00	\$1,728.00	\$0.00
Yucaipa	\$3,166,885.02	\$2,724,856.41	\$131,473.19	\$7,141.07	\$131,473.19	\$7,141.07
Total	\$71,948,886.53	\$69,004,507.72	\$9,366,142.44	\$8,527,636.80	\$10,125,924.52	\$7,767,854.72

⁽¹⁾ Amounts provided in table are estimates. Jurisdictions will be notified by SANBAG of actual reimbursement amounts.

⁽²⁾ Invoices received to date reflects all invoices received from agencies, including any adjustments.

The benefit of this proposal is that the Arterial PAA reimbursements to local jurisdictions can proceed more quickly, with the expectation that the reimbursements could be applied to the delivery of additional projects in each of those jurisdictions. Concern was expressed by several jurisdictions that this action may put their future allocations at risk or delay access to those allocations. However, the Measure I Strategic Plan contains several protections:

Board of Directors Agenda Item

April 1, 2015

Page 3

- Jurisdictions are guaranteed an “equitable share” of the arterial program funds over the life of the Measure.
- The funds are being retained within the Valley Major Street Program.
- If additional allocations are required to meet arterial (non-PAA) project needs in subsequent years, the Arterial PAA reimbursements can be allocated less than 40%.
- Mid-year adjustments to allocations could be approved.

The proposed Fiscal Year 2015/2016 Measure I Valley Arterial Sub-program allocations, as well as the cumulative allocation amounts for Fiscal Year 2010/2011 through 2014/2015 and the PAA adjustments in Fiscal Year 2012/2013 through Fiscal Year 2014/2015, are shown in Table 2. The proposed Fiscal Year 2015/2016 allocation includes the one-time adjustment to prior year allocations resulting from the correction of the Nexus Study Development Impact Fee (DIF) Share for the City of Upland that was approved by the SANBAG Board in March 2015.

Each jurisdiction will have access to the cumulative total, less what they have already invoiced. An expanded table showing how the recommended arterial allocations were derived is provided in Attachment 1. This more detailed table was reviewed with the TTAC.

Table 2
Measure I Major Street Arterial Program & Project Advancement Agreement Program
FY 2015/2016 Allocation Proposal

Jurisdiction	Equitable Share	Cumulative Allocation FY10/11-14/15	FY 15/16 Allocation "by formula" with excess FY13/14 Revenue ⁽¹⁾	Proposed FY15/16 PAA adjustment	Total PAA Adjustment for FY12/13 thru FY14/15	Proposed Total PAA adjustment through FY15/16	Proposed FY 15/16 Allocation with "One-Time" adjustment and PAA adjustment ⁽²⁾
Chino ⁽³⁾	7.591%	\$2,074,118.26	\$730,284.21	\$0.00	\$1,121,080.00	\$1,121,080.00	\$726,503.33
Chino Hills	2.194%	\$554,552.92	\$211,071.47	\$13,290.00	\$370,370.00	\$383,660.00	\$195,262.69
Colton ⁽³⁾	2.534%	\$682,278.77	\$243,780.82	\$0.00	\$368,780.00	\$368,780.00	\$258,069.39
Fontana	19.400%	\$5,717,624.76	\$1,866,356.68	\$528,350.00	\$2,480,595.64	\$3,008,945.64	\$1,295,957.71
Grand Terrace ⁽³⁾	1.389%	\$382,077.31	\$133,627.29	\$0.00	\$206,510.00	\$206,510.00	\$129,005.04
Highland	6.777%	\$1,714,072.65	\$651,974.19	\$41,070.00	\$1,144,790.00	\$1,185,860.00	\$601,236.06
Loma Linda	4.074%	\$1,033,479.98	\$391,934.90	\$24,760.00	\$690,240.00	\$715,000.00	\$356,250.92
Montclair	0.597%	\$157,551.70	\$57,433.76	\$9,930.00	\$94,700.00	\$104,630.00	\$46,243.52
Ontario	12.272%	\$3,100,449.94	\$1,180,614.91	\$74,290.00	\$2,070,730.00	\$2,145,020.00	\$1,094,554.02
Rancho Cucamonga ⁽³⁾	5.044%	\$1,548,442.13	\$485,252.74	\$0.00	\$595,697.35	\$595,697.35	\$461,717.82
Redlands	4.854%	\$1,235,145.59	\$466,973.99	\$29,600.00	\$824,920.00	\$854,520.00	\$418,032.94
Rialto ⁽³⁾	3.831%	\$1,064,356.08	\$368,557.34	\$0.00	\$575,290.00	\$575,290.00	\$339,544.91
San Bernardino	7.857%	\$1,991,354.11	\$755,874.46	\$23,498.68	\$1,329,980.00	\$1,353,478.68	\$714,291.09
Upland	2.743%	\$820,894.87	\$263,887.44	\$207,090.00	\$146,070.00	\$353,160.00	\$243,047.95
Yucaipa	5.965%	\$2,018,527.05	\$573,856.58	\$36,240.00	\$504,000.00	\$540,240.00	\$522,902.04
County ⁽³⁾	12.878%	\$5,423,441.65	\$1,238,914.50	\$0.00	\$0.00	\$0.00	\$1,229,657.17
TOTALS	100.00%	\$29,518,367.77	\$9,620,395.27	\$988,118.68	\$12,523,752.99	\$13,511,871.67	\$8,632,276.59
Arterial Allocation (67% after PAA set-aside)	100.00%	\$29,518,367.77	\$ 9,620,395.27	n/a	\$0.00	n/a	\$8,632,276.59
PAA set-aside (40% off top)		\$38,689,136.07	\$ 9,572,532.61	n/a	\$0.00	n/a	\$ 9,572,532.61
PAA adjustment		\$12,553,752.98	n/a	\$988,118.68	\$12,553,752.99	\$13,511,871.67	\$ 988,118.68
Total Arterial Program		\$80,761,256.82	\$19,192,927.88	n/a	\$0.00	n/a	\$19,192,927.88

⁽¹⁾ Excess Funds - Additional funds from actual FY 13/14 Arterial and PAA revenues (\$18,347,492.52) exceeding estimate (\$17,963,200) by \$308,202.60 total

⁽²⁾ One-time adjustment due to error in Upland Nexus Study share approved by SANBAG BOD March 2015.

⁽³⁾ Jurisdiction indicated that they were anticipating using their full FY15/16 allocation amount and/or fully utilized cumulative allocations.

Board of Directors Agenda Item

April 1, 2015

Page 4

The Measure I Strategic Plan anticipated the need to under-allocate to certain jurisdictions in any given year and over-allocate to other jurisdictions based on the fluctuation in project delivery schedules. It was designed to optimize the use of the available funds for the Major Street Program and expedite project delivery, while providing assurances that each jurisdiction would receive its equitable share. The objective is to put the funds to work, not retain them in SANBAG accounts. These policies and the Major Street allocation proposal in this agenda item are consistent with that objective.

Financial Impact:

This item has no impact on the approved Fiscal Year 2014/2015 Budget.

Reviewed By:

This item was reviewed and recommended for approval (15-0-0) with a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

FY 15/16 Measure I Major Street Arterial Program & Project Advancement Agreement Program Allocation Proposal Detailed Calculations

Estimated FY 15/16 Major Streets Arterial Revenue	\$ 23,547,039.00	Excess FY 13/14 Major Streets Arterial Revenue	\$ 384,292.52	FY 15/16 Major Streets Arterial Allocation	\$ 23,931,331.52	(=Estimated FY15/16 + Excess FY13/14)
PAA set-aside off top (40%)	\$ 9,418,815.60	PAA set-aside off top (40%)	\$ 153,717.01	PAA set-aside off top (40%)	\$ 9,572,532.61	
Arterial Portion(67%)	\$ 9,465,909.68	Arterial Portion(67% of balance)	\$ 154,485.59	Arterial Portion(67% of balance)	\$ 9,620,395.27	(used in formula for Column N)
Grade Separation Portion (33%)	\$ 4,662,313.72	Grade Separation Portion (33% of balance)	\$ 76,089.92	Grade Separation Portion (33% of balance)	\$ 4,738,403.64	

Major Street Arterial Program Allocations by Fiscal Year AND Cumulative Invoicing										FY 15/16 PAA Adjustment with unused FY13/14 allocations						FY15/16 Final Allocation	PAA Adjustments						
Jurisdiction	Equitable Share	Approved FY 10/11 Allocation	Approved FY11/12 Allocation	Approved Adjusted FY12/13 Allocation	Approved Adjusted FY13/14 Allocation	Approved Adjusted FY 14/15 Allocation	Cumulative Allocation FY10/11-14/15	Arterial Invoicing through January 31, 2015	Cumulative Balance FY10/11-FY14/15 less invoicing through 1/31/15	FY13/14 Invoicing	FY13/14 Remaining Balance	FY15/16 Allocation "by formula"	FY 15/16 Allocation "by formula" with excess FY13/14 Revenue ⁽¹⁾	Proposed FY15/16 Allocation (PAA Adjustment equal to un-invoiced FY13/14 funds)	"One-time" Equitable Share Adjustment Needed ⁽²⁾	Proposed FY15/16 Allocation with "One-Time" adjustment and PAA adjustment	FY12/13 PAA adjustment	FY13/14 PAA adjustment	FY14/15 PAA adjustment	Proposed FY15/16 PAA adjustment	Proposed Total PAA adjustment through FY15/16	Cumulative Allocation through FY15/16 with FY15/16 PAA and "One-Time" adjustments	Cumulative Allocation through FY15/16 without FY15/16 PAA and with "One-Time" adjustment
	Revised March 2015						Columns C+D+E+F+G	Actual	Columns H-I	Actual	Columns F-K or if negative, \$0	Equitable Share times MI FY15/16 Estimate	Equitable Share times MI FY15/16 Estimate plus Excess FY13/14	Columns N-L (except if not participating in adjustment)							Columns R+S+T+U	Columns H+Q	Columns H+N+P
Chino ⁽³⁾	7.591%	\$482,680.00	\$638,400.00	\$158,390.00	\$45,900.00	\$748,748.26	\$2,074,118.26	\$298,945.94	\$1,775,172.32	\$241,454.52	\$0.00	\$718,557.20	\$730,284.21	\$730,284.21	-\$3,780.87	\$726,503.33	\$482,680.00	\$638,400.00	\$0.00	\$0.00	\$1,121,080.00	\$2,800,621.59	\$2,800,621.59
Chino Hills	2.194%	\$139,720.00	\$184,800.00	\$45,850.00	\$13,290.00	\$170,892.92	\$554,552.92	\$0.00	\$554,552.92	\$0.00	\$13,290.00	\$207,682.06	\$211,071.47	\$197,781.47	-\$2,518.79	\$195,262.69	\$139,720.00	\$184,800.00	\$45,850.00	\$13,290.00	\$383,660.00	\$749,815.61	\$763,105.61
Colton ⁽³⁾	2.534%	\$158,780.00	\$210,000.00	\$52,100.00	\$15,100.00	\$246,298.77	\$682,278.77	\$30,439.62	\$651,839.15	\$6,351.02	\$8,748.98	\$239,866.15	\$243,780.82	\$243,780.82	\$14,288.57	\$258,069.39	\$158,780.00	\$210,000.00	\$0.00	\$0.00	\$368,780.00	\$940,348.16	\$940,348.16
Fontana	19.400%	\$1,238,450.00	\$1,638,000.00	\$786,170.00	\$528,350.00	\$1,526,654.76	\$5,717,624.76	\$1,318,014.54	\$4,399,610.22	\$0.00	\$528,350.00	\$1,836,386.48	\$1,866,356.68	\$1,338,006.68	-\$42,048.97	\$1,295,957.71	\$858,690.00	\$1,227,430.00	\$394,475.64	\$528,350.00	\$3,008,945.64	\$7,013,582.47	\$7,541,932.47
Grand Terrace ⁽³⁾	1.389%	\$88,910.00	\$117,600.00	\$29,180.00	\$8,460.00	\$137,927.31	\$382,077.31	\$54,997.22	\$327,080.09	\$0.00	\$8,460.00	\$131,481.49	\$133,627.29	\$133,627.29	-\$4,622.25	\$129,005.04	\$88,910.00	\$117,600.00	\$0.00	\$0.00	\$206,510.00	\$511,082.35	\$511,082.35
Highland	6.777%	\$431,870.00	\$571,200.00	\$141,720.00	\$41,070.00	\$528,212.65	\$1,714,072.65	\$0.00	\$1,714,072.65	\$0.00	\$41,070.00	\$641,504.70	\$651,974.19	\$610,904.19	-\$9,668.13	\$601,236.06	\$431,870.00	\$571,200.00	\$141,720.00	\$41,070.00	\$1,185,860.00	\$2,315,308.71	\$2,356,378.71
Loma Linda	4.074%	\$260,390.00	\$344,400.00	\$85,450.00	\$24,760.00	\$318,479.98	\$1,033,479.98	\$0.00	\$1,033,479.98	\$0.00	\$24,760.00	\$385,641.16	\$391,934.90	\$367,174.90	-\$10,923.98	\$356,250.92	\$260,390.00	\$344,400.00	\$85,450.00	\$24,760.00	\$715,000.00	\$1,389,730.90	\$1,414,490.90
Montclair	0.597%	\$38,110.00	\$50,400.00	\$22,500.00	\$9,930.00	\$36,611.70	\$157,551.70	\$6,308.40	\$151,243.30	\$0.00	\$9,930.00	\$56,511.48	\$57,433.76	\$47,503.76	-\$1,260.24	\$46,243.52	\$28,110.00	\$44,090.00	\$22,500.00	\$9,930.00	\$104,630.00	\$203,795.22	\$213,725.22
Ontario	12.272%	\$781,170.00	\$1,033,200.00	\$434,900.00	\$74,290.00	\$776,889.94	\$3,100,449.94	\$178,544.89	\$2,921,905.05	\$0.00	\$74,290.00	\$1,161,656.44	\$1,180,614.91	\$1,106,324.91	-\$11,770.88	\$1,094,554.02	\$602,630.00	\$1,033,200.00	\$434,900.00	\$74,290.00	\$2,145,020.00	\$4,195,003.96	\$4,269,293.96
Rancho Cucamonga ⁽³⁾	5.044%	\$323,900.00	\$428,400.00	\$430,190.00	\$30,800.00	\$335,152.13	\$1,548,442.13	\$947,980.80	\$600,461.33	\$112,811.37	\$0.00	\$477,460.48	\$485,252.74	\$485,252.74	-\$23,534.92	\$461,717.82	\$0.00	\$428,400.00	\$167,297.35	\$0.00	\$595,697.35	\$2,010,159.95	\$2,010,159.95
Redlands	4.854%	\$311,200.00	\$411,600.00	\$102,120.00	\$29,600.00	\$380,625.59	\$1,235,145.59	\$0.00	\$1,235,145.59	\$0.00	\$29,600.00	\$459,475.26	\$466,973.99	\$437,373.99	-\$19,341.05	\$448,032.94	\$311,200.00	\$411,600.00	\$102,120.00	\$29,600.00	\$854,520.00	\$1,653,178.53	\$1,682,778.53
Rialto ⁽³⁾	3.831%	\$247,690.00	\$327,600.00	\$81,280.00	\$23,560.00	\$384,226.08	\$1,064,356.08	\$976,481.14	\$87,874.94	\$656,570.00	\$0.00	\$362,639.00	\$368,557.34	\$368,557.34	-\$29,012.43	\$339,544.91	\$247,690.00	\$327,600.00	\$0.00	\$0.00	\$575,290.00	\$1,403,900.99	\$1,403,900.99
San Bernardino	7.857%	\$501,730.00	\$663,600.00	\$164,650.00	\$47,720.00	\$613,654.11	\$1,991,354.11	\$24,221.32	\$1,967,132.79	\$24,221.32	\$23,498.68	\$743,736.52	\$755,874.46	\$732,375.78	-\$18,084.68	\$714,291.09	\$501,730.00	\$663,600.00	\$164,650.00	\$47,720.00	\$1,353,478.68	\$2,705,645.20	\$2,729,143.88
Upland	2.743%	\$146,070.00	\$193,200.00	\$47,940.00	\$207,090.00	\$226,594.87	\$820,894.87	\$0.00	\$820,894.87	\$0.00	\$207,090.00	\$259,649.90	\$263,887.44	\$56,797.44	\$186,250.50	\$243,047.95	\$146,070.00	\$0.00	\$0.00	\$207,090.00	\$353,160.00	\$1,063,942.82	\$1,271,032.82
Yucaipa	5.965%	\$381,060.00	\$504,000.00	\$506,110.00	\$36,240.00	\$591,117.05	\$2,018,527.05	\$381,060.00	\$1,637,467.05	\$0.00	\$36,240.00	\$564,641.51	\$573,856.58	\$537,616.58	-\$14,714.54	\$522,902.04	\$0.00	\$504,000.00	\$0.00	\$0.00	\$540,240.00	\$2,541,429.09	\$2,577,669.09
County ⁽³⁾	12.878%	\$819,280.00	\$1,083,600.00	\$1,088,140.00	\$1,161,520.00	\$1,270,901.65	\$5,423,441.65	\$3,073,127.00	\$2,350,314.65	\$2,476,582.00	\$0.00	\$1,219,019.85	\$1,238,914.50	\$1,238,914.50	-\$9,257.34	\$1,229,657.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,653,098.82	\$6,653,098.82
TOTALS	100.00%	\$6,351,010.00	\$8,400,000.00	\$4,176,690.00	\$2,297,680.00	\$8,292,987.77	\$29,518,367.77	\$7,290,120.87	\$22,228,246.90	\$3,517,990.23	\$1,005,327.66	\$9,465,909.68	\$9,620,395.27	\$8,632,276.59	\$0.00	\$8,632,276.59	\$4,258,470.00	\$6,706,320.00	\$1,558,962.99	\$988,118.68	\$13,511,871.67	\$38,150,644.36	\$39,138,763.04
Arterial Allocation (67% after PAA set-aside) ⁽⁴⁾	100.00%	\$6,351,000.00	\$8,400,000.00	\$4,176,710.00	\$2,297,670.00	\$8,292,987.77	\$29,518,367.77	\$7,290,120.87	\$22,228,246.90	\$3,517,990.23	\$1,005,327.66	\$9,465,909.68	\$9,620,395.27	\$8,632,276.59		\$8,632,276.59	n/a	n/a	n/a	n/a	n/a	\$38,150,644.36	\$39,138,763.04
PAA set-aside (40% off top)		\$5,293,000.00	\$6,970,000.00	\$7,664,000.00	\$8,959,200.00	\$9,802,936.07	\$38,689,136.07	n/a	n/a	n/a	n/a	\$9,418,815.60	\$9,572,532.61	\$9,572,532.61		\$9,572,532.61	n/a	n/a	n/a	n/a	n/a		
PAA adjustment		n/a	n/a	\$4,288,470.00	\$6,706,320.00	\$1,558,962.98	\$12,553,752.98	n/a	n/a	n/a	n/a	n/a	n/a	\$988,118.68		\$988,118.68	\$4,288,470.00	\$6,706,320.00	\$1,558,962.99	\$988,118.68	\$13,511,871.67	\$14,499,990.35	n/a
Total Arterial Program		\$11,644,000.00	\$15,370,000.00	\$16,129,180.00	\$17,963,190.00	\$19,654,886.82	\$80,761,256.82	n/a	n/a	n/a	n/a	\$18,884,725.28	\$19,192,927.88	\$19,192,927.88		\$19,192,927.88	n/a	n/a	n/a	n/a	n/a	\$52,650,634.71	\$39,138,763.04

⁽¹⁾ Excess Funds - Additional funds from actual FY 13/14 Arterial and PAA revenues (\$18,347,492.52) exceeding estimate (\$17,963,200) by \$308,202.60 total (\$153,717.01 arterial/\$154,485.59 PAA set-aside);

⁽²⁾ One-time adjustment due to error in Upland Nexus Study share approved by SANBAG BOD March 2015.

⁽³⁾ Jurisdiction indicated that they were anticipating using their full FY15/16 allocation amount and/or fully utilized cumulative allocations.

⁽⁴⁾ Arterial Allocation does not match total for FY12/13 and FY13/14 due to the fact that initially amounts were reported as "Dollars in 1,000's".

Board of Directors Agenda Item

April 1, 2015

Page 2

Driver safety check	14,059
Lock-out	9
Mechanical	6,088
Out of gas	2,891
Overheated	2,410
Fire	45
Unable to locate	43

The FSP program has received more than 9,000 comments from motorists that have been assisted by FSP drivers servicing motorists in San Bernardino County. Overall, 99.8% rated their experience as excellent or good.

For the past six (6) years, a Top Driver and three (3) Drivers of Excellence of the prior calendar year have been selected and recognized. This year, the award categories were updated to allow more opportunities for the drivers to be recognized: Top Driver, Driver of Excellence, Rookie of the Year and Public Choice Award.

Top Driver and Driver of Excellence awards based on the following criteria:

1. The driver must perform a minimum of 1,000 assists in the prior calendar year.
2. The driver must not have any “write-ups” during the period (occurs when a driver does not follow FSP procedures).
3. The driver must not have any “late arrivals” when starting their “Beat”.
4. The driver’s accuracy rating when entering assist data into the data device must be extremely high, with approximately less than a one percent error rate.
5. The driver received numerous compliments from the motorists they assisted.

Rookie of the Year criteria:

1. The driver has less than one year of service, but can be their 4th quarter of the prior calendar year
2. The driver must not have any “write-ups” during the period (occurs when a driver does not follow FSP procedures).
3. Ranks the highest among all Rookie statistics
4. Performed excellent service in his/her first year as an FSP driver.

Public Choice Award criteria

1. The driver must perform a minimum of 1,000 assists in the prior calendar year.
2. The driver must not have any “write-ups” during the period (occurs when a driver does not follow FSP procedures).
3. The driver must not have any “late arrivals” when starting their “Beat”
4. The driver received the highest number of positive customer surveys within the calendar year.

Board of Directors Agenda Item

April 1, 2015

Page 3

The following drivers were recognized on March 3rd for their outstanding efforts, high-level of professionalism, and the excellent customer service they provided to stranded motorists along San Bernardino County freeways:

- **Top Driver – Alex Estudillo, of Pepe’s Towing in Colton.** Alex has been with the San Bernardino FSP Program for more than three years and assisted more than 2,000 motorists during the 2014 calendar year.
- **Driver of Excellence – Jose Suarez, of Pepe’s Towing in Colton.** Jose has been with the San Bernardino FSP Program for more than five years and assisted more than 1,000 motorists during the 2014 calendar year.
- **Public Choice – Carlos Castillo, of Steve’s Towing in Rancho Cucamonga.** Carlos has been with the San Bernardino FSP Program for more than five years and assisted more than 2,400 motorists during the 2014 calendar year. In addition Carlos received more than 100 excellent customer comments.
- **Rookie of the Year- Gilbert Augustine, of Steve’s Towing in Rancho Cucamonga.** Gilbert has been with the San Bernardino FSP Program for one year and assisted more than 3,000 motorists during the 2014 calendar year.

These four FSP drivers collectively provided more than 9,000 motorist assists in 2014. Congratulations to these four drivers and all the other drivers that help make the San Bernardino FSP Program a huge success.

Financial Impact:

There is no financial impact related to this informational item. The San Bernardino County FSP Program receives an annual allocation from the State of California to implement FSP services, which is matched 20% by local revenues.

Reviewed By:

This item was reviewed by the General Policy Committee on March 11, 2015.

Responsible Staff:

Duane Baker, Director of Management Services

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 23

Date: April 1, 2015

Subject:

Lease of Unit No. 175 at the San Bernardino Santa Fe Depot

Recommendation:

Receive and file.

Background:

San Bernardino Associated Governments acting as the San Bernardino County Transportation Commission, (SANBAG) and the City of San Bernardino (CITY), as co-owners of the San Bernardino Santa Fe Depot (DEPOT) as Tenants-in-Common, share the responsibilities for the DEPOT as written in Cooperative Agreement A04040. Pursuant to the Agreement, the CITY has delegated to SANBAG all authority to enter into leases at the DEPOT.

Approximately 714 square feet of space, known as Unit No. 175, became available in the Main Lobby when the lease with Iron Horse Café, LLC expired in December 2014. Since that time SANBAG's DEPOT property management firm, CityCom, had successfully negotiated a new lease with a party who was in negotiations to purchase the Iron Horse Café from its original owner. However, on March 5, 2015, SANBAG was notified that negotiations to purchase the Iron Horse Café were unsuccessful, and as a result, the previously negotiated lease for Unit No. 175 was not executed. Immediately following this news, SANBAG's DEPOT property management firm began to actively search for a tenant for this unique space. Staff will continue to update the Board as more information becomes available.

Financial Impact:

This item has no financial impact to SANBAG Fiscal Year 2014/2015 budget.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review.

Responsible Staff:

Duane Baker, Director of Management Services

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

Entity: COG

Minute Action

AGENDA ITEM: 24

Date: April 1, 2015

Subject:

State and Federal Legislative Update

Recommendation:

That the Board:

- A. Receive Presentation by SANBAG's State Advocate, Delaney Hunter
- B. Support and Work with Author(s) on AB 194 (Frazier, D-Oakley) and Trailer Bill Language proposed by the Administration related to statewide tolling authority.
- C. Staff recommends that the Board of Directors support the following to help offset the drop in funding resulting from the reduction in gas excise tax revenues:
 - Efforts to restore weight fees to the State Highway Account
 - Expedited repayment of previous transportation loans
 - Smooth out the annual gas tax calculation by requiring the calculation average the price across multiple years to reduce the impact of short-term spikes or drops in gas prices

This recommendation includes support for AB 4 (Linder, R-Corona) and SB 321 (Beall, D-San Jose), seeking to implement the concepts noted above.

Background:

State Legislative Update

The deadline for introducing bills for the first half of the 2015-2016 Legislative Session was Friday, February 27th. Senate bill introductions were down this year (793) over 2013 (813) and were at the lowest levels for the first year of a session since 1989. The Assembly saw an increase in bill introductions for the first year, seeing 1,504 bills, up from 1,376 in 2013. A matrix of bills of interest is shown as Attachment A. Staff will continue to evaluate bills and bring additional items for positions in future meetings.

Sponsor Bill Update

AB 914 (Brown, D-San Bernardino) was introduced to provide SANBAG with the authority to construct and operate Express Lane facilities on Interstate 10 and Interstate 15. This follows the December 3, 2014 action by the Board of Directors to seek legislative authority in 2015 to ensure that the Board is able to continue decisions related to project development for these two corridors without delay. It is important to note that securing legislative authority in no way binds the

Entity: CMA, COG, CTA, CTC

Board to any future project decisions down the road and does not lock the Board into any specific alternative going forward.

The Principal Co-Author for the bill is Senator Connie Leyva (D-Chino). Co-Authors also include Assembly Member Freddie Rodriguez (D-Pomona), Assembly Member Jay Obernolte (R-Big Bear Lake), Assembly Member Marc Steinorth (R-Rancho Cucamonga), Assembly Member Ling Ling Chang (R-Diamond Bar), Assembly Member Eric Linder (R-Corona), and Assembly Member Chad Mayes (R-Yucca Valley).

The full text of AB 914 is included in this report as Attachment B.

Statewide Tolling Authority Update

Recommendation: Support and Work with Author(s)

AB 914's introduction comes as the State is also considering ways to grant statewide authority through a process that would be overseen by the California Transportation Commission (CTC). Assembly Transportation Committee Chair Jim Frazier (D-Oakley) has introduced AB 194, sponsored by the Self Help Counties Coalition, to grant authority to regional transportation agencies to develop and operate toll facilities. This bill largely mirrors SB 983 (Hernandez, D-West Covina) - which was supported by SANBAG in 2014. AB 194 is included as Attachment C to this report. The Administration has also released Trailer Bill Language (TBL), shown as Attachment D. The TBL is similar to AB 194, but also contains additional details regarding project eligibility and approvals.

In order for one of these two authorities to meet SANBAG's needs absent project specific authority, amendments would need to be incorporated that clarify the relationships between the state and the local agency for locally operated facilities, place a timeframe for the CTC to adopt the guidelines and establish the process for project approvals, authorize additional revenues available to local agencies to repay indebtedness for the project, provide clear right-of-way acquisition authority, and provide for an exemption from existing California Vehicle Code 5205.5 requirements to provide free tolls to specified vehicles, if applicable. Staff is recommending that the Committee support both statewide efforts and work with the respective authors to incorporate amendments that would be necessary to accommodate SANBAG's corridor project needs, timelines, and structures. This ensures that SANBAG's needs are met through either mechanism.

State Budget – Transportation

As reported to the General Policy Committee in February, the Governor's January Budget Proposal continues to include the diversion of weight fees estimated to total \$1.015 billion in Fiscal Year (FY) 2015-16 to repay existing transportation bond debt. Prior to this diversion, these debts with paid out of the General Fund.

Given the dramatic drop in gas prices in the current fiscal year, the Board of Equalization (BOE) has adopted a 6 cent per gallon decrease beginning July 1st in order to maintain revenue neutrality and collect only what would have been collected under Proposition 42, the state sales tax on gasoline that was eliminated under the 2010 "gas tax swap". This reduction in revenues is

expected to result in a fairly dramatic decrease in available funding for local agencies in FY 2015-16.

Statewide advocacy organizations including the Self Help Counties Coalition, the California State Association of Counties, the League of California Cities, and the California Association of Councils of Governments, are currently working to develop proposals to mitigate the impact of the pending drop of funding for local agencies. Among these proposals is the restoration of weight fees to the State Highway Account (SHA), which would allow them to flow back into the State Transportation Improvement Program (STIP), the State Highway Operations and Protection Program (SHOPP), and the Highway Users Tax Account (HUTA). In addition, these organizations also propose the early repayment of previous General Fund loans from transportation accounts. Since 2001, transportation funds have loaned the State's General Fund \$3 billion, of which \$2 billion has been repaid to date.

There are two bills seeking to provide relief to the decrease in funding projected for the coming fiscal year. AB 4 (Linder, R-Corona) would prohibit weight fee revenues from being used to pay debt service or to be used as General Fund loans through January 1, 2020. Second, SB 321 (Beall, D-San Jose) would allow the BOE to smooth out the decline in gas tax revenues projected for the coming fiscal year by spreading out revenue increases and losses over a three-year period. In addition, the bill would allow BOE to make adjustments during a given year, but not more frequently than quarterly, to reduce the volatility that may be projected to occur at the end of the fiscal year.

Staff recommends that the Board of Directors support the following:

- Efforts to restore weight fees to the State Highway Account
- Expedited repayment of previous transportation loans
- Smooth out the annual gas tax calculation by requiring the calculation average the price across multiple years to reduce the impact of short-term spikes or drops in gas prices

This recommendation includes support for AB 4 and SB 321, seeking to implement the concepts noted above. This is consistent with SANBAG's 2015-2016 State Legislative Platform, Section I (a), "SANBAG will advocate for stable State funding, indexed for population growth, for transportation projects in San Bernardino County"

Federal Legislative Update

Moving Ahead for Progress in the 21st Century (MAP-21) contained a number of provisions designed to streamline the project approval process. A memo regarding the status of the implementation of these provisions prepared by our Federal Advocate, Van Scoyoc Associates is attached for information as Attachment E. The document provides an overview of the status of 22 of the initiatives. To date, 15 of the streamlining initiatives have been completed, with six underway, and one yet to have begun. It is important to note that the remaining items to be completed have no particular deadlines or estimated dates of completion.

This item was presented to the General Policy Committee on March 11, 2015. Since that presentation, a few changes have been made to the report. The recommendations have been expanded to add support for smoothing out the annual gas tax calculations to avoid significant

Board of Directors Agenda Item
April 1, 2015
Page 4

spikes and drops in available revenues. In addition, the recommendation now includes support for AB 4 and SB 321, which seek to implement the referenced concepts.

Financial Impact:

This item has no impact on the Fiscal Year 2014/2015 SANBAG Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on March 11, 2015.

Responsible Staff:

Wendy Strack, Director of Legislative and Public Affairs

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

ATTACHMENT A

Bill Matrix

CA AB 2	AUTHOR:	Alejo [D]
	TITLE:	Community Revitalization Authority
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Authorizes certain local agencies to form a community revitalization authority with a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for infrastructure, affordable housing, and economic revitalization and to provide for the issuance of bonds serviced by tax increment revenues.
	STATUS:	
	12/01/2014	INTRODUCED.
	Priority:	High
CA AB 4	AUTHOR:	Linder [R]
	TITLE:	Vehicle Weight Fees: Transportation Bond Debt Service
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	DISPOSITION:	Pending
	LOCATION:	Assembly Transportation Committee
	SUMMARY:	Prohibits weight fee revenues from being transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds. Prohibits loans of weight fee revenues to the General Fund.
	STATUS:	
	01/16/2015	To ASSEMBLY Committee on TRANSPORTATION.
	Priority:	High
CA AB 10	AUTHOR:	Gatto [D]
	TITLE:	Political Reform Act of 1974.
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	DISPOSITION:	Pending
	LOCATION:	Assembly Elections and Redistricting Committee
	SUMMARY:	Increases the thresholds at which a public official has a disqualifying financial interest in sources of income in investments in business entities and in interests in real property. Revises the dollar amounts associated with the value ranges for reporting the value of economic interests. Requires certain public officials to disclose information relating to governmental decisions for which the public official had a disqualifying financial interest.
	STATUS:	
	01/16/2015	To ASSEMBLY Committee on ELECTIONS AND

ATTACHMENT A

Priority: REDISTRICTING.
High

CA AB 12 **AUTHOR:** Cooley [D]
TITLE: State Government: Administrative Regulations: Review
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
DISPOSITION: Pending
LOCATION: Assembly Accountability and Administrative Review Committee
SUMMARY:
 Requires each state agency after a noticed public hearing, to review and revise that agency's regulations to eliminate any inconsistencies, overlaps, or outdated provisions in the regulations, to adopt the revisions as emergency regulations, and report the Legislature and Governor.
STATUS:
 01/16/2015 To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.
Priority: High

CA AB 19 **AUTHOR:** Chang [R]
TITLE: State Government: Regulations
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 States the intent of the Legislature to enact legislation requiring state agencies and departments to review existing regulations for relevance, redundancy, and impact on the business community.
STATUS:
 12/01/2014 INTRODUCED.
Priority: High

CA AB 21 **AUTHOR:** Perea [D]
TITLE: Global Warming Solutions Act of 2006: Emissions Limit
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:
 Requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions.
STATUS:
 01/16/2015 To ASSEMBLY Committee on NATURAL RESOURCES.

ATTACHMENT A

Priority: High

CA AB 23	<p>AUTHOR: Patterson [R] TITLE: Global Warming Solutions Act of 2006: Compliance FISCAL yes COMMITTEE: URGENCY yes CLAUSE: INTRODUCED: 12/01/2014 DISPOSITION: Pending LOCATION: Assembly Natural Resources Committee SUMMARY: Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism. STATUS: 01/16/2015 To ASSEMBLY Committee on NATURAL RESOURCES. Priority: High</p>
CA AB 33	<p>AUTHOR: Quirk [D] TITLE: Global Warming Solutions Act: Scoping Plan FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 12/01/2014 DISPOSITION: Pending LOCATION: Assembly Natural Resources Committee SUMMARY: Requires, for purposes of advising the update of the next scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, the State Air Resources Board to develop specified information and to submit a report to the appropriate committees of the Legislature. STATUS: 01/22/2015 To ASSEMBLY Committee on NATURAL RESOURCES. Priority: High</p>
CA AB 35	<p>AUTHOR: Chiu [D] TITLE: Income Taxes: Low-Income Housing Credit FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 12/01/2014 DISPOSITION: Pending LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Allows a very low-income and extremely low-income housing credit in accordance with a specified section of the Internal Revenue Code. Specifies that a project is not required to have been previously or currently allocated a credit for federal or state income tax purposes. Makes the aggregate housing credit dollar amount to be allocated annually by the Tax Credit Allocation Committee on a first-come-first-served basis.</p>

ATTACHMENT A

STATUS:
01/22/2015 To ASSEMBLY Committees on REVENUE AND TAXATION and HOUSING AND COMMUNITY DEVELOPMENT.

Priority: High

CA AB 45 **AUTHOR:** Mullin [D]
TITLE: Household Hazardous Waste
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Expresses the Legislature's intent to enact legislation that would establish curbside household hazardous waste collection programs, door-to-door household hazardous waste collection programs and household hazardous waste residential pickup services as the principal means of collecting household hazardous waste and diverting it from landfills and waterways.

STATUS:
12/01/2014 INTRODUCED.
Priority: High

CA AB 52 **AUTHOR:** Gray [D]
TITLE: Public Accommodations: Accessibility Claims
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
DISPOSITION: Pending
LOCATION: Assembly Judiciary Committee
SUMMARY:

Provides a defendant's maximum liability for statutory damages in a construction-related accessibility claim against a place of public accommodation is a specified amount for each offense under specified conditions. Provides the maximum liability of a small business.

STATUS:
01/22/2015 To ASSEMBLY Committee on JUDICIARY.
Priority: High

CA AB 54 **AUTHOR:** Olsen [R]
TITLE: Public Accommodations: Accessibility Claims
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
LAST AMEND: 02/18/2015
DISPOSITION: Pending
LOCATION: Assembly Judiciary Committee
SUMMARY:

Provides that, when a plaintiff brings a claim alleging a violation of a construction-related

ATTACHMENT A

accessibility standard within a specified time period of a change in that standard, the plaintiff would be allowed to collect statutory damages only if the plaintiff also provides the owner, agent, or party responsible for the place in violation with a written notice or demand letter prior to filing any action and the violation is not cured.

STATUS:

02/18/2015 From ASSEMBLY Committee on JUDICIARY with author's amendments.

02/18/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.

Priority: High

CA AB 88	<p>AUTHOR: Gomez [D] TITLE: Sales and Use Taxes: Exemption: Home Appliances FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 01/07/2015 DISPOSITION: Pending LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Exempts from the sales and use tax laws the gross receipts from the sale of, and the storage, use, or other consumption in this state of, an energy or water efficient home appliance purchased by a public utility that is provided at no cost to a low-income participant in a federal, state, or ratepayer-funded energy efficiency program for use by that low-income participant in the energy efficiency program. STATUS: 01/26/2015 To ASSEMBLY Committee on REVENUE AND TAXATION. Priority: High</p>
CA AB 90	<p>AUTHOR: Atkins [D] TITLE: Federal Housing Trust Fund FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 01/07/2015 DISPOSITION: Pending LOCATION: Assembly Housing and Community Development Committee SUMMARY: Designates the Department of Housing and Community Development as the state agency responsible for administering the federal Housing Trust Fund. Requires the department to administer the federal funds pursuant to the multifamily housing program. Requires the department to submit notifications with specified information relating to the distribution, awarding, and expenditure of the federal funds. STATUS: 01/26/2015 To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT. Priority: High</p>
CA AB 149	<p>AUTHOR: Chavez [R] TITLE: Urban Water Management Plans FISCAL no COMMITTEE:</p>

ATTACHMENT A

URGENCY no
CLAUSE:
INTRODUCED: 01/15/2015
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee

SUMMARY:

Requires an urban water supplier to update its water management plan at least once every 5 years on or before December 31 in years ending in 6 and one. Requires the Department of Water Resources to submit its report to the Legislature, on or before December 31, in years ending in 7 and two.

STATUS:

02/02/2015 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

Priority: High

CA AB 156

AUTHOR: Perea [D]
TITLE: Global Warming Solutions Act of 2006: Investment Plan
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 01/20/2015
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee

SUMMARY:

Requires the Department of Finance to include in the 3-year investment plan for moneys deposited in the Greenhouse Gas Reduction Fund an allocation to provide technical assistance to disadvantaged communities to assist them in proposing specified projects for inclusion in the investment plan.

STATUS:

02/02/2015 To ASSEMBLY Committee on NATURAL RESOURCES.

Priority: High

CA AB 157

AUTHOR: Levine [D]
TITLE: Richmond-San Rafael Bridge
FISCAL no
COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 01/20/2015
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee

SUMMARY:

Requires the lead agency to complete the design work for the project simultaneously with the environmental review conducted pursuant to the California Environmental Quality Act if the Metropolitan Transportation Commission and the Department of Transportation develop a project to open the third lane on the Richmond-San Rafael Bridge to automobile traffic on the eastbound level and to bicycle traffic on the westbound level.

STATUS:

02/02/2015 To ASSEMBLY Committee on TRANSPORTATION.

Priority: High

CA AB 194

AUTHOR: Frazier [D]
TITLE: High-Occupancy Toll Lanes
FISCAL yes

ATTACHMENT A

COMMITTEE:**URGENCY** no**CLAUSE:****INTRODUCED:** 01/28/2015**DISPOSITION:** Pending**LOCATION:** Assembly Transportation Committee**SUMMARY:**

Deletes the requirement that high occupancy toll (HOT) lanes facilities be consistent with the established standards, requirements and limitations that apply to specified facilities. Requires the State Transportation Commission to establish guidelines for the development and operation of the facilities approved by the Commission on or after a specified date, subject to specified minimum requirements. Prohibits conversion of non-toll lanes, except for HOT lanes. Removes limits on the number of such lanes.

STATUS:

02/09/2015 To ASSEMBLY Committee on TRANSPORTATION.

Priority: High

CA AB 198

AUTHOR: Frazier [D]**TITLE:** Vehicles: Tow Truck Assistance**FISCAL** no**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 01/28/2015**DISPOSITION:** Pending**LOCATION:** Assembly Transportation Committee**SUMMARY:**

Authorizes a driver of a tow truck operating under an agreement with the law enforcement agency responsible for investigating traffic collisions on the roadway to utilize the center median or right shoulder of a roadway in the event of an emergency occurring on a roadway that requires the rapid removal of impediments to traffic or rendering of assistance to a disabled vehicle obstructing a roadway if specified conditions are met.

STATUS:

02/09/2015 To ASSEMBLY Committee on TRANSPORTATION.

Priority: High

CA AB 203

AUTHOR: Obernolte [R]**TITLE:** State Responsibility Areas: Fire Prevention Fees**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 01/29/2015**DISPOSITION:** Pending**LOCATION:** Assembly Natural Resources Committee**SUMMARY:**

Extends the time when the fire prevention fee is due and payable from 30 to 60 days from the date of assessment by the State Board of Equalization and authorizes the petition for redetermination to be filed within 60 days after service of the notice of determination.

STATUS:

02/09/2015 To ASSEMBLY Committee on NATURAL RESOURCES.

Priority: High

CA AB 204

AUTHOR: O'Donnell [D]

ATTACHMENT A

TITLE: Redevelopment: County of Los Angeles
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 01/29/2015
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:

Requires an oversight redevelopment board within the County of Los Angeles to continue to independently operate past a specified consolidation date, until its successor agency adopts a resolution dissolving the board.

STATUS:
02/09/2015 To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.
Priority: High

CA AB 210

AUTHOR: Gatto [D]
TITLE: High-Occupancy Vehicles Lanes: Los Angeles County
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/02/2015
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:

Prohibits any high-occupancy vehicle lane from being established on specified portions of state highway routes in the County of Los Angeles, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic. Requires any existing high-occupancy vehicle lane established on the specified portions of these routes to be modified to conform with those requirements.

STATUS:
02/09/2015 To ASSEMBLY Committee on TRANSPORTATION.
Priority: High

CA AB 219

AUTHOR: Daly [D]
TITLE: Public Works: Concrete Delivery
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/02/2015
DISPOSITION: Pending
LOCATION: Assembly Labor and Employment Committee
SUMMARY:

Expands the definition of public works for purposes of requirements regarding the payment of prevailing wages for public works projects to include the delivery of ready-mixed concrete with respect to contracts involving any state agency or any political subdivision of the state.

STATUS:
02/09/2015 To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
Priority: High

ATTACHMENT A

CA AB 227	<p>AUTHOR: Alejo [D]</p> <p>TITLE: Transportation Funding</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/03/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Transportation Committee</p> <p>SUMMARY: Retains weight fee revenues in the State Highway Account. Deletes the provisions relating to the reimbursement of the State Highway Account for weight fee revenues and relating to the making of loans to the General Fund, thereby providing for the portion of fuel excise tax revenues that is derived from increases in the motor vehicle fuel excise tax in 2010 to be allocated to the State Transportation Improvement Program, to the State Highway Operation Program, and to city and county roads.</p> <p>STATUS: 02/17/2015 To ASSEMBLY Committees on TRANSPORTATION and BUDGET.</p> <p>Priority: High</p>
CA AB 237	<p>AUTHOR: Daly [D]</p> <p>TITLE: Local Governments: Parcel Taxes: Notice</p> <p>FISCAL no</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/05/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Local Government Committee</p> <p>SUMMARY: Requires, before the adoption of any new parcel tax, the legislative body of a local agency to provide at least 90 days' notice of the vote to enact the proposed parcel tax to the owner of each parcel affected by the tax. Requires the notice to include specified information and to be provided to the property owner in a specified manner.</p> <p>STATUS: 02/17/2015 To ASSEMBLY Committee on LOCAL GOVERNMENT.</p> <p>Priority: High</p>
CA AB 278	<p>AUTHOR: Hernandez R [D]</p> <p>TITLE: District-Based Municipal Elections</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/11/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: Assembly Elections and Redistricting Committee</p> <p>SUMMARY: Requires the legislative body of a city with a population of 100,000 or more to adopt an ordinance, without submitting the ordinance to the voters of the city for approval, for the election of members of the legislative body by district. Requires that the boundary lines of each district be adjusted in accordance with specified provisions of law.</p> <p>STATUS:</p>

ATTACHMENT A

02/23/2015 To ASSEMBLY Committees on ELECTIONS AND REDISTRICTING and LOCAL GOVERNMENT.
Priority: High

CA AB 279 **AUTHOR:** Dodd [D]
TITLE: Disclosure of Information: Franchise Tax Board
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2015
DISPOSITION: Pending
LOCATION: Assembly Revenue and Taxation Committee
SUMMARY:
 Amends existing law that requires, upon the request of the Franchise Tax Board, each city that assesses a city business tax or requires a city business license to annually submit to the board specified information relating to the administration of the city's business tax program.
STATUS:
 02/23/2015 To ASSEMBLY Committee on REVENUE AND TAXATION.
Priority: High

CA AB 280 **AUTHOR:** Brown [D]
TITLE: Small Claims Courts: Jurisdiction
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2015
DISPOSITION: Pending
LOCATION: Assembly Judiciary Committee
SUMMARY:
 Gives the small claims court jurisdiction over an action filed by a city, county, city and county, school district, county office of education, community college district, local district, or any other local public entity if the amount of the demand does not exceed \$10,000. Eliminates the provision relating to the transfer of small claims actions where the opposing party is represented by counsel.
STATUS:
 02/23/2015 To ASSEMBLY Committee on JUDICIARY.
Priority: High

CA AB 283 **AUTHOR:** Dababneh [D]
TITLE: Financial Affairs
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2015
DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:
 Eliminates the limitation that would become operative on January 1, 2017, and thus would indefinitely continue the existing authority for a local agency to invest its surplus funds, in certificates of deposit or in another form of investment. Removes the limit on the percentage of local agency funds that may be invested by any one private sector entity.

ATTACHMENT A

STATUS:
02/23/2015 To ASSEMBLY Committees on LOCAL GOVERNMENT and BANKING AND FINANCE.

Priority: High

CA AB 288 **AUTHOR:** Holden [D]
TITLE: Public Schools: College and Career Access Pathways
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2015
DISPOSITION: Pending
LOCATION: Assembly Higher Education Committee
SUMMARY:
 Authorizes the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district located within its service area with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

STATUS:
03/02/2015 Re-referred to ASSEMBLY Committees on HIGHER EDUCATION and EDUCATION.

Priority: High

CA AB 295 **AUTHOR:** Gipson [D]
TITLE: Public Employment
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/12/2015
DISPOSITION: Pending
LOCATION: Assembly Public Employees, Retirement and Social Security Committee
SUMMARY:
 Requires a public agency, if the public agency becomes the successor employer to a private employer that offers emergency medical transportation services, to immediately recognize a new bargaining unit consisting of the emergency medical transportation employees of the predecessor private employer and recognizes an employee organization as the exclusive representative of the new bargaining unit.

STATUS:
02/23/2015 To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.

Priority: High

CA AB 313 **AUTHOR:** Atkins [D]
TITLE: Enhanced Infrastructure Financing Districts
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/12/2015

ATTACHMENT A

DISPOSITION: Pending
LOCATION: Assembly Local Government Committee
SUMMARY:

Requires, after the adoption of a resolution of intention to establish the proposed infrastructure district, the legislative body to send a copy of the resolution to the public financing authority. Revises the duties of the public financing authority after the resolution of intention to establish the proposed district has been adopted, so that the public financing authority, instead of the legislative body, will perform the specified duties related to the Infrastructure financing plan.

STATUS:
02/23/2015 To ASSEMBLY Committee on LOCAL GOVERNMENT.
Priority: High

CA AB 323	<p>AUTHOR: Olsen [R] TITLE: Environmental Quality Act: Exemption FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/13/2015 DISPOSITION: Pending LOCATION: Assembly Natural Resources Committee SUMMARY: Amends the California Environmental Quality Act that exempts a project or an activity to repair, maintain, or make minor alterations to an existing roadway, if the project of activity is carried out by a city or county with a population of less than 100,000 persons to improve public safety and meets other specified requirements to extend the above exemption indefinitely. STATUS: 02/23/2015 To ASSEMBLY Committees on NATURAL RESOURCES and TRANSPORTATION. Priority: High</p>
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CA AB 325	<p>AUTHOR: Wood [D] TITLE: Community Development Block Grant Program: Funds FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/13/2015 DISPOSITION: Pending LOCATION: Assembly Housing and Community Development Committee SUMMARY: Requires the Department of Housing and Community Development, no later than 60 days from when the department receives an economic development fund application, to inform the applicant of the decision to approve or deny the application and the reasons for a denial of this application. STATUS: 02/23/2015 To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT. Priority: High</p>
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CA AB 327	<p>AUTHOR: Gordon [D] TITLE: Public Works: Volunteers</p>
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ATTACHMENT A

FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/13/2015
DISPOSITION: Pending
LOCATION: Assembly Labor and Employment Committee
SUMMARY:

Deletes that repeal date provision of existing law that governing public works does not apply to specified work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation corps or a community conservation corps.

STATUS:
02/23/2015 To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
Priority: High

CA AB 335

AUTHOR: Patterson [R]
TITLE: Air Quality: Minor Violations
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/13/2015
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:

Requires the State Air Resources Board and air pollution control and air quality management districts to adopt regulations classifying minor violations. Requires a representative of those agencies to issue a notice to comply. Requires the State Air Resources Board to report to the Legislature regarding implementation of the bill.

STATUS:
02/23/2015 To ASSEMBLY Committee on NATURAL RESOURCES.
Priority: High

CA AB 351

AUTHOR: Jones-Sawyer [D]
TITLE: Public Contracts: Small Business Participation
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/17/2015
DISPOSITION: Pending
LOCATION: Assembly Jobs, Economic Development, and The Economy Committee
SUMMARY:

Requires all state agencies, departments, boards, and commissions to establish and achieve an annual goal of small business participation in state procurements and contracts, to ensure that the state's procurement and contract processes are administered in order to meet or exceed the goal, and to report to the Director of General Services statistics regarding small business participation in the agency's procurements and contracts. Requires a plan for agencies not meeting related goals.

STATUS:
03/02/2015 To ASSEMBLY Committees on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY and ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.

ATTACHMENT A

Priority: High

CA AB 360

AUTHOR: Melendez [R]
TITLE: Ontario International Airport
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/17/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

States the intent of the Legislature to enact legislation that would establish the Ontario International Airport Authority and require the transfer of management and operational control of the Ontario International Airport from the City of Los Angeles to the authority.

STATUS:

02/17/2015 INTRODUCED.

Priority: High

CA AB 368

AUTHOR: Steinorth [R]
TITLE: Community Redevelopment
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/17/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Makes nonsubstantive changes to existing law relating to redevelopment agencies that provides for specified payments with respect to development project areas.

STATUS:

02/17/2015 INTRODUCED.

Priority: High

CA AB 393

AUTHOR: Hernandez R [D]
TITLE: veteran Resource Centers Grant Program
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/18/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Establishes the Veteran Resource Centers Grant Program. Authorizes the governing board of a community college district that has or intends to establish veteran resource centers on campuses within the community college district to apply to the chancellor for a grant for purposes of providing resources to veterans and active duty members of the Armed Forces of the United States enrolled at those campuses.

STATUS:

02/18/2015 INTRODUCED.

Priority: High

ATTACHMENT A

CA AB 400	AUTHOR: Alejo [D] TITLE: Department of Transportation: Changeable Message Signs FISCAL COMMITTEE: yes URGENCY: no CLAUSE: INTRODUCED: 02/19/2015 DISPOSITION: Pending LOCATION: Assembly Transportation Committee SUMMARY: Requires the Department of Transportation to update its internal policies to allow displays of safety, transportation-related and voting-relating messages on changeable message signs. STATUS: 03/02/2015 To ASSEMBLY Committee on TRANSPORTATION. Priority: High
CA AB 402	AUTHOR: Dodd [D] TITLE: Local Agency Services: Contracts FISCAL COMMITTEE: no URGENCY: no CLAUSE: INTRODUCED: 02/19/2015 DISPOSITION: Pending LOCATION: Assembly Local Government Committee SUMMARY: Allows a local agency formation commission to authorize a city or district to provide new or extended services outside its jurisdictional boundaries to support existing or planned uses involving public or private properties, subject to approval at a publicly noticed hearing where the commission makes specified determinations. Authorizes the commission to delegate to its executive officer review and approval of requests to provide new or extended services outside a city or district's boundary. STATUS: 03/02/2015 To ASSEMBLY Committee on LOCAL GOVERNMENT. Priority: High
CA AB 450	AUTHOR: McCarty [D] TITLE: Greenhouse Gas: Energy Efficiency: Financing. FISCAL COMMITTEE: no URGENCY: no CLAUSE: INTRODUCED: 02/23/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Amends an existing law which authorizes a public agency to issue revenue bonds that are secured by a voluntary contractual assessment agreed to between the public agency and a property owner to finance the installation of distributed generation renewable energy sources or energy or water efficiency improvements that are permanently affixed on the owner's real property. Authorizes the use of the moneys in the Greenhouse Gas Reduction Fund to provide funding for the implementation of the PACE Reserve Program. STATUS: 02/23/2015 INTRODUCED.

ATTACHMENT A

Priority: High

CA AB 455

AUTHOR: Bigelow [R]
TITLE: Groundwater Sustainability Plans
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/23/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Amends the California Environmental Quality Act. Requires the Judicial Council to adopt a rule of court to establish procedures applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report for certain projects covered by a groundwater sustainability plan. Prohibits the court from staying or enjoying the construction or operation of the project unless the court makes a certain finding.

STATUS:
 02/23/2015 INTRODUCED.
Priority: High

CA AB 464

AUTHOR: Mullin [D]
TITLE: Transactions and Use taxes: Maximum Combined Rate
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/23/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Amends existing law that authorizes cities and counties to levy a transactions and use tax for general purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes imposed in the county to not exceed a specified percentage. Increases the maximum combined rate.

STATUS:
 02/23/2015 INTRODUCED.
Priority: High

CA AB 516

AUTHOR: Mullin [D]
TITLE: Vehicles: Temporary License Plates
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/23/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Requires the Department of Motor Vehicles to develop a temporary license plate system to enable vehicle dealers and lessor retailers to provide temporary license plates. Requires a vehicle dealer or lessor-retailer to affix a temporary license plate, at the time of sale, to a

ATTACHMENT A

vehicle sold without a permanent license plate.

STATUS:
02/23/2015 INTRODUCED.
Priority: High

CA AB 620	<p>AUTHOR: Hernandez R [D] TITLE: High-Occupancy Toll Lanes: Exemptions from Tolls FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/24/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Relates to high-occupancy toll lanes. Requires the Los Angeles county Metropolitan Transportation Authority, in implementing the value-pricing and transit development program, to adopt eligibility requirements for mitigation measures for commuters and transit users of low and moderate income. Requires provision of hardship exemptions from the payment of toll charges for commuters who meet the eligibility requirement for specified assistance programs. STATUS: 02/24/2015 INTRODUCED. Priority: High</p>
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CA AB 644	<p>AUTHOR: Wood [D] TITLE: Land Use: General Plan: Safety Element FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/24/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Relates to the Subdivision Map Act. Exempts from requirements specified findings before approving a tentative map or a parcel map for which a tentative map was not required, that would subdivide land identified in the open space element of the general plan for the management of resources, as defined. Applies the exemption to subdivision of land that is consistent with open space purpose. STATUS: 02/24/2015 INTRODUCED. Priority: High</p>
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CA AB 645	<p>AUTHOR: Williams [D] TITLE: California Renewables Portfolio Standard FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/24/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY:</p>
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ATTACHMENT A

Expresses the intent of the Legislature for the purposes of the Renewables Portfolio Standard program that the amount of electricity generated per year from eligible renewable energy resources be increased to an amount equal to at least 50% by a specified date. Requires the Public Utilities Commission to establish the quantity of electricity products from eligible renewable energy resources to be procured by each retail seller for specified periods.

STATUS:

02/24/2015 INTRODUCED.

Priority: High

CA AB 654

AUTHOR: Brown [D]**TITLE:** Community Redevelopment**FISCAL** no**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/24/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Relates to community redevelopment. States the intent of the Legislature that the use of residual revenues, derived from an additional property tax rate approved by the voters of a city, county, city and county, or special district to make payments in support of capital projects and programs related to the State Water Project, be consistent with the use of those revenues approved by the voters of the relevant jurisdiction.

STATUS:

02/24/2015 INTRODUCED.

Priority: High

CA AB 678

AUTHOR: O'Donnell [D]**TITLE:** Greenhouse Gases: Energy Efficient Ports Program**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/25/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Requires the State Air Resources to develop and implement the Energy Efficient Ports program to fund energy efficiency upgrades and investments at public ports.

STATUS:

02/25/2015 INTRODUCED.

Priority: High

CA AB 692

AUTHOR: Quirk [D]**TITLE:** Low-carbon Transportation Fuels**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/25/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY

ATTACHMENT A

SUMMARY:

Amends the Global Warming Solutions Act of 2006. Requires the Department of Transportation, the Department of General Services, and any other state agency that is a buyer of transportation fuels to each procure an unspecified percentage of the total amount of fuel purchased from very low carbon transportation fuel sources. Requires the percentage to be increased each year thereafter. Provides a definition of such fuel for these purposes.

STATUS:

02/25/2015 INTRODUCED.

Priority: High

CA AB 712	AUTHOR:	Mullin [D]
	TITLE:	Redevelopment: Successor Agencies: Payment Schedule
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/25/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Amends existing law that governs redevelopment successor agencies. Revises the timeline for the preparation of the required Recognized Obligation Payment Schedule. Provides that the successor agency prepare a schedule for a 12-month fiscal period, with the first of these periods beginning on a specified date. Authorizes the Recognized Obligation Payment Schedule to be amended by the oversight board during a 12-month fiscal period under a specified condition.
	STATUS:	
	02/25/2015	INTRODUCED.
	Priority:	High
CA AB 720	AUTHOR:	Cooley [D]
	TITLE:	Global Warming Solutions Act of 2006
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/25/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Amends the Global Warming Solutions Act of 2006. Requires the State Air Resources Board for any market-based compliance mechanism that the Board might adopt, to allow participating entities to freely sell or transfer greenhouse gas emissions allowances held in a holding account or compliance account, except for allowances that have been expressly retired to meet a compliance obligation. Requires the Board to set a price cap on any allowances offered for purchase through the Board.
	STATUS:	
	02/25/2015	INTRODUCED.
	Priority:	High
CA AB 754	AUTHOR:	Ridley-Thomas S [D]
	TITLE:	Taxation
	FISCAL	no
	COMMITTEE:	

ATTACHMENT A

URGENCY no**CLAUSE:****INTRODUCED:** 02/25/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Declares the intent of the Legislature to subsequently amend this bill to include provisions that would provide tax relief to small businesses conducting business in Los Angeles County during the period of disruption caused by specified transit-related construction activities, conducted by the county Metropolitan Transportation Authority, and resulting in decreased business revenue.

STATUS:

02/25/2015 INTRODUCED.

Priority: High

CA AB 797

AUTHOR: Steinorth [R]**TITLE:** Regulations: Effective Dates: Legislative Review**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/26/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Relates to the Administrative Procedure Act and the Office of Administrative Law. Requires the office to submit to each Legislative house, a copy of each major regulation it submits to the Secretary of State. Eliminates the quarterly schedule pursuant to which regulations and orders of repeal become effective, as well as provisions addressing the effective date of regulations by the Fish and Game Commission.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA AB 806

AUTHOR: Dodd [D]**TITLE:** Redevelopment: Successor Agencies**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/26/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Authorizes a successor agency, if the successor agency has received a finding of completion, to enter into, or amend existing, contracts and agreements, or otherwise administer projects in connection with enforceable obligations, if the contract, agreement, or project will not commit new property tax funds or otherwise adversely affect the flow of specified tax revenues or payments to taxing agencies.

STATUS:

ATTACHMENT A

02/26/2015 INTRODUCED.
Priority: High

CA AB 857

AUTHOR: Perea [D]
TITLE: Clean Truck: Bus: and Off-Road Vehicle
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Makes technical nonsubstantive changes to provisions regarding the State Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, the Greenhouse Gas Reduction Fund, zero- and near-zero emission truck, bus, and off-road vehicle and equipment technologies and related projects including projects that benefit disadvantaged communities.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA AB 868

AUTHOR: Obernolte [R]
TITLE: Public Employees' Retirement System
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Relates to contracting agencies and transfer of membership with the Public Employees' Retirement System. Expands the application of the provisions to the County of San Bernardino.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA AB 869

AUTHOR: Cooper [D]
TITLE: Public Transportation Agencies: Fare Evasion
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Relates to prohibited conduct on public transit. Provides that a person who fails to pay the administrative penalty when due or successfully complete the administrative process to dismiss the notice of fare evasion or passenger misconduct may be subject to criminal penalties. Requires the notice of fare evasion or passenger misconduct to contain a printed

ATTACHMENT A

statement that the person may be charged with an infraction or misdemeanor if the penalty is not paid or dismissed.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA AB 904	<p>AUTHOR: Perea [D] TITLE: Air Quality Improvement: Vehicle Rebate Project FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Relates to the Clean Vehicle Rebate Project. Requires the state board to establish the Clean Reused Vehicle Rebate Project, as a part of the Air Quality Improvement Program, to provide rebates for the purchase of eligible used vehicles. STATUS: 02/26/2015 INTRODUCED. Priority: High</p>
CA AB 914	<p>AUTHOR: Brown [D] TITLE: Toll Facilities: County of San Bernardino FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Authorizes the San Bernardino County Transportation Commission to construct and operate certain transportation facilities on State Highway Route 10 and 15, as toll facilities in the County of San Bernardino and, with the agreement of affected transportation agencies, in the Counties of Los Angeles and Riverside. Requires the toll revenues to be spent for specified transportation purposes. Authorizes the commission to issue revenue bonds payable from toll revenues. STATUS: 02/26/2015 INTRODUCED. Priority: High</p>
CA AB 945	<p>AUTHOR: Ting [D] TITLE: Sales and Use Taxes: Exemption: Low-Emission Vehicles FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Provides either a partial exemption or a partial exclusion from sales and use tax laws with</p>

ATTACHMENT A

respect to the sale of specified low-emission vehicles.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA AB 948	<p>AUTHOR: Patterson [R] TITLE: Local Government: Community Service Districts FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Makes a nonsubstantive change to the Community Services District Law that authorizes specified community services districts to enforce covenants, conditions, and restrictions within that district. STATUS: 02/26/2015 INTRODUCED. Priority: High</p>
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CA AB 956	<p>AUTHOR: Mathis [R] TITLE: California Environmental Quality Act: Noncompliance FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Relates to the California Environmental Quality Act. Requires an action or proceeding alleging noncompliance with its requirements to be based on grounds that were presented to the public agency, orally or in writing, by any person and requires the person maintaining the action or proceeding to have objected to the approval of the project, orally or in writing, during the public comment period. STATUS: 02/26/2015 INTRODUCED. Priority: High</p>
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CA AB 1009	<p>AUTHOR: Garcia [D] TITLE: Local Government: Redevelopment: Revenues FISCAL yes COMMITTEE: URGENCY yes CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY:</p>
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ATTACHMENT A

Authorizes a city or county that levies a property tax rate to make payments in support of pension programs and levied in addition to the general property tax rate, to make a request to an oversight board to prohibit revenues derived from that property tax rate from being deposited into a Redevelopment Property Tax Fund. Provides the circumstances for denial of such request. Requires the county-auditor to allocate funds from the Fund to a city or county that levied the property tax.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA AB 1015	AUTHOR: Bloom [D] TITLE: Parking: Car Share Vehicles FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Authorizes a local authority to, by ordinance or resolution, designate certain streets or portions of streets for the nonexclusive parking privilege of motor vehicles participating in a car share vehicle program or ridesharing program. Authorizes the local ordinance or resolution to include a mechanism for the payment of fees to the local authority. STATUS: 02/26/2015 INTRODUCED. Priority: High
CA AB 1030	AUTHOR: Ridley-Thomas S [D] TITLE: Global Warming Solutions Act of 2006: Greenhouse Gas FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Amends existing law that relates to the Greenhouse Gas Reduction Fund. Requires a State agency that allocates moneys from the fund to prioritize projects that include project labor agreements with targeted hire goals, community workforce agreements, or partnerships with the training entities that have a proven track record of placing disadvantaged workers in career-track jobs. STATUS: 02/26/2015 INTRODUCED. Priority: High
CA AB 1033	AUTHOR: Garcia E [D] TITLE: Infrastructure Financing FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015

ATTACHMENT A

DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Amends the Bergeson-Peace Infrastructure and Economic Development Bank Act, which establishes the California Infrastructure and Economic Development Bank, and authorizes the issuance of bonds. Revises the definition of economic development facilities to include facilities that are used to provide goods movement. Revises the definition of port facilities to reference airports, landports, waterports and railports.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA AB 1068	<p>AUTHOR: Allen T [R] TITLE: California Environmental Quality Act: Priority Projects FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/26/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY:</p>
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Authorizes each Member of the Legislature to nominate one project within his or her respective district each year, and the Governor to designate those projects as priority projects if the projects meet specified requirements. Requires the Governor to provide a notice of the designation to the appropriate lead agency and to the Office of Planning and Research. Requires an environmental impact report for each project. Authorizes tiering from previously prepared reports. Relates to court stays of projects.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA AB 1079	<p>AUTHOR: Obernolte [R] TITLE: Successor Agencies: Due Diligence Review FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/27/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY:</p>
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Relates to finding of completion. Amends an existing which provides for the designation of successor agencies to wind down the affairs of dissolved redevelopment agencies and which requires a successor agency to employ a licensed accountant to conduct a certain due diligence review. Provides that the requirements of a due diligence review have been satisfied if specified conditions with respect to a transfer of assets are met.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1080	<p>AUTHOR: Obernolte [R] TITLE: Redevelopment: Enforceable Obligations FISCAL yes</p>
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ATTACHMENT A

COMMITTEE:**URGENCY** no**CLAUSE:****INTRODUCED:** 02/27/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Relates to military base reuse. Authorizes the Department of Finance to find that an agreement between a former redevelopment agency and a joint powers authority that was created to exercise the powers provided by the Military Base Reuse Authority Act is an enforceable obligation.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA AB 1087

AUTHOR: Grove [R]**TITLE:** Greenhouse Gas Reduction Fund: High-Speed Rail**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/27/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Provides that the continuous appropriations from the Greenhouse Gas Reduction Fund to the High-Speed Rail Authority are for specified components of the initial operating segment and phase I blended system, as described in the Authority's 2012 business plan, of the high speed train system that shall be constructed.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA AB 1138

AUTHOR: Patterson [R]**TITLE:** High-Speed Rail: Eminent Domain**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/27/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Prohibits the High-Speed Rail Authority or the State Public Works Board acting on behalf of the authority, from adopting a resolution of necessity to commence an eminent domain proceeding to acquire a parcel of real property along a corridor, or usable segment thereof, for the high-speed train system unless the resolution identifies the source of all funds to be invested in the corridor or usable segment and the anticipated time of receipt of those funds.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA AB 1153

AUTHOR: Calderon I [D]**TITLE:** Local Control and Accountability plans

ATTACHMENT A

FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Requires school districts, county superintendents of schools, and the Superintendent of Public Instruction to post evaluation rubric data on their respective Internet Web sites. Requires the Superintendent to post the evaluation rubrics adopted by the State Board of Education to its Internet Web site.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA AB 1171

AUTHOR: Linder [R]
TITLE: Construction Manager: General Contractor method
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Authorizes regional transportation agencies to use the Construction Manager/General Contractor project delivery method to design and construct certain projects on expressways that are not on the state highway system if the projects are developed in accordance with an approved expenditure plan. Requires specified information provided to a regional transportation agency to be verified under oath.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA AB 1176

AUTHOR: Perea [D]
TITLE: Vehicular Air Pollution
FISCAL yes
COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Establishes the Advanced Low-Carbon Diesel Fuels Access program for the purpose of reducing greenhouse gas emissions of diesel motor vehicles by providing capital assistance for projects that expand advanced low-carbon diesel fueling infrastructure in communities that are disproportionately impacted by environmental hazards and additionally where the greatest air quality impacts can be identified. Provides requirements for funding of the program.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

ATTACHMENT A

CA AB 1179	AUTHOR: Rendon [D] TITLE: Global Warming Solutions Act of 2006 FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/27/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Amends the California Global Warming Solutions Act of 2006 which requires a plan to allocate a specified percentage of available Greenhouse Gas Reduction Fund moneys to projects that benefit disadvantaged communities. Requires the State Air Resources Board to prepare, and post on its Internet Web site, a specified report on the projects funded to benefit disadvantaged communities. STATUS: 02/27/2015 INTRODUCED. Priority: High
CA AB 1202	AUTHOR: Mayes [R] TITLE: Fire Prevention Fee: Fee Reduction FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/27/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Relates to the State Board of Forestry and Fire Protection. Requires the board to reduce the amount of the fee to be charged on a habitable structure by an amount equal to the amount paid by the owner of the structure to a local fire district for fire prevention services during the year for which the fee is due, if the owner of the structure provides the board with written documentation of the amount paid to the local fire district for those services. STATUS: 02/27/2015 INTRODUCED. Priority: High
CA AB 1208	AUTHOR: Frazier [D] TITLE: Contractors' State License Law FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/27/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Makes nonsubstantive changes to law that provides for the classification of a specialty contractor and defines a "specialty contractor" as a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts, as provided. STATUS:

ATTACHMENT A

02/27/2015 INTRODUCED.
Priority: High

CA AB 1218

AUTHOR: Weber [D]
TITLE: Public Contracts: Disabled Veteran Business Enterprise
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Requires a greater participation incentive by a state agency, department, officer, or other state governmental agency be provided to a prime contractor who owns a disabled veteran business enterprise. Requires the Department of Veterans Affairs to maintain additional information relating to its promotion efforts. Provides the records maintenance period for information provided by contractors of veteran business subcontractors used. Requires maintenance of advocate attendance at promotional efforts.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1222

AUTHOR: Bloom [D]
TITLE: Tow Trucks
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Applies provisions that makes it a misdemeanor for the owner or operator of a tow truck to move any vehicle from a highway, street, or public property without the express authorization of the owner or operator of the vehicle or a law enforcement officer.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1226

AUTHOR: Chavez [R]
TITLE: School Accountability: Local Control: Priorities
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Amends existing law that requires a local control and accountability plan to include a description of the annual goals to be achieved for each State priority for all pupils and certain subgroups of pupils. Adds to the enumerated State priorities the degree to which the certificated instructional personnel of the school district are offered opportunity for

ATTACHMENT A

professional development and growth in effectiveness.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA AB 1236	AUTHOR:	Chiu [D]
	TITLE:	Local Ordinances: Electric Vehicle Charging Stations
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Relates to the Electric Vehicle Charging Stations Open Access Act. Requires a city or county to approve the installation of electric vehicle charging stations through the issuance of specified permits unless the proposed installation would have an adverse impact upon the public health or safety. Provides appeal of that decision. Creates an expedited and streamlined permitting process for electric vehicle charging stations.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1242	AUTHOR:	Gray [D]
	TITLE:	Water Quality: Impacts on Groundwater Basins
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Requires the State Water Resources Control Board to take into consideration any applicable groundwater sustainability plan or alternative in formulating state policy for water quality control and adopting or approving a water quality control plan that affects a groundwater basin. Requires the board to evaluate impacts on groundwater basins.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1250	AUTHOR:	Bloom [D]
	TITLE:	Vehicles: Buses: Gross Axle Weight
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Makes technical, nonsubstantive changes to existing law that provides that the gross weight on any one axle of a bus shall not exceed 20,500 pounds.

ATTACHMENT A

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1260 **AUTHOR:** Thurmond [D]
TITLE: Enhanced Infrastructure Financing Districts
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Makes nonsubstantive changes to provisions of existing law which authorizes the legislative body of a city or a county, defined to include a city and county, to establish an enhanced infrastructure financing district.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1265 **AUTHOR:** Perea [D]
TITLE: Transportation Projects: Comprehensive Development
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Relates to existing law which authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive lease agreements as specified. Extends this authorization indefinitely.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1286 **AUTHOR:** Mayes [R]
TITLE: Economic Growth Commission
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Establishes the Economic Growth Commission, composed of 13 members appointed by the Governor, the Senate Committee on Rules, and the Speaker of the Assembly, as specified. Requires 4 of the 13 members of the commission to be Members of the Legislature who are to be considered a joint committee of the 2 houses of the Legislature constituted and acting as an investigating committee.

STATUS:

ATTACHMENT A

02/27/2015 INTRODUCED.
Priority: High

CA AB 1288	AUTHOR:	Atkins [D]
	TITLE:	Global Warming Solutions Act of 2006: Regulations
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Authorizes the State Air Resources Board to include the use of market-based compliance mechanisms and to adopt a regulation that establishes a system of market-based declining annual aggregate emissions limits for sources or categories of sources that emit greenhouse gases, applicable from January 1, 2012, to December 31, 2020, inclusive, as specified.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1332	AUTHOR:	Quirk [D]
	TITLE:	California Global Warming Solutions Act of 2006 Offsets
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Requires, as part of a market-based compliance mechanism, the creation of an offset protocol for renewable energy projects that are able to ramp up or down during peak energy demands.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1335	AUTHOR:	Atkins [D]
	TITLE:	Building Homes and Jobs Act
	FISCAL	yes
	COMMITTEE:	
	URGENCY	yes
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Enacts the Building Homes and Jobs Act. Makes legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. Imposes a fee, except provided, of \$75 to be paid at the

ATTACHMENT A

time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1345	<p>AUTHOR: Dahle [R]</p> <p>TITLE: California Global Warming Solutions Act of 2006</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: ASSEMBLY</p> <p>SUMMARY: Requires the State Air Resources Board, in consultation with the Department of Forestry and Fire Protection, no later than January 1, 2017, to estimate the annual greenhouse gas emissions associated with wildfires in California between the years 1990 and 2015, inclusive.</p> <p>STATUS: 02/27/2015 INTRODUCED. Priority: High</p>
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CA AB 1347	<p>AUTHOR: Chiu [D]</p> <p>TITLE: Public Contracts Claims</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: ASSEMBLY</p> <p>SUMMARY: Establishes for state and local public contracts entered into or on or after January 1, 2016, a claim resolution process applicable to all public entity contracts. Defines a claim as a contractor's written demand or assertion, including a request for a modification, contract amendment, or change order, seeking an adjustment or interpretation of the terms of the contract documents, payment of money, extension of time.</p> <p>STATUS: 02/27/2015 INTRODUCED. Priority: High</p>
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CA AB 1362	<p>AUTHOR: Gordon [D]</p> <p>TITLE: Local Government Assessments Fees and Charges</p> <p>FISCAL no</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: ASSEMBLY</p>
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ATTACHMENT A

SUMMARY:

Defines stormwater for purposes of the Proposition 218 Omnibus Implementation Act to mean any system of public improvements or service intended to provide for the quality, conservation, control, or conveyance of waters that land on or drain across the natural or man-made landscape.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA AB 1364	AUTHOR:	Linder [R]
	TITLE:	California Transportation Commission
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Excludes the California Transportation Commission from the Transportation Agency and establishes it as an entity in the state government.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1377	AUTHOR:	Thurmond [D]
	TITLE:	Solid Waste: Recycling: Diversion: Green Material
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Amends existing law which requires each city, county, and regional agency, to develop a source reduction and recycling element of an integrated waste management plan. Deletes obsolete provisions relating to the adoption of regulations.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1398	AUTHOR:	Wilk [R]
	TITLE:	Environmental Quality: Sustainable Environmental
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Relates to the California Environmental Quality Act, which requires a lead agency, as

ATTACHMENT A

defined, to prepare, or cause to be prepared, and certify the completion of, and environmental impact report (EIR). Enacts the Sustainable Environmental Protection Act. Specifies the environmental review for projects related to specified environmental topical areas. Prohibits a cause of action that alleges noncompliance based on any topical area or criteria.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1412	<p>AUTHOR: Perea [D] TITLE: Redevelopment: Successor Agencies FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/27/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Provides that upon application by the successor agency and approval by the oversight board, loan agreements entered into between the redevelopment agency and the city, county, or city and county that created the redevelopment agency, where the outstanding principal balance of the loan is a specified amount, are enforceable obligations if the oversight board finds that the loan was for legitimate redevelopment purposes. STATUS: 02/27/2015 INTRODUCED. Priority: High</p>
CA AB 1455	<p>AUTHOR: Rodriguez [D] TITLE: Ontario International Airport FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/27/2015 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Authorizes the city of Ontario to issue revenue bonds, for the purpose of financing the acquisition of the Ontario International Airport from the City of Los Angeles, that are secured solely by the revenues and charges at the Ontario International Airport. STATUS: 02/27/2015 INTRODUCED. Priority: High</p>
CA AB 1459	<p>AUTHOR: Kim [R] TITLE: Toll Facilities: County of Orange FISCAL yes COMMITTEE: URGENCY no CLAUSE:</p>

ATTACHMENT A

INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Prohibits a toll facility to be implemented and constructed on a public highway within the boundaries of the County of Orange unless approved by a vote of the electorate in the county.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA AB 1482	AUTHOR:	Gordon [D]
	TITLE:	Strategic Growth Council: Duties
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Expands the duties of the Strategic Growth Council to include overseeing and coordinating state agency actions to adapt to climate change and identifying and pursuing opportunities for state agencies to collaborate with federal or local agencies in their climate adaptation efforts.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1486	AUTHOR:	Obernolte [R]
	TITLE:	Vehicles: Toll Highways
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Makes technical, nonsubstantive changes to existing law that requires the Department of the California Highway Patrol to provide for the proper and adequate policing of all toll highways and all vehicular crossings to ensure enforcement of the Vehicle Code and of any other law relating to the use and operation of vehicles upon toll highways, highways or vehicular crossings.
	STATUS:	
	02/27/2015	INTRODUCED.
	Priority:	High
CA AB 1500	AUTHOR:	Maienschein [R]
	TITLE:	Environmental Quality Act: Homeless Complex
	FISCAL	yes

ATTACHMENT A

COMMITTEE:**URGENCY** no**CLAUSE:****INTRODUCED:** 02/27/2015**DISPOSITION:** Pending**LOCATION:** ASSEMBLY**SUMMARY:**

Exempts defined homeless complex projects from the requirements of the California Environmental Quality Act.

STATUS:

02/27/2015 INTRODUCED.

Priority: High

CA ACA 1	AUTHOR:	Olsen [R]
	TITLE:	Legislative Procedure
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	12/01/2014
	DISPOSITION:	Pending
	LOCATION:	Assembly Budget Committee
	SUMMARY:	Prohibits either house of the Legislature from passing a bill until the bill, in the form to be voted on, has been made available to the public, in print and published on the Internet, for at least 72 hours preceding the vote.
	STATUS:	
		03/02/2015 To ASSEMBLY Committees on BUDGET, RULES AND APPROPRIATIONS.
	Priority:	High
CA ACA 4	AUTHOR:	Frazier [D]
	TITLE:	Local Government Transportation Projects: Special Taxes
	FISCAL	no
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/27/2015
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Provides that the imposition, extension, or increase of a special tax for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition.
	STATUS:	
		02/27/2015 INTRODUCED.
	Priority:	High
CA SB 1	AUTHOR:	Gaines T [R]
	TITLE:	Global Warming Solutions Act of 2006: Compliance
	FISCAL	yes

ATTACHMENT A

COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 12/01/2014
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee
SUMMARY:

Amends the State Global Warming Solutions Act of 2006. Authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism. Requires all participating categories of persons or entities to have a compliance obligation beginning on a specified date.

STATUS:
01/15/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.
Priority: High

CA SB 5 **AUTHOR:** Vidak [R]
TITLE: Global Warming Solutions Act of 2006: Compliance
FISCAL yes
COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 12/01/2014
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee
SUMMARY:
Relates to the State Global Warming Solutions Act of 2006. Authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism through a specified date.
STATUS:
01/15/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.
Priority: High

CA SB 8 **AUTHOR:** Hertzberg [D]
TITLE: Taxation
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 12/01/2014
LAST AMEND: 02/10/2015
DISPOSITION: Pending
LOCATION: Senate Governance and Finance Committee
SUMMARY:
Expands the Sales and Use Tax Law to impose a tax on the gross receipts from the sale in the State or, or the receipt of the benefit in the State of services at a specified percentage rate.
STATUS:
02/19/2015 Re-referred to SENATE Committee on GOVERNANCE AND FINANCE.

ATTACHMENT A

Priority: High

CA SB 9

AUTHOR: Beall [D]

TITLE: Greenhouse Gas Reduction Fund: Transit/Intercity Rail

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 12/01/2014

DISPOSITION: Pending

LOCATION: Senate Environmental Quality Committee

SUMMARY:

Modifies the purpose of the Transit and Intercity Rail Capital Program. Provides for the funding of large, transformative capital improvements. Updates project selection criteria under the program to projects that reduce greenhouse emissions. Requires estimates of funding available under the program. Allows the issuance of a no prejudice letter to allow an applicant to utilize its own funds on a project subject to reimbursement from program funds for eligible expenditures.

STATUS:

01/15/2015 To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION AND HOUSING.

Priority: High

CA SB 13

AUTHOR: Pavley [D]

TITLE: Groundwater

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 12/01/2014

LAST AMEND: 02/24/2015

DISPOSITION: Pending

LOCATION: Senate Natural Resources and Water Committee

SUMMARY:

Authorizes the State Water Resource Control Board to designate a basin as a probationary basin and to develop an interim plan. Relates deficiency remedies by a local agency or groundwater sustainability agency. Relates to the designation of a basin as probationary. Relates to the determination criteria for establishing a groundwater sustainability plan. Eliminates provisions regarding the submission of intent by a local agency to be a groundwater sustainability agency and for related Internet posting.

STATUS:

02/24/2015 From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.

02/24/2015 In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.

Priority: High

CA SB 16

AUTHOR: Beall [D]

TITLE: Department of Transportation

FISCAL no

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 12/01/2014

ATTACHMENT A

DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

States the intent of the Legislature that the Department of Transportation identify savings from implementing efficiencies in its existing programs and direct those resources into expanded activities for repair and litter cleanup.

STATUS:
01/15/2015 To SENATE Committee on RULES.
Priority: High

CA SB 25	<p>AUTHOR: Roth [D] TITLE: Local Government Finance: Property Tax Revenue FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 12/01/2014 DISPOSITION: Pending LOCATION: Senate Governance and Finance Committee SUMMARY: Amends an existing law which requires that each city, county and city and county receive certain additional property tax revenues in the form of a vehicle license fee adjustment amount and which requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. Modifies certain reduction and transfer provisions. STATUS: 01/15/2015 To SENATE Committee on GOVERNANCE AND FINANCE. Priority: High</p>
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CA SB 32	<p>AUTHOR: Pavley [D] TITLE: Global Warming Solutions Act of 2006: Emissions Limit FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 12/01/2014 DISPOSITION: Pending LOCATION: Senate Environmental Quality Committee SUMMARY: Requires the State Air Resources Board to approve a specified statewide greenhouse gas emission limit. STATUS: 01/15/2015 To SENATE Committee on ENVIRONMENTAL QUALITY. Priority: High</p>
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CA SB 37	<p>AUTHOR: Nielsen [R] TITLE: Water: Floods FISCAL yes COMMITTEE: URGENCY yes CLAUSE: INTRODUCED: 12/01/2014 LAST AMEND: 02/12/2015 DISPOSITION: Pending</p>
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ATTACHMENT A

LOCATION: Senate Natural Resources and Water Committee

SUMMARY:

Authorizes the Department of Water Resources to provide reimbursement to funding recipients that executes a funding agreement under the Urban Flood Risk Reduction Projects Program for expenditures associated with continued funding of a project initiated under the Early Implementation Project.

STATUS:

02/12/2015 From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.

02/12/2015 In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.

Priority: High

CA SB 39

AUTHOR: Pavley [D]

TITLE: Vehicles: High-Occupancy Vehicle Lanes

FISCAL yes

COMMITTEE:

URGENCY yes

CLAUSE:

INTRODUCED: 12/01/2014

DISPOSITION: Pending

LOCATION: Senate Transportation and Housing Committee

SUMMARY:

Increases the number of vehicle identifiers that the DMV is authorized to issue for HOV lane usage to an unspecified amount.

STATUS:

01/15/2015 To SENATE Committee on TRANSPORTATION AND HOUSING.

Priority: High

CA SB 40

AUTHOR: Gaines T [R]

TITLE: Air Quality Improvement Program: Vehicle Rebates

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 12/01/2014

DISPOSITION: Pending

LOCATION: Senate Transportation and Housing Committee

SUMMARY:

Requires incentives for qualifying passenger vehicles under the Clean Vehicle Rebate Project of the Air Quality Improvement Program to be limited to passenger vehicles with a manufacturer's suggested retail price of a specified amount.

STATUS:

01/15/2015 To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY.

Priority: High

CA SB 64

AUTHOR: Liu [D]

TITLE: State Transportation Plan

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 01/05/2015

ATTACHMENT A

DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY:

Requires the State Transportation Commission to review recommendations in the update to the Transportation Plan prepared by the department in 2015, and every 5 years thereafter, to prepare specific recommendations for statewide integrated multimodal transportation system improvements, and to submit a report in that regard to the Legislature and the Governor.

STATUS:
01/15/2015 To SENATE Committee on TRANSPORTATION AND HOUSING.
Priority: High

CA SB 66	<p>AUTHOR: Leyva [D] TITLE: Career Technical Education Pathways Program FISCAL yes COMMITTEE: URGENCY yes CLAUSE: INTRODUCED: 01/07/2015 DISPOSITION: Pending LOCATION: Senate Education Committee SUMMARY: Extends the operation of the Career Technical Education Pathways Program, which requires the Chancellor of the California Community Colleges and the Superintendent of Public Instruction to assist economic and workforce regional development centers and consortia, community colleges, middle schools, high schools, and regional occupational centers and programs to improve linkages and career technical education pathways between high schools and community colleges. STATUS: 01/15/2015 To SENATE Committee on EDUCATION. Priority: High</p>
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CA SB 118	<p>AUTHOR: Liu [D] TITLE: School-Based Health and Education Partnership FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 01/14/2015 DISPOSITION: Pending LOCATION: Senate Education Committee SUMMARY: Renames the Public School health Center Support Program the School-Based Health and Education Partnership Program. Changes the amount of the sustainability grants that are available pursuant to the program. Makes those grants available on a one-time basis. Revises the purposes for which they may be used. STATUS: 02/05/2015 To SENATE Committees on EDUCATION and HEALTH. Priority: High</p>
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CA SB 122	<p>AUTHOR: Jackson [D] TITLE: California Environmental Quality Act: Records FISCAL yes COMMITTEE:</p>
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ATTACHMENT A

URGENCY no
CLAUSE:
INTRODUCED: 01/15/2015
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee
SUMMARY:

Requires the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, environmental impact report, or other environmental document for projects.

STATUS:
02/05/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.
Priority: High

CA SB 127

AUTHOR: Vidak [R]
TITLE: Water Quality, Supply, and Infrastructure Improvement
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 01/20/2015
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee
SUMMARY:

Relates to the Water Quality, Supply, and Infrastructure Improvement Act of 2014. Requires the public agency, in certifying the environmental impact report and in granting approvals for projects funded, in whole or in part, by Proposition 1, including the concurrent preparation of the record of proceedings and the certification of the record of proceeding within 5 days of the filing of a specified notice, to comply with specified procedures.

STATUS:
02/05/2015 To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.
Priority: High

CA SB 148

AUTHOR: McGuire [D]
TITLE: Career Technical Education: Career and Job Skills
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 01/29/2015
DISPOSITION: Pending
LOCATION: Senate Education Committee
SUMMARY:

Establishes the Career and Job Skills Education Act. Authorizes the governing board of a school district that operates any state-approved career technical education sequence of courses to apply for a grant for the development and enhancement of high-quality career technical education programs. Requires the adoption of related policies and procedures that satisfy specified criteria. Establishes a related fund. Requires the distribution of grant awards through a specified annual application process.

STATUS:
02/19/2015 To SENATE Committee on EDUCATION.
Priority: High

ATTACHMENT A

CA SB 158	AUTHOR: Huff [R] TITLE: Transportation Projects: Comprehensive Agreements FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/03/2015 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: Deletes obsolete cross-references and makes technical changes to existing law that authorizes the Department of Transportation or a regional agency to enter into a comprehensive development lease with a public or private entity for a transportation project. STATUS: 02/19/2015 To SENATE Committee on RULES. Priority: High
CA SB 166	AUTHOR: Gaines T [R] TITLE: California Environmental Quality Act FISCAL no COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/05/2015 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: Makes technical nonsubstantive changes to the California Environmental Quality Act that requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. STATUS: 02/19/2015 To SENATE Committee on RULES. Priority: High
CA SB 198	AUTHOR: Morrell [R] TITLE: State Responsibility Areas: Fire Prevention Fees FISCAL yes COMMITTEE: URGENCY no CLAUSE: INTRODUCED: 02/10/2015 DISPOSITION: Pending LOCATION: Senate Natural Resources and Water Committee SUMMARY: Repeals provisions of existing law that requires the State Board of Forestry and Fire Protection to adopt regulations to establish a fire prevention fee to be charged on each structure on a parcel that is within a state responsibility area. Requires that the fire prevention fee be adjusted annually using prescribed methods. STATUS: 02/19/2015 To SENATE Committees on NATURAL RESOURCES AND

ATTACHMENT A

Priority: WATER and GOVERNANCE AND FINANCE.
High

CA SB 207 **AUTHOR:** Wieckowski [D]
TITLE: Greenhouse Gas Reduction Fund: Investment Plan
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2015
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee
SUMMARY:
 Requires the California Global Warming Solutions Act of 2006 investment plan to identify conflicting or overlapping policies in current state strategies to meeting the state's greenhouse gas emissions reduction goals and targets by sector.
STATUS:
 02/19/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.
Priority: High

CA SB 226 **AUTHOR:** Pavley [D]
TITLE: Sustainable Groundwater Management Act
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/13/2015
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:
 Provides that it establishes a timely method for determining rights to groundwater in furtherance of the objectives of the Sustainable Groundwater Management Act. Requires the process to be available to any court of competent jurisdiction.
STATUS:
 02/26/2015 To SENATE Committees on NATURAL RESOURCES AND WATER and JUDICIARY.
Priority: High

CA SB 228 **AUTHOR:** Cannella [R]
TITLE: Groundwater Storage: Beneficial Use
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/13/2015
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:
 Declares that the recharging of a groundwater basin by a local groundwater management agency or a local groundwater sustainability agency for the purposes of repelling saline intrusion and recovering basin groundwater levels constitutes a beneficial use of water if the recharge is consistent with the local agency's groundwater management plan or groundwater sustainability plan.
STATUS:

ATTACHMENT A

02/26/2015 To SENATE Committee on NATURAL RESOURCES AND WATER.

Priority: High

CA SB 229

AUTHOR: Roth [D]

TITLE: Funding of Judicial Positions

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/13/2015

DISPOSITION: Pending

LOCATION: Senate Judiciary Committee

SUMMARY:

Appropriates an unspecified sum of money from the General Fund to fund 10 existing superior court judge positions and two existing appellate court justice positions. Requires the Judicial Council to determine which positions are funded based on established uniform criteria, in order of need.

STATUS:

02/26/2015 To SENATE Committee on JUDICIARY.

Priority: High

CA SB 246

AUTHOR: Wieckowski [D]

TITLE: Climate Action Team

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/18/2015

DISPOSITION: Pending

LOCATION: Senate Environmental Quality Committee

SUMMARY:

Creates the Climate Action Team that would be responsible for coordinating the state's climate policy to achieve the state's climate change goals, identifying specified unavoidable climate change impacts, developing and implementing specified mitigation and adaptation plans, and identifying and disseminating information to local governments and regional bodies.

STATUS:

02/26/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.

Priority: High

CA SB 250

AUTHOR: Gaines T [R]

TITLE: State Responsibility Areas: Fire Prevention Fees

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/18/2015

DISPOSITION: Pending

LOCATION: Senate Governance and Finance Committee

SUMMARY:

Extends the time when the fire prevention fee is due and payable from the date of assessment by the State Board of Equalization and authorizes the petition for redetermination to be filed within a specified number of days after service of the notice of

ATTACHMENT A

determination.

STATUS:

02/26/2015

To SENATE Committee on GOVERNANCE AND FINANCE.

Priority:

High

CA SB 254

AUTHOR: Leyva [D]

TITLE: Transit Districts: Ordinances

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/18/2015

DISPOSITION: Pending

LOCATION: Senate Transportation and Housing Committee

SUMMARY:

Authorizes the Southern California Rapid Transit District to print and publish an ordinance in a newspaper of general circulation more than once within 15 days after passage. Requires the district to also make an ordinance available online on appropriate Internet Web sites within 15 days after passage.

STATUS:

02/26/2015

To SENATE Committee on TRANSPORTATION AND HOUSING.

Priority:

High

CA SB 263

AUTHOR: Gaines T [R]

TITLE: Fire Prevention: State Responsibility Areas

FISCAL no

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/18/2015

DISPOSITION: Pending

LOCATION: Senate Rules Committee

SUMMARY:

Makes nonsubstantive changes to existing law that makes certain findings and declarations regarding fire protection of the public trust resources on lands in state responsibility areas, including that the costs of fire prevention activities aimed at reducing the effects of structures in state responsibility areas should be borne by the owners of the structures.

STATUS:

02/26/2015

To SENATE Committee on RULES.

Priority:

High

CA SB 265

AUTHOR: Gaines T [R]

TITLE: Fire Prevention Fee.

FISCAL no

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/18/2015

DISPOSITION: Pending

LOCATION: Senate Rules Committee

SUMMARY:

Makes a nonsubstantive change to existing law that requires the State Board of Forestry and Fire Protection to adopt emergency regulations to establish a fire prevention fee to be charged on each habitable structure on a parcel that is within a state responsibility area.

ATTACHMENT A

Authorizes the board to annually adjust the fire prevention fee using prescribed methods.

STATUS:

02/26/2015

To SENATE Committee on RULES.

Priority:

High

CA SB 272

AUTHOR:

Hertzberg [D]

TITLE:

State Public Records Act: Local Agencies: Inventory

FISCAL

yes

COMMITTEE:**URGENCY**

no

CLAUSE:**INTRODUCED:**

02/19/2015

DISPOSITION:

Pending

LOCATION:

SENATE

SUMMARY:

Requires each local agency, in implementing the State Public Records Act, to conduct an inventory of data gathered by the agency that discloses what data is maintained by the agency, by whom, and with what frequency it is collected. Requires the inventory to be available to the public.

STATUS:

02/19/2015

INTRODUCED.

Priority:

High

CA SB 274

AUTHOR:

Morrell [R]

TITLE:

Economic Development

FISCAL

no

COMMITTEE:**URGENCY**

no

CLAUSE:**INTRODUCED:**

02/19/2015

DISPOSITION:

Pending

LOCATION:

SENATE

SUMMARY:

States the intent of the Legislature to enact legislation that would promote job and business growth and encourage economic development.

STATUS:

02/19/2015

INTRODUCED.

Priority:

High

CA SB 309

AUTHOR:

Morrell [R]

TITLE:

County Employees Retirement: Contribution Rates

FISCAL

no

COMMITTEE:**URGENCY**

no

CLAUSE:**INTRODUCED:**

02/23/2015

DISPOSITION:

Pending

LOCATION:

SENATE

SUMMARY:

Makes technical nonsubstantive changes to the County Employees Retirement Law of 1937 (CERL) that authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to county and district employees. Establishes the normal rates of contribution for members based on providing a specified average annuity.

STATUS:

ATTACHMENT A

02/23/2015 INTRODUCED.
Priority: High

CA SB 321

AUTHOR: Beall [D]
TITLE: Motor Vehicle Fuel Taxes: Rates: Adjustments
FISCAL yes
COMMITTEE:
URGENCY yes
CLAUSE:
INTRODUCED: 02/23/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Relates to motor fuel tax rates. Requires the State Board of Equalization to adjust the rate in a manner as to generate an amount of revenue equal to the average amount of revenue loss attributable to a certain exemption over the next five fiscal years, based on estimates made by the board, and continue to take into account adjustments required by existing law to maintain revenue neutrality.

STATUS:
02/23/2015 INTRODUCED.
Priority: High

CA SB 348

AUTHOR: Galgiani [D]
TITLE: California Environmental Quality Act: Railroad Crossing
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/24/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Amends an existing law which grants to the Public Utilities Commission the authority to regulate railroad crossings and exempts from the California Environmental Quality Act the closure of a railroad grade crossing by order of the PUC. Extends a repeal date.

STATUS:
02/24/2015 INTRODUCED.
Priority: High

CA SB 379

AUTHOR: Jackson [D]
TITLE: Land Use: General Plan: Safety Element
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/24/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Requires the safety element to be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to that city or county. Requires the update to include a set of goals, policies, and objectives based on the most current information available regarding climate change adaptation and resiliency.

ATTACHMENT A

STATUS:
02/24/2015 INTRODUCED.
Priority: High

CA SB 391 **AUTHOR:** Huff [R]
TITLE: Assault and Battery: Transit Employees
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Makes an assault committed against a transit employee punishable by imprisonment in a county jail as specified. Makes a battery committed against a transit employee punishable as specified.
STATUS:
02/25/2015 INTRODUCED.
Priority: High

CA SB 397 **AUTHOR:** Fuller [R]
TITLE: Off-Highway Vehicles
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
States the intent of the Legislature to enact legislation relating to off-highway vehicles.
STATUS:
02/25/2015 INTRODUCED.
Priority: High

CA SB 398 **AUTHOR:** Leyva [D]
TITLE: Green Assistance Program
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/25/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Establishes the Green Assistance Program, to be administered by the Secretary for Environmental Protection, that, among other things, would provide technical assistance to small businesses and small cities in applying for an allocation of moneys from the Greenhouse Gas Reduction Fund and would provide assistance to small businesses and small cities in complying with all applicable state, federal, and local air quality laws.
STATUS:
02/25/2015 INTRODUCED.
Priority: High

ATTACHMENT A

CA SB 413	AUTHOR:	Wieckowski [D]
	TITLE:	Public transit: Prohibited Conduct
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/25/2015
	DISPOSITION:	Pending
	LOCATION:	SENATE
	SUMMARY:	Relates to certain acts on or in a facility or vehicle of a public transportation system. Relates this provision so that it would apply to a person failing to comply with the warning of a transit official related to disturbing another person by loud and unreasonable noise, and also to a person playing sound equipment on or in a public transportation system facility or vehicle.
	STATUS:	
	02/25/2015	INTRODUCED.
	Priority:	High
CA SB 471	AUTHOR:	Pavley [D]
	TITLE:	Water, Energy, Reduction of Greenhouse Gas
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/26/2015
	DISPOSITION:	Pending
	LOCATION:	SENATE
	SUMMARY:	Requires the Strategic Growth Council to give special consideration to awarding funds to eligible projects that, in addition to existing objectives and goals, would also result in reduced energy use by a water supplier, and end user of water, or both. Includes projects or programs that reduce energy used to acquire, transport, treat, or distribute water as a regional project or program.
	STATUS:	
	02/26/2015	INTRODUCED.
	Priority:	High
CA SB 487	AUTHOR:	Nielsen [R]
	TITLE:	Sustainable Groundwater Management Act: Exemptions
	FISCAL	yes
	COMMITTEE:	
	URGENCY	no
	CLAUSE:	
	INTRODUCED:	02/26/2015
	DISPOSITION:	Pending
	LOCATION:	SENATE
	SUMMARY:	Relates to the California Environmental Act (CEQA). Exempts from the requirements of CEQA the formation of a groundwater sustainability agency, the amendment of a groundwater sustainability plan or coordinated groundwater sustainability plan, and the implementation of those plans, except to the extent that the implementation requires the construction or installation of a new facility.

ATTACHMENT A

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA SB 493

AUTHOR: Cannella [R]
TITLE: Elections in Cities: By or From Districts
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Authorizes the legislative body of a general law city to amend an ordinance providing for the election of members of the legislative body from district to provide for the election of members of the legislative body by district without submitting the amendment to the registered voters for approval. Prohibits the amendment of the ordinance, as described above, from changing whether the general law city has an elective mayor.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA SB 506

AUTHOR: Fuller [R]
TITLE: Global Warming Solutions Act of 2006: Scoping Plan
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Amends the Global Warming Solutions Act of 2006. Requires, in developing the scoping plan under the act, to take into account the environmental benefits of renewable electrical generation facilities.

STATUS:
02/26/2015 INTRODUCED.
Priority: High

CA SB 508

AUTHOR: Beall [D]
TITLE: Transit Operations: Financial Requirements
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Deletes the requirement that transit operators maintain higher farebox requirements based on a specified fiscal year. Exempts additional expenditures categories from operating costs. Reduces the public transit operator's operating allocation by a specified percentage, based on the percentage amount that the operator failed to meet the efficiency standards. Excludes

ATTACHMENT A

certain health coverage and pension costs from the definition of operating costs used to calculate compliance with the efficiency standards.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 513

AUTHOR: Beall [D]

TITLE: Memorial Air Quality Standards Attainment Program

FISCAL no

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/26/2015

DISPOSITION: Pending

LOCATION: SENATE

SUMMARY:

Amends existing law that establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, which is administered by the State Air Resources Board, to provide grants to offset the incremental cost of eligible projects that reduce emissions of air pollutants from vehicular sources in the state and for funding a fueling infrastructure demonstration program and technology development efforts.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 516

AUTHOR: Fuller [R]

TITLE: Transportation: Motorist Aid Services

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

INTRODUCED: 02/26/2015

DISPOSITION: Pending

LOCATION: SENATE

SUMMARY:

Amends an existing law which authorizes a service authority to impose a fee on vehicles registered in the counties served by the authority. Requires that such moneys be used for service expenses associated with the implementation, maintenance, and operations of a motorist aid system. Authorizes the use of those moneys for traveler information systems, litter and debris removal, and Intelligent Transportation System architecture and infrastructure.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 520

AUTHOR: Berryhill [R]

TITLE: State Responsibility Areas: Fire Prevention Fees

FISCAL yes

COMMITTEE:

URGENCY no

CLAUSE:

ATTACHMENT A

INTRODUCED: 02/26/2015**DISPOSITION:** Pending**LOCATION:** SENATE**SUMMARY:**

Repeals existing law that requires the State Board of Forestry and Fire Protection to adopt regulations to establish a fire prevention fee to be charged on each habitable structure on a parcel that is within a state responsibility area, and requires that the fire prevention fee be adjusted annually using prescribed methods.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 551

AUTHOR: Wolk [D]**TITLE:** State Water Policy: Water and Energy Efficiency**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/26/2015**DISPOSITION:** Pending**LOCATION:** SENATE**SUMMARY:**

Declares the policy of the state that water use and water treatment shall be as energy efficient as in feasible and energy use and generation shall be as water efficient as is feasible. Requires all relevant state agencies to consider this state policy when revising, or establishing policies, regulations, and grant criteria when pertinent to these uses of water and energy.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 552

AUTHOR: Wolk [D]**TITLE:** Disadvantaged Communities Drinking Water Standards**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/26/2015**DISPOSITION:** Pending**LOCATION:** SENATE**SUMMARY:**

Requires the State Water Resources Control to develop a plan, including enforcement mechanisms, to ensure that disadvantaged communities have water systems that are in compliance with state and federal drinking water standards. Requires the plan to identify strategies to help bring disadvantaged communities into compliance with safe drinking water standards.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 568

AUTHOR: Fuller [R]**TITLE:** Groundwater Management**FISCAL** no**COMMITTEE:**

ATTACHMENT A

URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Relates to the Sustainable Groundwater Management Act. Authorizes the State Water Resources Control Board to designate a basin as a probationary basin if the state board makes a certain determination and authorizes the state board to develop an interim plan for the probationary basin.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 580

AUTHOR: Liu [D]
TITLE: Surplus Residential Property: Affordable Housing
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Authorizes a local housing authority to purchase, rehabilitate, and resell surplus residential property within its jurisdiction. Requires the local housing authority to dedicate any profits realized from the sale to the construction of affordable housing. Requires that, prior to offering a property to a housing-related private or public entity, that property that is a historic home be first offered to a housing-related public entity or a nonprofit private entity dedicated to rehabilitating historic homes.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 584

AUTHOR: Nguyen [R]
TITLE: California Environmental Quality Act
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/26/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Provides that the California Environmental Quality Act requires a lead agency, as defined, to prepare, or cause to be prepared, by contract, and certify the completion of, an environmental impact report, as defined, on a project that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.

STATUS:

02/26/2015 INTRODUCED.

Priority: High

CA SB 599

AUTHOR: Mendoza [D]

ATTACHMENT A

TITLE: Employment: Public Transit Service Contracts
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Relates to a local government agency giving a preference to any bidder on a service contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of not less than 90 days. Expands these provisions to require a state agency to also give a 10% preference to any bidder under these provisions.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA SB 689

AUTHOR: Huff [R]
TITLE: Veterans: Housing
FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Instructs the Housing Finance Agency, the Department of Housing and Community Development and the Department of Veterans Affairs to also prioritize projects that keep a mental health professional on staff or contract for the services of a mental health professional. Includes psychologists, professional clinical counselors, social workers, marriage and family therapists, and psychiatrists as mental health professionals for its purposes.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA SB 698

AUTHOR: Cannella [R]
TITLE: Active Transportation Program:School Zone Safety
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Relates to the Active Transportation Program to encourage increased use of active modes of transportation, such as biking and walking. Appropriates continuously an unspecified amount from the Greenhouse Gas Reduction Fund to the State Highway Account in the State Transportation fund for purposes of funding school zone safety projects within the Active Transportation Program.

STATUS:
02/27/2015 INTRODUCED.

ATTACHMENT A

Priority: High

CA SB 712

AUTHOR: Leyva [D]
TITLE: Building Equity and Growth in Neighborhoods
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Amends existing law that establishes the Building Equity and Growth in Neighborhoods Program for the purpose of making grants to cities and counties that provide incentives for, or reduce or remove regulatory barriers to, affordable housing. Includes the location of the project in specified job centers. Expands those job centers to include the Riverside and San Bernardino metropolitan statistical area.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA SB 728

AUTHOR: Morrell [R]
TITLE: California Renewables Portfolio Standard Program
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Requires certain public workshops require that the Public Utilities Commission evaluate the economic impacts upon low-and middle-income individuals and families before exercise of its authority to increase the procurement of eligible renewable energy resources in excess of specified quantities.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA SB 730

AUTHOR: Wolk [D]
TITLE: Railroads: Movement of Freight: Trains or Light Engines
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Prohibits a train or light engine used in connection with the movement of freight from being operated unless it has a crew consisting of at least 2 individuals.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

ATTACHMENT A

CA SB 734	<p>AUTHOR: De Leon [D]</p> <p>TITLE: State Lands Acquisitions: Public Transparency</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: SENATE</p> <p>SUMMARY: Relates to the Natural Resources Agency. Relates to a uniform open process to ensure that information is readily available to the general public, local, state, and federal agencies, adjacent landowners, and other interested parties regarding any state hearings to approve proposed state land acquisitions. Requires the agency to also implement uniform open process, to include a specified number of days for public comment, to provide public transparency.</p> <p>STATUS: 02/27/2015 INTRODUCED.</p> <p>Priority: High</p>
CA SB 737	<p>AUTHOR: Stone [R]</p> <p>TITLE: Vehicles: Electronic Wireless communication Devices</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: SENATE</p> <p>SUMMARY: Requires that one point be assessed for a violation of the prohibitions on driving a motor vehicle while using an electronic wireless communications device to write, send or read a text-based communication. Increases the base fine for a first offense and for each subsequent offense.</p> <p>STATUS: 02/27/2015 INTRODUCED.</p> <p>Priority: High</p>
CA SB 747	<p>AUTHOR: McGuire [D]</p> <p>TITLE: Airports: Financial Assistance: Grant Program</p> <p>FISCAL yes</p> <p>COMMITTEE:</p> <p>URGENCY no</p> <p>CLAUSE:</p> <p>INTRODUCED: 02/27/2015</p> <p>DISPOSITION: Pending</p> <p>LOCATION: SENATE</p> <p>SUMMARY: Requires the Department of Transportation to adopt and administer a grant program for the purpose of funding specified infrastructure projects to maintain and improve airport facilities and infrastructure owned or operated by a commercial service airport or general aviation airport.</p>

ATTACHMENT A

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA SB 760

AUTHOR: Mendoza [D]
TITLE: Disadvantaged Community Enhancement Act of 2015
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Relates to the California Global Warming Solutions Act of 2006 and the Strategic Growth Council. Requires the Council to develop and implement the Disadvantaged Community Enhancement Program to award grants to disadvantaged communities to facilitate projects for community enhancement improvements that reduce greenhouse gas emissions in furtherance of the goals of the California Global Warming Solutions Act of 2006.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA SB 762

AUTHOR: Wolk [D]
TITLE: Counties: Competitive Bidding: Pilot Program
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Relates to best value. Establishes a pilot program to allow counties to select the lowest responsible bidder on the basis of best value. Requires that bidders verify specified information under oath.

STATUS:
02/27/2015 INTRODUCED.
Priority: High

CA SB 767

AUTHOR: De Leon [D]
TITLE: Los Angeles County Metro Transportation Authority
FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/27/2015
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:

Authorizes the Los Angeles county Metropolitan Transportation Authority to impose an additional transportation transactions and use tax subject to various requirements, including the adoption of an expenditure plan and voter approval.

STATUS:

ATTACHMENT A

02/27/2015 INTRODUCED.
Priority: High

CA SCA 3	AUTHOR: Morrell [R] TITLE: Legislative Procedure FISCAL: no COMMITTEE: URGENCY: no CLAUSE: INTRODUCED: 02/04/2015 DISPOSITION: Pending LOCATION: Senate Rules Committee SUMMARY: Proposes an amendment to the Constitution to prohibit either house of the Legislature from passing a bill until the bill, in the form to be voted on, has been made available to the public, in print and published on the Internet, for at least 72 hours preceding the vote. Provides the requirement would not apply to specified urgency bills of a written statement declaring that dispensing with the requirement is necessary to address a state of emergency. STATUS: 02/19/2015 To SENATE Committee on RULES. Priority: High
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CA 6 2014	Executive Order STATE ID: B-28-14 TITLE: Extended Environmental Waiver ORDERED: 12/22/2014 EFFECTIVE: 12/22/2014 SUMMARY: Relates to a State of Emergency due to severe drought conditions proclaimed on January 17, 2014 and continued on April 25, 2014. Extends the waiver of specified sections of the California Environmental Quality Act and Water Code of the January 17, 2014 Proclamation, and the April 25, 2014 Proclamation, through May 31, 2016. Applies the waiver also to the adoption of water reclamation requirements by the State Water Board. Priority: High
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CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL**No. 914**

Introduced by Assembly Member Brown
(Coauthors: Assembly Members Chang, Linder, Mayes, Obernolte,
Rodriguez, and Steinorth)
 (Coauthor: Senator Leyva)

February 26, 2015

An act to add Section 149.11 to the Streets and Highways Code, and to amend Section 5205.5 of the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 914, as introduced, Brown. Toll facilities: County of San Bernardino.

Existing law provides for the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, to authorize or permit exclusive or preferential use of highway lanes for high-occupancy vehicles (HOVs). Existing law authorizes the development and implementation of high-occupancy toll (HOT) lanes under certain circumstances, pursuant to which vehicles that do not meet the vehicle occupancy requirements for use of an HOV lane may use the lane upon payment of a toll.

This bill would authorize the San Bernardino County Transportation Commission to construct and operate certain transportation facilities, as defined, on State Highway Routes 10 and 15, as toll facilities in the County of San Bernardino and, with the agreement of affected transportation agencies, in the Counties of Los Angeles and Riverside. The bill would require the toll revenues to be spent for specified transportation purposes and would authorize the commission to issue revenue bonds payable from toll revenues. The bill would require the

AB 914

— 2 —

commission to report to the Legislative Analyst on specified matters within 3 years of commencement of toll collection on a facility constructed under the bill. The bill would enact other related provisions.

Existing law authorizes the Department of Motor Vehicles to issue decals to not more than 70,000 vehicles meeting certain air quality standards, and provides that vehicles with these air quality decals may use high-occupancy vehicle lanes without meeting the applicable vehicle occupancy requirements. Existing law generally provides that the vehicles with air quality decals are not exempt from tolls on state-owned toll bridges or certain other toll facilities.

This bill would provide that vehicles with air quality decals would not be exempt from tolls on toll facilities implemented in the County of San Bernardino or adjoining counties under this bill.

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

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

1 SECTION 1. Section 149.11 is added to the Streets and
2 Highways Code, to read:

3 149.11. (a) For the purposes of this section, the following
4 terms shall have the following meanings:

5 (1) "Transportation corridors" means State Highway Routes 10
6 and 15 in the County of San Bernardino, including approaches and
7 departures to and from, and direct connectors between, the two
8 highways.

9 (2) "Transportation corridor connectors" means the approaching
10 and departing connectors on State Highway Route 10 extending
11 into the County of Los Angeles, as designated by agreement with
12 the Los Angeles County Metropolitan Transportation Authority,
13 and the connection to the State Highway Route 15 express lanes
14 project in the County of Riverside, as designated by agreement
15 with the Riverside County Transportation Commission.

16 (3) "Transportation facilities" means toll lanes, high-occupancy
17 toll lanes, high-occupancy vehicle lanes, lanes or improvements
18 where tolls may be levied and may vary according to levels of
19 congestion or according to the type or occupancy of the vehicle,
20 improvements or lanes utilizing a combination of those options,
21 and approaches to those lanes and facilities incidental to or related
22 to the lanes or the operation of the lanes.

1 (b) (1) Notwithstanding Sections 149 and 30800 of this code,
 2 and Section 21655.5 of the Vehicle Code, the San Bernardino
 3 County Transportation Commission may finance, plan, develop,
 4 design, construct, reconstruct, rehabilitate, improve, acquire,
 5 administer, maintain, lease, and operate transportation facilities in
 6 the transportation corridors and the transportation corridor
 7 connectors. The commission may acquire property for the
 8 transportation facilities and transportation corridor connectors
 9 pursuant to Section 130220.5 of the Public Utilities Code.

10 (2) The San Bernardino County Transportation Commission
 11 shall have the authority to set, levy, and collect tolls, user fees, or
 12 other similar charges payable for the use of the transportation
 13 facilities in the County of San Bernardino, and any other incidental
 14 or related fees or charges, and to collect those revenues, in a
 15 manner determined by the commission, in amounts as required for
 16 the following expenditures relative to the transportation facilities
 17 in the transportation corridors and transportation corridor
 18 connectors and for the purposes of paragraph (3):

19 (A) Capital outlay, including the costs of design, construction,
 20 right-of-way acquisition, and utilities adjustment.

21 (B) Operations and maintenance, including, but not limited to,
 22 insurance, collection, and enforcement of tolls, fees, and charges.

23 (C) Repair and rehabilitation.

24 (D) Indebtedness incurred and internal loans and advances,
 25 including related financial costs.

26 (E) Reserves.

27 (F) Administration, which shall not exceed 3 percent of the
 28 revenues of toll facilities and associated transportation facilities.

29 (3) All revenue generated pursuant to paragraph (2) in excess
 30 of the expenditure needs of that paragraph shall be used exclusively
 31 for the benefit of the transportation corridors. These excess revenue
 32 expenditures shall be described in an excess revenue expenditure
 33 plan adopted and periodically updated by the board of directors
 34 of the San Bernardino County Transportation Commission and
 35 may include, but need not be limited to, the following eligible
 36 expenditures:

37 (A) Expenditures to enhance transit service designed to reduce
 38 traffic congestion within the transportation corridors in the County
 39 of San Bernardino. Eligible expenditures include, but are not
 40 limited to, transit operating assistance, the acquisition of transit

1 vehicles, and transit capital improvements otherwise eligible to be
2 funded under the state transportation improvement program
3 pursuant to Section 164.

4 (B) Expenditures to make operational or capacity improvements
5 designed to reduce traffic congestion or improve the flow of traffic
6 in the transportation corridors in the County of San Bernardino.
7 Eligible expenditures include, but are not limited to, any phase of
8 project delivery to make capital improvements to on ramps, off
9 ramps, connector roads, roadways, bridges, or other structures that
10 are necessary for or related to the tolled or nontolled transportation
11 facilities in the transportation corridors in the County of San
12 Bernardino.

13 (4) To the extent the San Bernardino County Transportation
14 Commission plans to construct or operate transportation facilities
15 in the Counties of Los Angeles or Riverside, it shall enter into an
16 agreement with the Los Angeles County Metropolitan
17 Transportation Authority or the Riverside County Transportation
18 Commission, as applicable, subject to approval of the board of
19 directors of the San Bernardino County Transportation Commission
20 and the board of directors of the affected entity.

21 (5) If the transportation facilities constructed and operated by
22 the San Bernardino County Transportation Commission connect
23 to, or are near, similar toll facilities constructed and operated by
24 the Los Angeles County Metropolitan Transportation Authority
25 or the Riverside County Transportation Commission, the respective
26 entities shall enter into an agreement providing for the coordination
27 of the toll facilities operated by each entity.

28 (c) The San Bernardino County Transportation Commission
29 shall carry out the program in cooperation with the department
30 pursuant to a cooperative agreement that addresses all matters
31 related to the design, construction, maintenance, and operation of
32 state highway system facilities in connection with the transportation
33 facilities.

34 (d) Single-occupant vehicles that are certified or authorized by
35 the San Bernardino County Transportation Commission for entry
36 into, and use of, the high-occupancy toll lanes implemented
37 pursuant to this section are exempt from Section 21655.5 of the
38 Vehicle Code, and the driver shall not be in violation of the Vehicle
39 Code because of that entry and use.

1 (e) Agreements between the San Bernardino County
 2 Transportation Commission, the department, and the Department
 3 of the California Highway Patrol shall identify the respective
 4 obligations, liabilities, and responsibilities of each entity. The
 5 agreements shall provide for reimbursement of state agencies, from
 6 revenues generated by the transportation facility or other funding
 7 sources that are not otherwise available to state agencies for
 8 transportation-related projects, or for costs incurred in connection
 9 with the implementation or operation of the transportation facilities.

10 (f) (1) The San Bernardino County Transportation Commission
 11 may issue bonds at any time to finance any costs necessary to
 12 implement the transportation facilities established pursuant to this
 13 section and any expenditures provided for in paragraphs (2) and
 14 (3) of subdivision (b), payable from the revenues generated from
 15 the transportation facilities and any other sources of revenues
 16 available to the commission that may be used for these purposes,
 17 including, but not limited to, sales tax revenue, development impact
 18 fees, or state and federal grants.

19 (2) The maximum bonded indebtedness that may be outstanding
 20 at any one time shall not exceed an amount that may be serviced
 21 from the projected revenues available as described in paragraph
 22 (1).

23 (3) The bonds shall bear interest at a rate or rates not exceeding
 24 the maximum allowable by law, payable at intervals determined
 25 by the commission.

26 (4) Any bond issued pursuant to this subdivision shall contain
 27 on its face a statement to the following effect:

28 “Neither the full faith and credit nor the taxing power of the
 29 State of California is pledged to the payment of principal of, or
 30 interest on, this bond.”

31 (5) Bonds shall be issued pursuant to a resolution of the
 32 governing board of the commission adopted by a majority vote of
 33 its governing board. The resolution or bond authorizing instrument
 34 shall state all of the following:

35 (A) The purposes for which the proposed debt is to be incurred.

36 (B) The estimated cost of accomplishing those purposes.

37 (C) The amount of the principal of the indebtedness.

38 (D) The maximum term of the bonds and the maximum interest
 39 rate.

1 (E) The denomination or denominations of the bonds, which
2 shall not be less than five thousand dollars (\$5,000).

3 (F) The form of the bonds.

4 (g) Not later than three years after the San Bernardino County
5 Transportation Commission first collects revenues from any of the
6 transportation facilities authorized by this section, the commission
7 shall submit a report to the Legislative Analyst on its findings,
8 conclusions, and recommendations concerning the transportation
9 facilities. The report shall include an analysis of the effect of the
10 transportation facilities on the adjacent mixed-flow lanes and any
11 comments submitted by the department and the Department of the
12 California Highway Patrol regarding operation of the transportation
13 facilities.

14 (h) This section shall not prevent the department or any local
15 agency from constructing improvements in the transportation
16 corridors that compete with the transportation facilities, and the
17 San Bernardino County Transportation Commission shall not be
18 entitled to compensation for the adverse effects on toll revenue
19 due to those competing improvements.

20 (i) If any provision of this section or the application thereof is
21 held invalid, that invalidity shall not affect other provisions or
22 applications of this section that can be given effect without the
23 invalid provision or application, and to this extent the provisions
24 are severable.

25 SEC. 2. Section 5205.5 of the Vehicle Code is amended to
26 read:

27 5205.5. (a) For purposes of implementing Section 21655.9,
28 the department shall make available for issuance, for a fee
29 determined by the department to be sufficient to reimburse the
30 department for the actual costs incurred pursuant to this section,
31 distinctive decals, labels, and other identifiers that clearly
32 distinguish the following vehicles from other vehicles:

33 (1) A vehicle that meets California's super ultra-low emission
34 vehicle (SULEV) standard for exhaust emissions and the federal
35 inherently low-emission vehicle (ILEV) evaporative emission
36 standard, as defined in Part 88 (commencing with Section
37 88.101-94) of Title 40 of the Code of Federal Regulations.

38 (2) A vehicle that was produced during the 2004 model-year or
39 earlier and meets California's ultra-low emission vehicle (ULEV)
40 standard for exhaust emissions and the federal ILEV standard.

1 (3) A vehicle that meets California's enhanced advanced
2 technology partial zero-emission vehicle (enhanced AT PZEV)
3 standard or transitional zero-emission vehicle (TZEV) standard.

4 (b) The department shall include a summary of the provisions
5 of this section on each motor vehicle registration renewal notice,
6 or on a separate insert, if space is available and the summary can
7 be included without incurring additional printing or postage costs.

8 (c) The Department of Transportation shall remove individual
9 HOV lanes, or portions of those lanes, during periods of peak
10 congestion from the access provisions provided in subdivision (a),
11 following a finding by the Department of Transportation as follows:

12 (1) The lane, or portion thereof, exceeds a level of service C,
13 as discussed in subdivision (b) of Section 65089 of the Government
14 Code.

15 (2) The operation or projected operation of the vehicles
16 described in subdivision (a) in these lanes, or portions thereof, will
17 significantly increase congestion.

18 (3) The finding shall also demonstrate the infeasibility of
19 alleviating the congestion by other means, including, but not
20 limited to, reducing the use of the lane by noneligible vehicles or
21 further increasing vehicle occupancy.

22 (d) The State Air Resources Board shall publish and maintain
23 a listing of all vehicles eligible for participation in the programs
24 described in this section. The board shall provide that listing to
25 the department.

26 (e) (1) For purposes of subdivision (a), the Department of the
27 California Highway Patrol and the department, in consultation
28 with the Department of Transportation, shall design and specify
29 the placement of the decal, label, or other identifier on the vehicle.
30 Each decal, label, or other identifier issued for a vehicle shall
31 display a unique number, which number shall be printed on, or
32 affixed to, the vehicle registration.

33 (2) Decals, labels, or other identifiers designed pursuant to this
34 subdivision for a vehicle described in paragraph (3) of subdivision
35 (a) shall be distinguishable from the decals, labels, or other
36 identifiers that are designed for vehicles described in paragraphs
37 (1) and (2) of subdivision (a).

38 (f) (1) Except as provided in paragraph (2), for purposes of
39 paragraph (3) of subdivision (a), the department shall issue no
40 more than 70,000 distinctive decals, labels, or other identifiers that

AB 914

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1 clearly distinguish a vehicle specified in paragraph (3) of
2 subdivision (a).

3 (2) The department may issue a decal, label, or other identifier
4 for a vehicle that satisfies all of the following conditions:

5 (A) The vehicle is of a type identified in paragraph (3) of
6 subdivision (a).

7 (B) The owner of the vehicle is the owner of a vehicle for which
8 a decal, label, or other identifier described in paragraph (1) was
9 previously issued and that vehicle for which the decal, label, or
10 other identifier was previously issued is determined by the
11 department, on the basis of satisfactory proof submitted by the
12 owner to the department, to be a nonrepairable vehicle or a total
13 loss salvage vehicle.

14 (C) The owner of the vehicle applied for a decal, label, or other
15 identifier pursuant to this paragraph within six months of the date
16 on which the vehicle for which a decal, label, or other identifier
17 was previously issued is declared to be a nonrepairable vehicle or
18 a total loss salvage vehicle.

19 (g) If the Metropolitan Transportation Commission, serving as
20 the Bay Area Toll Authority, grants toll-free and reduced-rate
21 passage on toll bridges under its jurisdiction to a vehicle pursuant
22 to Section 30102.5 of the Streets and Highways Code, it shall also
23 grant the same toll-free and reduced-rate passage to a vehicle
24 displaying an identifier issued by the department pursuant to
25 paragraph (1) or (2) of subdivision (a).

26 (h) (1) Notwithstanding Section 21655.9, and except as
27 provided in paragraph (2), a vehicle described in subdivision (a)
28 that displays a decal, label, or identifier issued pursuant to this
29 section shall be granted a toll-free or reduced-rate passage in
30 high-occupancy toll lanes as described in Section 149.7 of the
31 Streets and Highways Code unless prohibited by federal law.

32 (2) (A) Paragraph (1) does not apply to the imposition of a toll
33 imposed for passage on a toll road or toll highway, that is not a
34 high-occupancy toll lane as described in Section 149.7 of the
35 Streets and Highways Code.

36 (B) On or before March 1, 2014, paragraph (1) does not apply
37 to the imposition of a toll imposed for passage in lanes designated
38 for tolls pursuant to the federally supported value pricing and
39 transit development demonstration program operated pursuant to

1 Section 149.9 of the Streets and Highways Code for State Highway
2 Route 10 or 110.

3 *(C) Paragraph (1) does not apply to the imposition of a toll*
4 *imposed for passage on a transportation facility for which tolls*
5 *are imposed pursuant to Section 149.11 of the Streets and*
6 *Highways Code.*

7 ~~(E)~~

8 *(D) Paragraph (1) does not apply to the imposition of a toll*
9 *charged for crossing a state-owned bridge.*

10 (i) If the Director of Transportation determines that federal law
11 does not authorize the state to allow vehicles that are identified by
12 distinctive decals, labels, or other identifiers on vehicles described
13 in subdivision (a) to use highway lanes or highway access ramps
14 for high-occupancy vehicles regardless of vehicle occupancy, the
15 Director of Transportation shall submit a notice of that
16 determination to the Secretary of State.

17 (j) This section shall become inoperative on January 1, 2019,
18 or the date the federal authorization pursuant to Section 166 of
19 Title 23 of the United States Code expires, or the date the Secretary
20 of State receives the notice described in subdivision (i), whichever
21 occurs first, and, as of January 1, 2019, is repealed, unless a later
22 enacted statute, that becomes operative on or before January 1,
23 2019, deletes or extends the dates on which it becomes inoperative
24 and is repealed.

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CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL**No. 194****Introduced by Assembly Member Frazier**

January 28, 2015

An act to amend Section 149.7 of, and to add Section 149.2 to, the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 194, as introduced, Frazier. High-occupancy toll lanes.

Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law authorizes the department to construct exclusive or preferential lanes for buses only or for buses and other high-occupancy vehicles.

Existing law authorizes a regional transportation agency, as defined, in cooperation with the department to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value-pricing program and exclusive or preferential lane facilities for public transit, consistent with established standards, requirements, and limitations that apply to specified facilities. Existing law limits the number of approved facilities to not more than 4, 2 in northern California and 2 in southern California, and provides that no applications may be approved on or after January 1, 2012.

This bill would delete the requirement that the above-described facilities be consistent with the established standards, requirements, and limitations that apply to specified facilities and would instead require the commission to establish guidelines for the development and operation of the facilities approved by the commission on or after January 1, 2016, subject to specified minimum requirements. The bill

would provide that these provisions do not authorize the conversion of any existing nontoll or nonuser-fee lanes into tolled or user-fee lanes, except that a high-occupancy vehicle lane may be converted into a high-occupancy toll lane pursuant to its provisions. The bill would authorize a regional transportation agency to issue bonds, refunding bonds, or bond anticipation notes backed by revenues generated from the facilities. The bill would additionally authorize the Santa Clara Valley Transportation Authority to apply to the commission for purposes of the above-described provisions. The bill would remove the limitations on the number of approved facilities and would delete the January 1, 2012, deadline for HOT lane applications. The bill would provide that each application is subject to the review and approval of the commission and would require a regional transportation agency that applies to the commission to reimburse the commission for all of the commission's cost and expense incurred in processing the application. Before submitting an application to the commission, the bill would require a regional transportation agency to consult with a local transportation authority whose jurisdiction includes the facility that the regional transportation agency proposes to develop and operate pursuant to the above-described provisions.

This bill would additionally authorize the department to apply to the commission to develop and operate HOT lanes and associated facilities pursuant to similar provisions.

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

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

1 SECTION 1. Section 149.2 is added to the Streets and
2 Highways Code, to read:
3 149.2. (a) The department may apply to the commission to
4 develop and operate high-occupancy toll lanes, including the
5 administration and operation of a value pricing program and
6 exclusive or preferential lane facilities for public transit.
7 (b) Each application for the development and operation of the
8 facilities described in subdivision (a) shall be subject to review
9 and approval by the commission pursuant to eligibility criteria
10 established by the commission. For each eligible application, the
11 commission shall conduct at least one public hearing in northern
12 California and one in southern California.

1 (c) The commission shall establish guidelines for the
2 development and operation of facilities described in subdivision
3 (a) and approved by the commission pursuant to this section,
4 subject to the following minimum requirements:

5 (1) The department shall develop and operate the facilities in
6 cooperation with regional transportation agencies, as applicable,
7 and with the active participation of the Department of the California
8 Highway Patrol.

9 (2) The department shall be responsible for establishing,
10 collecting, and administering tolls.

11 (3) The department shall be responsible for paying for the
12 maintenance of the facilities from net toll revenue.

13 (4) The revenue generated from the operation of the facilities
14 shall be available to the department for the direct expenses related
15 to the maintenance, administration, and operation of the facilities,
16 including toll collection and enforcement.

17 (5) All remaining revenue generated by the facilities shall be
18 used in the corridor from which the revenue was generated pursuant
19 to an expenditure plan developed by the department and approved
20 by the commission.

21 (6) This section shall not prevent any regional transportation
22 agency or local agency from constructing facilities that compete
23 with the facilities approved by the commission and the department
24 shall not be entitled to compensation for the adverse effects on toll
25 revenue due to those competing facilities.

26 (d) The department shall provide any information or data
27 requested by the commission or the Legislative Analyst relating
28 to a facility that the department develops or operates pursuant to
29 this section. The commission, in cooperation with the Legislative
30 Analyst, shall annually prepare a report on the progress of the
31 development and operation of a facility authorized under this
32 section. The commission may submit this report as a section in its
33 annual report to the Legislature required pursuant to Section 14535
34 of the Government Code.

35 (e) Nothing in this section shall authorize the conversion of any
36 existing nontoll or nonuser-fee lanes into tolled or user-fee lanes,
37 except that a high-occupancy vehicle lane may be converted into
38 a high-occupancy toll lane.

39 SEC. 2. Section 149.7 of the Streets and Highways Code is
40 amended to read:

1 149.7. (a) A regional transportation agency, as defined in
 2 ~~Section 143, subdivision (h)~~, in cooperation with the department,
 3 may apply to the commission to develop and operate
 4 high-occupancy toll lanes, including the administration and
 5 operation of a value pricing program and exclusive or preferential
 6 lane facilities for public transit, consistent with the established
 7 standards, requirements, and limitations that apply to those facilities
 8 in Sections 149, 149.1, 149.3, 149.4, 149.5, and 149.6: *transit*.

9 (b) ~~The commission shall review each~~ *Each* application for the
 10 development and operation of the facilities described in subdivision
 11 ~~(a) according shall be subject to review and approval by the~~
 12 *commission pursuant to* eligibility criteria established by the
 13 commission. For each eligible application, the commission shall
 14 conduct at least one public hearing in northern California and one
 15 in southern California.

16 (c) *A regional transportation agency that applies to the*
 17 *commission to develop and operate facilities described in*
 18 *subdivision (a) shall reimburse the commission for all of the*
 19 *commission's costs and expenses incurred in processing the*
 20 *application.*

21 ~~(e)~~
 22 (d) ~~The number~~ *commission shall establish guidelines for the*
 23 *development and operation of facilities described in subdivision*
 24 *(a) and approved under by the commission on or after January 1,*
 25 *2016, pursuant to this section shall not exceed four, two in northern*
 26 ~~California and two in southern California.~~ *section, subject to the*
 27 *following minimum requirements:*

28 (1) *The regional transportation agency shall develop and*
 29 *operate the facilities in cooperation with the department, and the*
 30 *active participation of the Department of the California Highway*
 31 *Patrol, pursuant to an agreement that addresses all matters related*
 32 *to design, construction, maintenance, and operation of state*
 33 *highway system facilities in connection with the facilities.*

34 (2) *The regional transportation agency shall be responsible for*
 35 *establishing, collecting, and administering tolls.*

36 (3) *The regional transportation agency shall be responsible for*
 37 *paying for the maintenance of the facilities from net toll revenue,*
 38 *pursuant to an agreement between the department and the regional*
 39 *transportation agency.*

1 (4) *The revenue generated from the operation of the facilities*
 2 *shall be available to the regional transportation agency for the*
 3 *direct expenses related to the maintenance, administration, and*
 4 *operation of the facilities, including toll collection and*
 5 *enforcement.*

6 (5) *All remaining revenue generated by the facilities shall be*
 7 *used in the corridor from which the revenue was generated*
 8 *pursuant to an expenditure plan adopted by the regional*
 9 *transportation agency.*

10 (6) *This section shall not prevent the department or any local*
 11 *agency from constructing facilities that compete with the facilities*
 12 *approved by the commission and the regional transportation*
 13 *agency shall not be entitled to compensation for the adverse effects*
 14 *on toll revenue due to those competing facilities.*

15 ~~(d)~~

16 (e) *A regional transportation agency that develops or operates*
 17 *a facility, or facilities, described in subdivision (a) shall provide*
 18 *any information or data requested by the commission or the*
 19 *Legislative Analyst. The commission, in cooperation with the*
 20 *Legislative Analyst, shall annually prepare a report on the progress*
 21 *of the development and operation of a facility authorized under*
 22 *this section. The commission may submit this report as a section*
 23 *in its annual report to the Legislature required pursuant to Section*
 24 *14535 of the Government Code.*

25 (f) (1) *A regional transportation agency may issue bonds,*
 26 *refunding bonds, or bond anticipation notes, at any time, to finance*
 27 *construction of, and construction-related expenditures for, facilities*
 28 *approved pursuant to this section, and construction and*
 29 *construction-related expenditures that are included in the*
 30 *expenditure plan adopted pursuant to paragraph (5) of subdivision*
 31 *(d), payable solely from the revenues generated from the respective*
 32 *facilities.*

33 (2) *Any bond issued pursuant to this subdivision shall contain*
 34 *on its face a statement to the following effect:*

35
 36 *“Neither the full faith and credit nor the taxing power of the*
 37 *State of California is pledged to the payment of principal of, or*
 38 *the interest on, this bond.”*

39

- 1 (g) Before submitting an application pursuant to subdivision
 2 (a), a regional transportation agency shall consult with any local
 3 transportation authority designated pursuant to Division 12.5
 4 (commencing with Section 131000) or Division 19 (commencing
 5 with Section 180000) of the Public Utilities Code whose
 6 jurisdiction includes the facility that the regional transportation
 7 agency proposes to develop and operate.
- 8 (h) Notwithstanding Section 143, for purposes of this section,
 9 "regional transportation agency" means any of the following:
- 10 (1) A transportation planning agency described in Section 29532
 11 or 29532.1 of the Government Code.
- 12 (2) A county transportation commission established under
 13 Section 130050, 130050.1, or 130050.2 of the Public Utilities
 14 Code.
- 15 (3) Any other local or regional transportation entity that is
 16 designated by statute as a regional transportation agency.
- 17 (4) A joint exercise of powers authority established pursuant to
 18 Chapter 5 (commencing with Section 6500) of Division 7 of Title
 19 1 of the Government Code, with the consent of a transportation
 20 planning agency or a county transportation commission for the
 21 jurisdiction in which the transportation project will be developed.
- 22 (5) The Santa Clara Valley Transportation Authority established
 23 pursuant to Part 12 (commencing with Section 100000) of Division
 24 10 of the Public Utilities Code.
- 25 ~~(c) No applications may be approved under~~
- 26 (i) Nothing in this section ~~on~~ shall authorize the conversion of
 27 any existing nontoll or ~~after January 1, 2012:~~ nonuser-fee lanes
 28 into tolled or user-fee lanes, except that a high-occupancy vehicle
 29 lane may be converted into a high-occupancy toll lane.

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Trailer Bill Language – Highway Tolling

SECTION 1. Section 14106 in the Government Code is amended to read:

14106. (a) Any toll revenues generated from a priced managed lane on the state highway system ~~that is administered by a local agency~~ shall be expended only within the respective corridor in which the managed lane is located.

(b) “Priced Managed managed lane” means either of the following:

(1) A high-occupancy toll lane, which is a dedicated lane that is free for vehicles carrying a minimum number of occupants, but which allows vehicles containing less than the minimum number of occupants to use the lane upon payment of a toll.

(2) An express toll lane, which is a dedicated lane that requires all vehicles to pay a toll in order to use the lane, but may provide for vehicles carrying a minimum number of occupants to pay a discounted toll.

(c) “Corridor” has the meaning provided in Section 30905.1 of the Streets and Highways Code.

SECTION 2. Article 5 is added to Chapter 3 of Division 17 of the Streets and Highways Code, to read:

30905. (a) The Legislature finds and declares that:

(1) The development, improvement, expansion, and maintenance of an efficient, safe, and well-maintained system of roads, highways, and other transportation facilities is essential to the economic well-being and high quality of life of the people of this state.

(2) The state’s transportation system has not kept pace with the state’s growing population.

(3) High-occupancy toll lanes, express toll lanes, and toll roads provide an opportunity to more effectively manage the state’s highways in order to increase passenger throughput and to reduce delays for freight shipments and travelers, especially those traveling by carpool, vanpool, and bus.

(b) The Legislature intends for public sources of revenue, including federal funding, to be leveraged to meet growing transportation needs.

(c) The Legislature intends for highway tolling to be employed when it can be demonstrated to optimize the performance of the transportation system, contribute a significant portion of the cost of a project that cannot be funded solely with existing sources, provide additional funding for ongoing maintenance and repairs, or improve travel reliability on a transportation corridor.

(d) The Legislature intends for highway tolling, in all cases, to be fairly and equitably applied in the context of the statewide transportation system and not have significant adverse impacts through the diversion of traffic to other routes that cannot otherwise be reasonably mitigated.

30905.1. Unless the provision or context otherwise requires, these definitions shall govern the construction of this article:

(a) “Toll facility” includes high occupancy toll lanes, express toll lanes, and toll roads.

(b) “High occupancy toll lane” has the meaning provided in Section 14106 of the Government Code.

(c) “Express toll lane” has the meaning provided in Section 14106 of the Government Code.

(d) “Toll road” means a highway for which a toll is charged for its use.

(e) Notwithstanding Section 143, “regional transportation agency” means any of the following:

(1) A transportation planning agency described in Section 29532 or 29532.1 of the Government Code.

(2) A county transportation commission established under Section 130050, 130050.1, or 130050.2 of the Public Utilities Code.

(3) Any other local or regional transportation entity that is designated by statute as a regional transportation agency.

(4) A joint exercise of powers authority established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, with the consent of a transportation planning agency or a county transportation commission for the jurisdiction in which the transportation project will be developed.

(f) "Toll facility operator" means the public entity authorized to collect tolls by the commission pursuant to Section 30905.2.

(g) "Corridor" means the state highway or highways, where tolls could be collected, that serve motorists or freight movement and includes other transportation systems and facilities that affect the travel performance of, reliability of, or access to those highways or provide another mode of transportation on or within the vicinity of those highways.

30905.2. (a) (1) Notwithstanding Sections 149 and 30800, the commission may authorize the department or a regional transportation agency in cooperation with the department to develop and operate toll facilities on the state highway system and establish and collect the tolls on those facilities.

(2) The department may enter into agreements with regional transportation agencies for the purposes of developing, maintaining, repairing, rehabilitating, improving, reconstructing, and operating toll facilities on the state highway system. Any such agreement shall identify the respective obligations and liabilities, including legal liability related to the construction and operation of the toll facility, of the department and the regional transportation agency, and shall, at a minimum, define the initial term, options for extension of the term, assign responsibilities relating to the development, maintenance, repair, improvement, construction, reconstruction and operation of the facility; and the condition of the facility at the end of the term.

(b) A toll facility operator may contract with another entity for the collection of tolls.

(c) A toll facility operator shall enter into an agreement with the California Highway Patrol regarding the enforcement of those toll facilities.

(d) Agreements developed pursuant to this section shall provide for reimbursement of state agencies for all costs incurred in connection with the development, maintenance, repair, rehabilitation, and operation of a toll facility.

(f) A toll facility operator may include discounts and premiums to encourage efficient use of toll facilities and reduction of congestion and emission of greenhouse gases and criteria pollutants.

(g) A toll facility operator may require any vehicle to have an electronic toll collection transponder or other electronic device for enforcement or tolling purposes.

30905.3. (a) Projects proposed pursuant to this article are subject to review and approval by the commission. For each eligible project, the commission shall conduct at least one public hearing before approving the project.

(b) The commission shall develop eligibility criteria for projects to be approved pursuant to this article. These eligibility criteria must include, at a minimum, the following:

(1) The project is contained in the constrained portion of a conforming regional transportation plan prepared pursuant to Section 65080 of the Government Code. For purposes of this section, a regional transportation plan must be consistent with greenhouse gas reduction targets assigned by the State Air Resources Board, pursuant to Division 25.5 (commencing with Section 35800) of the Health and Safety Code.

(2) The project is technically feasible.

(3) The project is financially feasible and the project's initial expenditure plan pursuant to Section 30905.4 fully funds all expenses specified in paragraphs (1) through (3) of subdivision (b) of Section 30905.4.

(4) Performance measures have been developed for the project.

(5) The proposed toll facility operator demonstrates how it has considered social equity, transit and active modes of transportation in the corridor. This section may not be construed to require that toll revenues be used to finance the enhancement of transit or active modes of transportation in the project corridor.

30905.4. The department and the appropriate regional transportation agency shall develop a multiyear expenditure plan for the use of toll revenue within each tolled corridor. This expenditure plan shall cover a period of either ten years or the full term of any and all financing used to construct or repair any portion of the project, whichever is longer. This plan shall be updated annually.

(a) (1) For a toll facility operated by a regional transportation agency, the governing board of the regional transportation agency shall review and adopt the expenditure plan and each update.

(2) For a toll facility operated by the department, the commission shall review and adopt the expenditure plan and each update.

(3) An expenditure plan and each update must be made available for public review and comment for not less than 30 days prior to adoption.

(4) The expenditure plan must include a funding plan for all expenses specified in paragraphs (1) through (3) of subdivision (b).

(b) Toll revenues collected pursuant to this article must be used for:

(1) Where debt is issued to construct or repair any portion of the facility, payment of debt service, and satisfaction of other covenants and obligations related to indebtedness of the toll facility.

(2) Subject to any project financing obligations, direct expenses related to the development, maintenance, administration, repair, rehabilitation, improvement, reconstruction and operation, including collection and enforcement of the toll facility, and reserves for these purposes. These include reimbursements required under any agreements entered into pursuant to Section 30905.2.

(3) Reserves for the purposes specified in paragraphs (1) and (2).

(c) Subject to any project financing obligations, any revenue remaining after fulfilling the obligations specified in subdivision (b) must be used for projects that maintain or improve the safety, operation, or travel reliability of any transportation mode in the corridor in which the tolls were collected, or provide or improve travel options in the corridor in which the tolls were collected.

(d) (1) For any project under this article involving the conversion of an existing high-occupancy vehicle lane to a high-occupancy toll lane, the project must at a minimum result in a net benefit to the system including:

(A) Expanded efficiency of the corridor in terms of travel time reliability, person throughput, or other efficiency benefit.

(B) Payments toward the operations and maintenance of the toll facility.

(C) If excess revenue exists, consideration of payments toward maintenance of the existing roadway.

(2) For any construction of a new toll lane or toll road undertaken by the department, tolls must be sufficient to pay all operations and maintenance costs of the new toll lanes. The department shall demonstrate in its first expenditure plan for the toll facility that tolls are sufficient to pay for all operations and maintenance costs over the first 10 years of the operations, and for the life of the expenditure plan, if it exceeds 10 years.

(3) For any project operated by a regional transportation agency, the toll facility operator, in its annual expenditure plan for the facility, shall demonstrate there are sufficient funds to pay for operations and maintenance costs.

30905.5. The Highway Toll Account is hereby created in the State Transportation Fund for the management of funds received by the department for toll facilities operated by the department and authorized pursuant to this article. Notwithstanding Section 13340 of the Government Code, moneys in the Highway Toll Account designated and necessary for the payment of any debt service associated with the project shall be continuously appropriated without regard to fiscal year to the department for the purposes described in paragraph (1) of subdivision (b) of Section 30905.4. All other moneys deposited in the fund that are derived from premium and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available as specified in Section 30905.4. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds, including premium, if any.

30905.6. Nothing in this article prevents the department or any transportation agency from constructing a facility that competes with a toll facility approved by the commission pursuant to this article, and a toll facility operator is not entitled to compensation for adverse effects on toll revenue due to a competing facility.

30905.7. (a) A regional transportation agency sponsoring a toll facility, the California Infrastructure and Economic Development Bank, or for toll facilities operated by the department, the State Treasurer, may issue bonds, refunding bonds, or bond anticipation notes, at any time, to finance development, construction or reconstruction, expenditures related to construction or reconstruction, or market-required reserves for toll facility projects approved pursuant to this article, and for the development, construction or reconstruction, and related expenditures that are included in the expenditure plan adopted pursuant to Section 30905.5, payable solely from toll revenue and ancillary revenue generated by the respective facilities.

(b) Any bond issued pursuant to this subdivision shall contain on its face a statement to the following effect:

“Neither the full faith and credit nor the taxing power of the State of California is pledged to the payment of principal of, or the interest on, this bond.”

(c) This section 30905.7(c) shall be deemed to provide all necessary state law authority for purposes of Government Code section 63024.5



TO: Ray Wolfe
FROM: Steve Palmer, Dan Neumann, and David Haines
DATE: February 18, 2015
SUBJECT: Update: Status of Environmental Streamlining Provisions in MAP-21

In the months after the enactment of MAP-21, the Department of Transportation (DOT) developed an action plan to implement the full requirements of Subtitle C of MAP-21, regarding the acceleration of project delivery. This memo is an attempt to update the memo we prepared for you in 2013, providing a status report on the implementation by DOT and the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) of the project streamlining provisions in MAP-21. Please feel free to let us know if you need additional information.

Status of MAP-21 Project Expediting Provisions

Section 1301 – Declaration of Policy

Summary: MAP-21 states that it is in the national interest to “accelerate project delivery and reduce costs” and to ensure that transportation project development “is done in an efficient and effective manner, promoting accountability for public investments and encouraging greater private sector involvement ... while enhancing safety and protecting the environment.” Section 1301 also directs DOT to establish a “project delivery initiative.” The initiative is intended to “develop and advance the use of best practices to accelerate project delivery and reduce costs across all modes of transportation and expedite the deployment of technology and innovation.” This section also authorizes DOT to “select eligible projects for applying experimental features to test innovative project delivery techniques.”

Status Update: In December 2012, then-Transportation Secretary LaHood sent a [letter](#) to the White House Council on Environmental Quality (CEQ) outlining the Administration’s intent to “provide demonstrable improvements in the performance of federal infrastructure permitting and review processes, in more timely and efficient decisions.” No additional administrative action is anticipated.

Section 1302 – Early Acquisition of Right of Way

Summary: Under section 1302 land for right-of-way can be acquired prior to the completion of NEPA, provided that it does not have an adverse environmental impact, limit the choice of alternatives, or prevent the lead agency from making impartial decisions. The land cannot be developed prior to the completion of NEPA, and if the land is purchased with federal funds and

is not used for a federal transportation projects, the state will refund FHWA from its apportionments.

This provision was intended to allow federal funds to be used for right-of-way acquisition prior to NEPA completion for the transportation project, provided that certain findings are made by the state with concurrence of DOT, including a finding that the acquisition will not limit the consideration of alternatives in the NEPA process. This authority can only be used for acquisitions that are negotiated “without the threat of condemnation.” It was also intended to also make it easier for states to obtain federal reimbursement for right-of-way acquired with state funds prior to completion of the NEPA process for the project, by requiring concurrence only by DOT (not EPA) that the early acquisition did not affect the NEPA process.

Status: FHWA issued [guidance](#) through a series of questions and answers related to early acquisition in September 2012. FHWA [issued](#) a Notice of Proposed Rulemaking on November 24, 2014. Comments were due by January 23, 2015.

Section 1303 – Letting of Contracts

Summary: Under this section, state DOTs can award a two-phase contract to a construction manager or general contractor for preconstruction and construction services, and this may be done prior to the completion of NEPA. A two-phase contract is one that includes both preconstruction and construction services. This section is analogous to provisions that were in law prior to MAP-21 that authorize States to enter into design-build contracts prior to completion of the NEPA process. Congress directed FHWA to issue regulations to implement section 1303, but did not establish a deadline.

Status: FHWA issued [guidance](#) through a series of questions and answers on construction contract provisions in September 2012. Originally, FHWA had anticipated publishing a Notice of Proposed Rulemaking related this provision in August 2013. To date, no proposed rules have been published.

Section 1304 – Innovative Project Delivery

Summary: For projects funded under the National Highway Performance Program, the Surface Transportation Program, and the Metropolitan Planning Program, the state may choose a 100 percent federal share for projects with activities that speed construction and project delivery. The Secretary must approve activities to qualify and the federal share increase can only equal up to 5 percent of the project cost. The state may only apply this increased share for ten percent of the total funds in the three affected programs.

Status: FHWA issued [guidance](#) through a series of questions and answers on innovative project delivery methods in September 2012. No additional action is expected from FHWA on this provision.

Section 1305 – Modifications to the Environmental Review Process

Summary: Section 1305 amended the Section 6002 environmental review process in several ways:

- Clarifies that requirements established in Section 6002 can be met through programmatic approaches. Directs DOT to issue regulations allowing “the use of programmatic approaches to conduct environmental reviews.”
- Allows DOT to designate a single modal agency to act as the lead for DOT on a project when a project requires approval of two or more modal agencies.
- Clarifies that participating agencies (not just the lead agencies) are bound by these requirements.
- Strengthens the requirement for concurrent compliance with other laws (i.e., laws other than NEPA), and applying this requirement to “each participating agency and cooperating agency”, whereas previously it applied to “Federal agencies”.
- Allows the “project initiation notice” requirement to be met by submitting a draft Notice of Intent to FHWA/FTA for publication in the Federal Register.
- Requires the lead agencies to obtain “concurrence” of all participating agencies in the project schedule, if the schedule is included in a coordination plan adopted under 23 USC 139. Previously, only “consultation” was required. Lead agencies are not required to include a schedule in a coordination plan.

Status: FHWA issued [guidance](#) through a series of questions and answers on efficient environmental reviews for project decision-making in September 2012, which was updated in May 2014. . In April 2014, FHWA and FTA jointly initiated an [online](#) dialogue on programmatic approaches to environmental decision-making. The online dialogue, which ended May 16, 2014, was intended to provide an opportunity for public input into the development of proposed regulations regarding the use of programmatic approaches. FHWA is expected to begin a rulemaking process to amend NEPA regulations, although to date, that has not happened.

Section 1306 – Issue Resolution and Financial Penalties

Summary: Section 1306 also amends the Section 6002 process by changing the methods for resolving interagency disputes and ensuring prompt decisions on permit applications:

- Revising the “issue resolution” process so that disputes can now be elevated not only to agency heads, but also to the Council of Environmental Quality (CEQ) and ultimately the President.
- Automatically imposing financial penalties on permitting agencies for delays in issuing permits or other required approvals. The penalties would be triggered if the permitting agency does not issue its approval within 180 days after (1) the DOT has issued its approval and (2) a complete permit application has been filed. The penalty applies

automatically unless FHWA or FTA certifies that the delay was not the fault of the permitting agency.

Status: On March 28, 2014, FHWA and FTA jointly issued final [guidance](#) regarding implementation of the financial penalties provisions in MAP-21. On December 18, 2014, FHWA issued [guidance](#) for recipients of federal assistance in the preparation of financial plans.

Section 1306 also requires reporting by the President to the transportation committees in Congress, every 120 days after the date of enactment of MAP-21, with regard to the status of two categories of projects: Projects for which a financial plan is required for projects with an estimated cost between \$100 million and \$500 million; and a sample of not less than 5 percent of the projects requiring preparation of an EIS or EA in each State.

Status: An initial [report](#) to Congress was submitted in March 2013. It does not appear that any other reports have been submitted to the Congress. Additional reports are expected, but no further action by FHWA or FTA under section 1306 is anticipated.

Section 1307 – Funding Agreements

Summary: This provision allows a state to enter into a funding agreement with another agency to assist in expediting environmental reviews for a transportation project. The provisions requires the state to “enter into a memorandum of understanding that establishes the projects and priorities to be addressed by the use of the funds.”

Status: FHWA issued [guidance](#) through a series of questions and answers in September 2012, which was updated in May 2014. No further action is expected under this section.

Section 1308 – Statute of Limitations

Summary: The bill shortens the window when legal disputes may be brought against a project from 180 days to 150 days.

Status: FHWA issued [guidance](#) through a series of questions and answers in September 2012, which was updated in May 2014. No further administrative action is expected under this section.

Section 1309 – Acceleration of Completion of Complex Projects

Summary: The bill requires the Secretary to complete complex projects within four years, and includes financial penalties for a failure to meet this deadline.

Status: FHWA issued [guidance](#) through a series of questions and answers in September 2012. No further action is expected under this section.

Section 1310 – Planning-NEPA Linkage

Summary: The bill creates a framework for adopting products of the statewide and metropolitan planning process for use in the NEPA process. This framework is established in a new section of the U.S. Code - 23 USC 168.

Status: FHWA issued [guidance](#) through a series of questions and answers in September 2012. Additional information is available on FHWA’s planning-NEPA linkage [website](#). In June 2014 FHWA and FTA jointly issued notice of proposed [rulemaking](#) on changes to transportation planning in MAP-21. The NPRM acknowledged that Section 1310 of MAP-21 “creates an additional process for integrating planning and the environmental review activities, but also preserves other authorities for integration.” There is no timeframe for a final rule to be issued.

Section 1311 – Programmatic Mitigation Plans

Summary: MAP-21 creates a new 23 USC Section 169. This section allows states and MPOs to develop “programmatic mitigation plans” as part of the statewide or metropolitan transportation planning process. Such a plan “may be developed on a regional, eco system, watershed, or statewide scale” and “may encompass multiple environmental resources within a defined geographic area or may focus on a specific resource, such as aquatic resources, parkland, or wildlife habitat.” The recommendations in a programmatic mitigation plan are not binding. A Federal agency may consider that plan in determining appropriate mitigation for a project when carrying out its responsibilities under NEPA, but is not required to do so.

Status: FHWA issued [guidance](#) through a series of questions and answers in September 2012. On June 2, 2014, FHWA and FTA issued a proposed [rule](#) to implement this section. The rulemaking would clarify that a programmatic mitigation plan can be developed as part of statewide or metropolitan transportation planning. The comment period on the NPRM closed on September 2, 2014. There is no timeframe for a final rule to be issued.

Sections 1312-1313: Assignment of USDOT Responsibilities to States

Summary: Sections 1312 and 1313 of MAP-21 amended the DOT authority to assign certain responsibilities and decision-making authority to a state in the environmental review process for a transportation project.

Status: FHWA issued informal guidance through questions and answers on implementing the changes in MAP-21. Section 1313 also requires DOT to amend the regulations that establish the application requirements for the full-assignment program. On September 16, 2104, the FHWA, FTA, and the Federal Railroad Administration (FRA) jointly issued a final [rule](#). In December 2014, DOT [approved](#) the Texas Department of Transportation (TxDOT) [application](#) for full assignment.

Section 1314 – Applying Categorical Exclusions to Multimodal Projects

Summary: Section 1314 establishes a process for applying categorical exclusions (CEs) to multi-modal projects.

Status: This section did not require a rulemaking. [Guidance](#) was issued by FHWA on February 12, 2014.

Section 1315 – Categorical Exclusions for Emergency Projects

Summary: Section 1315 directs DOT to establish a new CE that covers a project to repair or reconstruct a facility that was damaged in either (1) an emergency declared by the President or (2) an emergency declared by the Governor and concurred in by the Secretary of Transportation. This new CE would only be available if the repaired or reconstructed facility is “in the same location and with the same capacity, dimensions, and design as the original road, highway, or bridge.”

Status: On February 19, 2013, FHWA and FTA issued a final [rule](#) that creates two new CEs - one for highway projects and one for transit projects. The new CEs incorporate, and extend beyond, the CE for emergency projects that had existed prior to MAP-21. The new CEs also are broader than the CE described in Section 1315. No further administrative action is anticipated.

Section 1316 – New Categorical Exclusions for Existing Operational Right-of-Way

Summary: Section 1316 requires DOT to establish a CE for projects that are built entirely within an “existing operational right-of-way.” The term “operational right-of-way” is defined in the statute to mean “all real property interests acquired for the construction, operation, or mitigation of a project ..., including the locations of the roadway, bridges, interchanges, culverts, drainage, clear zone, traffic control signage, landscaping, and any rest areas with direct access to a controlled access highway.” This Section requires DOT to issue a proposed rule implementing

this provision within 150 days after the date of enactment of MAP-21, and to issue a final rule within 180 days after the date of enactment.

Status: On January 13, 2014, FHWA and FTA jointly issued a final [rule](#) under this section. No further administrative action is anticipated.

Section 1317 – New CE for Projects with Limited Federal Assistance

Summary: Section 1317 requires DOT to establish a CE for projects that receive limited federal assistance. This CE would cover either (1) a project that receives less than \$5 million in federal funds or (2) a project with a total estimated cost of not more than \$30 million and federal funding in an amount that comprises less than 15 percent of the total cost. This Section requires DOT to issue regulations implementing this section within 180 days after the date of enactment.

Summary: On January 13, 2014, FHWA and FTA jointly issued a final [rule](#) under this section. No further administrative action is anticipated.

Section 1318 – New, Modified, and Programmatic CEs

Summary: Section 1318 contains several provisions requiring changes to the CE provisions in the FHWA and FTA regulations. The Secretary is directed to consult with transportation and transit agencies at all levels to make recommendations on new activities to be categorically excluded.

Status: On October 6, 2014, DOT issued a final [rule](#) to implement section 1318. On November 12, 2012, after surveying the states, DOT published a final report summarizing the survey results. The final [report](#) entitled “U.S. Department of Transportation National Environmental Policy Act Categorical Exclusion Survey Review,” was issued in November 2012. No further administrative action is anticipated.

Section 1319 – Condensed FEIS and Combined FEIS/ROD

Summary: This provision allows for the use of errata sheets to correct minor errors in the Final Environmental Impact Statement, rather than necessitating the rewriting of the Draft Environmental Impact Statement. It also calls for the consolidation of the Final Environmental Impact Statement and the Record of Decision when possible.

Status: FHWA and FTA completed joint [guidance](#) in January 2013. Final guidance has not yet been issued. In addition, FHWA has stated that it may issue a rulemaking related to this section.

Section 1320: Early Coordination Activities

Summary: Section 1320 encourages agencies to coordinate with one another “at the earliest possible time” and include several specific provisions to encourage this approach:

- Requires DOT and other federal agencies, at the request of a state or local planning agency, to provide technical assistance on early coordination activities.
- States that DOT, at the request of a state or local planning agency, “may” enter into memoranda of agreement with the project sponsor, State, and local governments and other appropriate entities to accomplish early coordination activities.

Status: FHWA issued [guidance](#) through a series of questions and answers in September 2012. No further action is expected under this section.

Section 1321 – Review of Project Delivery Procedure

Summary: Section 1321 requires the Secretary to “review and develop consistent procedures for environmental permitting and procurement requirements” for a project carried out with federal highway or transit funds. It requires USDOT to publish a report documenting the results of this review.

Status: No administrative action to date. MAP-21 did not set a deadline for publishing the report.

Section 1322 – GAO Report on Duplicative Environmental Reviews

Summary: Section 1322 requires the Government Accountability Office (GAO) to conduct a study of the costs involved in “environmental reviews carried out at the federal level that are duplicative of State reviews that provide equivalent environmental protections and opportunities for public involvement.”

Status: GAO issued its [report](#) on November 18, 2014.

Section 1323 – Additional Reports

Summary: Section 1323 requires a series of reports to be submitted to Congress by DOT and GAO.

- Section 1323(a) requires DOT to prepare two reports on the completion times for CEs, EAs, and EISs for projects funded under Title 23. The first is due one year after enactment of MAP-21 and is to compare completion times for NEPA studies initiated before and after calendar year 2005. The second is required to be submitted within five

years after enactment of MAP-21 and must compare completion times for NEPA studies initiated before and after the date of enactment of MAP-21.

- Section 1323(b) requires DOT to prepare a report on “the types and justification for the additional categorical exclusions granted under the authority provided under sections 1316 and 1317” - that is, the CEs for projects in the existing operational right-of-way and for projects with limited federal financial assistance. This report is to be submitted within two years after the date of enactment of MAP-21.
- Section 1323(c) requires the DOT’s Office of Inspector General to assess the reforms carried out in the project delivery subtitle in MAP-21 and submit two reports to Congress. An initial report within two years after the date of enactment, and a final report within four years after the date of enactment.

Status: The DOT Inspector General submitted its [report](#) to Congress on May 22, 2013.

Minute Action

AGENDA ITEM: 25

Date: April 1, 2015

Subject:

Presentation by Gary Madden, San Bernardino County 211, about the Stronger Hearts Helpline launch created by the National Forum for Heart Disease and Stroke Prevention in conjunction with San Bernardino County's existing 2-1-1 help line.

Recommendation:

Receive the information in the presentation and provide direction as appropriate.

Background:

On Thursday, February 19, 2015, The National Forum for Heart Disease & Stroke Prevention launched the **Stronger Hearts™ Helpline**, a new 24/7 free call-center resource for people with heart failure as well as their families. The pilot program is an addition to the existing 2-1-1 information and referral hotline in San Bernardino County which provides a variety of health and community resources to local residents.

Heart-failure rates in San Bernardino County are among the highest in the state, which is why the area was chosen as the Stronger Hearts pilot location. The Stronger Hearts Helpline serves all residents of San Bernardino County but is specifically designed for people with heart failure, their families and/or caregivers and healthcare professionals.

About the National Forum for Heart Disease & Stroke Prevention

The National Forum for Heart Disease and Stroke Prevention builds a collective voice for a heart-healthy and stroke-free society through its collaborative policy and programmatic efforts. Members include more than 80 U.S. and international organizations representing public, private, health care, advocacy, academic, policy, and community sectors. The National Forum is an independent non-profit, 501(c)(3), voluntary health organization.

About 2-1-1 San Bernardino County

2-1-1 is an information and referral service that connects San Bernardino County residents with health and social services resources. It is available 24 hours a day, 7 days a week and is staffed by trained bilingual staff.

Financial Impact:

This item has no direct impact on the SANBAG budget.

Reviewed By:

This item has not received prior policy or technical advisory committee review.

Responsible Staff:

Duane Baker, Director of Management Services

Entity: COG

Board of Directors Agenda Item
April 1, 2015
Page 2

Approved
Board of Directors
Date: April 1, 2015
Witnessed By:

Minute Action

AGENDA ITEM: 26

Date: *April 1, 2015*

Subject:

Property Assessed Clean Energy (PACE) Programs in California

Recommendation:

Receive and file the information.

Background:

In October, 2013 the HERO Program began operation in San Bernardino County. The HERO Program is the name of the regional Property Assessed Clean Energy (PACE) Program here in our County. The HERO Program was selected from a RFP process conducted by SANBAG in 2012. At that time, three firms submitted proposals for SANBAG's consideration. The firms were Ygrene, Figtree and Renovate America (HERO Program) and the Board of Directors selected the HERO Program.

Since October 2013, the HERO Program has assisted 6,795 residential property owners in San Bernardino County and completed over \$121 million in conservation and clean energy improvements.

PACE is not new in California, but it only has very recently become widely available for residential property owners. In the past few months four other firms have been expanding their efforts with residential PACE Programs and have begun to contact your cities. Besides the HERO Program here is a list of the firms providing residential PACE services in Southern California:

California First – This is a program of the California Statewide Communities Development Authority (CSCDA), a joint powers authority co-sponsored by the League of California Cities and the California State Association of Counties.

AllianceNRG - This is also a program of the California Statewide Communities Development Authority (CSCDA), a joint powers authority co-sponsored by the League of California Cities and the California State Association of Counties.

Ygrene – This program is currently available in the Coachella Valley Association of Governments area, the City of Sacramento and the City of Chula Vista.

Figtree – This firm currently provides commercial PACE financing and will be expanding into residential in 2015. Figtree offers their services through the California Enterprise Development Authority which is a joint powers association established by the California Association for Local Economic Development.

Entity: *COG*

Board of Directors Agenda Item

April 1, 2015

Page 2

All of these PACE Programs are structured in similar ways as they are all operating under the same state laws and enabling legislation. The primary differences come in the fees and interest rates charged and in their administration.

The expansion of the number of firms providing PACE Programs creates opportunities for increased competition and lower rates for consumers. This expansion also brings with it increased complexity and possible confusion among agencies and consumers.

SANBAG has a role it can play in this environment. Rather than have each agency individually work with each PACE provider, SANBAG could provide a central clearing house to vet each provider and, where appropriate, provide each agency with the necessary paperwork to add the additional PACE programs to their jurisdiction. Additionally, SANBAG can serve as the central point of contact with the various PACE Program administrators and help troubleshoot any issues. This can help provide competition and save each agency time.

Financial Impact:

This item has no impact on the adopted SANBAG budget.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review.

Responsible Staff:

Duane Baker, Director of Management Services

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 27

Date: *April 1, 2015*

Subject:

Amendment to Project Management Contract with Chad Costello

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Authority:

Approve Amendment No. 3 to Contract No. C10006, a sole source contract, with Mr. Chad Costello for the continuation of Project Management Services, for an additional \$820,000.00 for a revised not-to-exceed amount of \$1,735,000.00, and extend the contract term through August 31, 2018, with an option for a 2-year extension.

Background:

The purpose of this agenda item is to increase the contract value and extend the contract duration for Project Management services provided by Mr. Chad Costello to SANBAG and to add an option for a two year extension. Continued services from Mr. Costello will result in avoidance of a conflict of interest on the management of I-10 Corridor project, provide additional project management assistance, and will accommodate a smooth transition should the Board of Directors award the upcoming Program Project Management contract to a firm other than the incumbent. Mr. Chad Costello began assisting with the Major Projects Program when Fluor, the firm who previously held the Program Management Contract at SANBAG, was unable to recruit the required staff. Mr. Costello entered into a Purchase Order contract with SANBAG. He was assigned to Interstate 10/Tippecanoe Avenue Interchange, Hunts Lane Railroad Grade Separation, and asked to assist in the Alternative Financing contracts. Mr. Costello's knowledge and experience successfully aided in moving these projects forward.

In June 2009, Parsons Transportation Group, Inc. (Parsons) was awarded the Program Management Contract for the Major Projects Program. At that time, Parsons was performing work on several existing environmental and design phase contracts with SANBAG. Staff viewed it as a conflict of interest for Parsons to perform concurrently on both the SANBAG project management oversight and the design and environmental services for a project. As a means for avoiding this conflict for Parsons, the Board of Directors in August of 2009, approved the sole source contract for Mr. Costello, a separate independent consultant, for the project management of the above listed projects at an hourly rate of \$120 for a not-to-exceed amount of \$300,000. Subsequently, this contract was amended twice and a contract chronology is summarized below as follows:

- August 2009: Board of Directors approved C10006 for a not to exceed amount of \$300,000, a billing rate of \$120.00 and a term through August 5, 2011.

Entity: CTA

Board of Directors Agenda Item

April 1, 2015

Page 2

- June 2011: Board of Directors approved a first amendment to contract C10006 to add \$300,000, and extend the term through August 13, 2013, with no increase to the hourly rate.
- June 2013: Board of Directors approved a second amendment to the contract to add \$315,000, extend the term through August 31, 2015, and increase the rate by 5% for a contractual hourly rate of \$126.00.
- April 2015: The Board of Directors will be asked to consider a recommendation to approve Amendment No. 3 to this contract. The amendment allows for an annual rate increase in the rate based on an Economic Cost Index supplied by the Bureau of Labor Statistics, an \$820,000.00 increase to the contract amount, an extension to the contract duration of three years, and to include provisions for a two year extension.

The Board of Directors recently approved an extension to the Parsons' I-10 Corridor Contract through June 30, 2018, so the need to avoid a conflict of interest in having Parsons perform project management oversight and the design and environmental services for the project continues. The approval of this amendment to Mr. Costello's contract would continue to effectively preclude the conflict of interest for Parsons and allow continuity on his current assignments. For this reason staff is recommending to align the contract duration with the Parsons' I-10 Corridor Contract duration and to update the contract to allow reasonable rate escalation, consistent with SANBAG's current contracts.

Mr. Costello's current assignments under this contract include the project management of the Interstate 10 (I-10) Cherry Avenue and I-10 Citrus Avenue Interchanges; both projects have been aggressively managed, successfully delivered for construction, and recently completed and opened to traffic. Mr. Costello will continue to oversee various close-out tasks required for both projects in accordance with the cooperative agreements such as Construction Close-Out Reports, initiating Landscape Maintenance and Planting contracts, Final Right of Way Reporting, As-Built Plans, Maintenance Agreements, Freeway Agreements, and TCIF Fund Reports. In addition, Mr. Costello is managing the I-10 Corridor project which is currently near 70% completion of the Project Approval and Environmental Document milestone. In tandem, he has assisted in the procurement and management of Alternative Financing contracts for both the I-10 and I-15 Corridor Projects and a separate Project Study Report contract for the I-15 Corridor. The Level Two Finance Toll Feasibility Studies have been completed and a workshop for the Board of Directors was held in October 2013, presenting the outcome of these studies. Additionally, the Project Study Report for the I-15 Corridor Project, beginning in March 2012, was successfully managed and completed in September 2014, facilitating the recent start of the I-15 Corridor Preliminary Engineering and Environmental Document.

Other past accomplishments by Mr. Costello include the drafting and management of various Requests for Proposals (RFP) leading to contract procurement. Mr. Costello effectively led the procurement process resulting in SANBAG's first on-call right-of-way services contract. This task proved to be rather intensive because of the broad scope of services involved in the right-of-way phase of project delivery. For this task, Mr. Costello was required to address each facet within the RFPs. The resultant right-of-way services contract provided resource support for various Major Projects and assisted in maintaining delivery schedules.

Board of Directors Agenda Item

April 1, 2015

Page 3

Mr. Costello had foregone escalation and continued to bill SANBAG at the same rate since 2008 through June 2013. For contract amendment No. 2 executed in 2013, staff compared Mr. Costello's hourly billing rate with other consultant project managers. At that time a random sampling of project managers' rates from four companies and five different contracts yielded fully burdened hourly rates ranging from \$164.88 to \$287.44, with an average of \$214.75 per hour. Taking these hourly rates into consideration, and Mr. Costello's success in delivering projects, a 5% increase was negotiated revising his hourly rate from \$120.00 to \$126.00. For this amendment staff recommends aligning the terms of his contract with current approved contracts that contain escalation clauses. Presently, escalation based on the Employment Cost Index supplied by the Bureau of Labor Statistics shows a 1.9% change for the past 12 month period. It is therefore recommended to reasonably increase Mr. Costello's 2013 rate by 1.9% to \$128.40. This is still well below typical hourly rates of project managers, having similar experience, presently under contract.

If Amendment No. 3 is approved, the contract with Mr. Costello will remain in effect until August 31, 2018, at an hourly rate of \$128.40 with annual escalation, for a revised not-to-exceed contract amount of \$1,735,000.00. This budgetary amount and contract duration will allow Mr. Costello to commit full time to SANBAG and to take on additional assignments. Mr. Costello's experience and vast knowledge of project management, delivery methods, Caltrans Local Assistance, Trade Corridor Improvement Fund and Federal Highway Administration funding obligation procedures, and SANBAG experience, has brought further success to delivery within the Major Projects Program. Staff recommends approval of this Amendment No. 3 in order to provide for the continuity in completing his current assignments, taking on new assignments, avoidance of a the conflict of interest with Parsons, and assisting in the transition of the new Program Project Management firm, if necessary.

Financial Impact:

This item has no impact on the current Fiscal Year 2014/2015 budget and will be budgeted in the next Fiscal Year budget.

Reviewed By:

This item was reviewed and recommended for approval (14-0-0) without a quorum of the Board present at the Board of Directors Metro Valley Study Session on March 12, 2015. SANBAG General Counsel and Procurement Manager have reviewed this item and the amendment.

Responsible Staff:

Paula Beauchamp, Project Delivery Manager

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:



CONTRACT SUMMARY SHEET

Contract No. C 10006 Amendment No. 3

By and Between

Chad Costello and San Bernardino Associated Governments/San Bernardino Country Transportation Authority

Contract Description Project Management Services

Board of Director's Meeting Date: 4/4/2015
Overview of BOD Action: Original Contract approved 8/5/2009 for \$300k; Amendment No. 1 approved 6/1/2011 for additional \$300k; Amendment No. 2 approved 6/1/2013 for \$315k.

Is this a Sole-Source procurement? Yes No

CONTRACT OVERVIEW

Original Contract Amount	\$	300,000.00	Original Contingency Amount	\$	0.00
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	915,000.00	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	0.00
Current Amendment Amount	\$	820,000.00	Contingency Amendment	\$	0.00
TOTAL CONTRACT VALUE	\$	1,735,000.00	TOTAL CONTINGENCY VALUE	\$	0.00
TOTAL BUDGET AUTHORITY (contract value + contingency)					\$ 1,735,000.00

gm

Contract Start Date 08/05/2009	Current Contract Expiration Date 8/31/15	Revised Contract Expiration Date 8/31/18
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Has the contract term been amended? No Yes - please explain.
This contract has eliminated the conflict of interests between PTG as a designer and as Program Project Manager for Major Projects.

FINANCIAL INFORMATION

Budget authority for this contract currently exists in Task No. 825,826,850, and will be included in the next FY.
 A Budget Amendment is required.

How are we funding current FY? MSI Valley Fund – Freeway Project and Freeway Interchange

Federal Funds State Funds Local Funds TDA Funds Measure I Funds

Provide Brief Overview of the **Overall** Funding for the duration of the Contract:

MSI Valley Fund – Freeway Project and Freeway Interchange

Payable Receivable

CONTRACT MANAGEMENT INFORMATION

Check all applicable boxes:

Retention? If yes, indicate % _____.
 Disadvantaged Business Enterprise (DBE) Goal _____ %

Paula Beauchamp

Project Manager (Print Name)

Garry Cohoe

Task Manager (Print Name)

Andrea Turveick

Dir. of Fund Admin. & Programming (Print Name)

Jeffery Hill

Contract Administrator (Print Name)

W S / MRSK

Chief Financial Officer (Print Name)

	2/00/15
Signature	Date
	2-25-15
Signature	Date
	2/25/15
Signature	Date
	2/2/15
Signature	Date
	5/9/15
Signature	Date

AMENDMENT NO. 3 TO**CONTRACT NO. C10006****BY AND BETWEEN**

**SAN BERNARDINO ASSOCIATED GOVERNMENTS, ACTING IN ITS CAPACITY AS
THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

AND

CHAD COSTELLO

This AMENDMENT No. 3 to CONTRACT No. C10006 between Chad Costello, sole proprietor (hereafter called CONSULTANT) and the San Bernardino Associated Governments, acting in its capacity as the San Bernardino County Transportation Authority (hereafter called AUTHORITY):

RECITALS

- A. WHEREAS, AUTHORITY, under Contract No. C10006 (“Contract”), has engaged the services of CONSULTANT to provide project management services; and
- B. WHEREAS, the parties hereto desire to amend the Contract to increase the contract amount, to extend the term of the Contract for an additional three years, and add a two year optional extension.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, CONSULTANT and AUTHORITY do hereby agree to amend the Contract as follows:

1. Delete Article 2. “TERM” and replace with the following:
“This Contract will commence on August 5, 2009, and remain in effect until August 31, 2020 or as terminated as thereafter provided.”
2. Delete Article 4. “COMPENSATION”, Subsection A.2. and replace with the following:
“2. CONTRACTOR shall be paid at the rate of \$128.40 for each hour of service under this Contract beginning August 31, 2015, through December 31, 2018. Total compensation under this Contract is limited to a Not-to-Exceed amount of \$1,735,000.00. This payment shall constitute full compensation to CONTRACTOR.”
3. Add Subsection A.3 to Article 4 “COMPENSATION” as follows:
“3. On January 1 of each year commencing in 2016, CONTRACTOR’s hourly rate

of compensation shall adjust by the percentage change in the Bureau of Labor Statistics Employment Cost Index (ECI) Table 5 for total compensation (not seasonally adjusted) for private industry workers, wages and salaries, All workers, or its successor index, from September of the second prior year to September of the prior year. That is, the increase to go into effect on January 1, 2016 will be the increase in the ECI between September 2014 and September 2015, the increase to go into effect on January 1, 2017 will be the increase in the ECI between September 2015 and September 2016, and the increase to go into effect January 1, 2018 will be the increase in the ECI between September 2016 and September 2017.”

- 4. The Contract and Amendments 1 and 2 are incorporated into this Amendment.
- 5. Except as amended by this Amendment No. 3, all other provisions of the Contract shall remain in full force and effect.
- 6. This Amendment No. 3 is effective on the date executed by AUTHORITY.

-----SIGNATURES ON FOLLOWING PAGE-----

Attachment: C10006-03 (1831 : Amendment to Project Management Contract with Chad Costello)

IN WITNESS WHEREOF, the parties have duly executed this Amendment No. 3 below.

CONSULTANT

AUTHORITY

Chad Costello
Consultant

L. Dennis Michael
President, Board of Directors

APPROVED AS TO FORM

Eileen Monaghan Teichert
General Counsel

CONCURRENCE

Jeffery Hill
Procurement Manager

Attachment: C10006-03 (1831 : Amendment to Project Management Contract with Chad Costello)

Minute Action

AGENDA ITEM: 28

Date: April 1, 2015

Subject:

Inland Empire 66ers Cooperation and Indemnity Agreement

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Commission delegate authority to the Metro Valley Study Session to:

A. Authorize the Executive Director or his designee to execute a Cooperation and Indemnity Agreement between San Bernardino Associated Governments and the Inland Empire 66ers with the advice of and in form approved by the General Counsel.

B. Authorize the Executive Director or his designee to execute an administrative amendment to Contract No. C14001 with Shimmick Construction Company, indemnifying Shimmick Construction Company during the fireworks events designated in the agreement between the Inland Empire 66ers and San Bernardino Associated Governments with the advice of and in form approved by the General Counsel.

Background:

A parking lot is to be constructed in downtown San Bernardino as part of the Downtown San Bernardino Passenger Rail Project (DSBPRP) and San Bernardino Transit Center (SBTC). The property on which the parking lot is to be constructed is currently under construction and is located immediately north of the San Manuel Stadium, which is where the Inland Empire 66ers play home games. Approximately ten times each season, the team shoots off fireworks after the game. The location of the launching and fallout area for the fireworks is the property that will eventually become the parking lot discussed above. The property is currently owned by the Successor Agency to the former City of San Bernardino Redevelopment Agency and the team has had a long standing arrangement with the City/RDA for the use of the property for these purposes.

As part of the right-of-way acquisition process for the DSBPRP and SBTC, the subject property was included in the condemnation action and San Bernardino Associated Governments (SANBAG) now has legal possession of the property as well as temporary construction easements through the existing baseball stadium parking lots for the construction of a storm drain.

In April 2014, SANBAG approved contract C14160 Cooperation and Indemnity Agreement between San Bernardino Associated Governments and the Inland Empire 66ers which allowed the 66ers to use the parking lot for the 2014 fireworks show. The original agreement expired at

Entity: CTC

Board of Directors Agenda Item

April 1, 2015

Page 2

the end of the 2014 baseball season and the 66ers have approached SANBAG staff regarding the possibility of continuing to use the site for the 2015 baseball season.

Even though SANBAG already secured possession and temporary construction easements necessary to construct the storm drain and parking lot, in the spirit of cooperation and to mitigate any potential future claims of loss of business due to the construction of the storm drain, SANBAG staff agreed to initiate discussions with the construction contractor and the Inland Empire 66ers regarding the feasibility of extending the use of the site for the 2015 baseball season.

The Inland Empire 66ers have verbally agreed to reimburse SANBAG for the additional cost incurred by the construction contractor in order to accommodate such request; fully indemnify SANBAG against any claims arising from the fireworks; add both SANBAG and its contractors to the insurance policy for the fireworks; and acquire the necessary approvals from the San Bernardino Fire Department for such events. In order for the construction contractor to accommodate such request, SANBAG will need to amend the construction contract to fully indemnify the contractor against any claims arising from the fireworks.

The 66ers baseball season starts in April and the first fireworks show is tentatively scheduled for early April. Delegating the authority to the Metro Valley Study Session Board will allow the Inland Empire 66ers, the contractor and SANBAG to finalize the terms of a new agreement in time for the start of the 2015 baseball season.

Financial Impact:

Inland Empire 66ers will reimburse SANBAG for the financial impact to the construction contract. A not-to-exceed amount will be included in the agreement.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review.

Responsible Staff:

Mitch Alderman, Director of Transit and Rail Programs

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Minute Action

AGENDA ITEM: 29

Date: April 1, 2015

Subject:

BNSF Redlands Subdivision Transfer of Maintenance Agreement

Recommendation:

That the Board, acting in its capacity as the San Bernardino County Transportation Commission delegate authority to the SANBAG Metro Valley Study Session to:

Authorize the Executive Director or his designee to execute an agreement between San Bernardino Associated Governments (SANBAG) and Burlington Northern Santa Fe (BNSF) to transfer maintenance of the Redlands Railroad Subdivision with the advice of and in form approved by the General Counsel.

Background:

For the Downtown San Bernardino Passenger Rail Project (DSBPRP) and Redlands Passenger Rail Project (RPRP), certain track and signal improvements are required on the Redlands Subdivision to complete final configuration and operations. Although the Redlands Subdivision is currently owned by San Bernardino Associated Governments (SANBAG), it currently is maintained by Burlington Northern Santa Fe (BNSF) per the original Purchase and Sale Agreement. BNSF is also the operating railroad and is responsible for all federal inspection and reporting requirements. The transfer of maintenance from BNSF to the Southern California Railroad Authority (SCRRA) has been discussed and it was jointly determined by BNSF, SANBAG, and SCRRA that transfer of maintenance would be more cost effective and would greatly simplify the coordination and maintenance efforts required for the construction of the DSBPRP and the RPRP.

As part of the Maintenance Shift Date per the purchase agreement, SANBAG will assume responsibility for maintenance of all track, signal, structure, and property of the Redlands Subdivision effective as of the date SANBAG, SCRRA and BNSF sign a report of a joint field inspection. Staff is requesting the Board delegate the authority to the SANBAG Metro Valley Study Session in order for staff and BNSF to finalize the details of the maintenance transfer. This transfer will avoid potential construction related claims against SANBAG and City of Redlands associated with the ongoing construction projects along the Redlands Subdivision.

Financial Impact:

A budget amendment is anticipated in order to cover the additional maintenance cost.

Reviewed By:

This item has not received prior policy committee or technical advisory committee review.

Responsible Staff:

Mitch Alderman, Director of Transit and Rail Programs

Entity: CTC

Board of Directors Agenda Item
April 1, 2015
Page 2

Approved
Board of Directors
Date: April 1, 2015
Witnessed By:

Minute Action

AGENDA ITEM: 30

Date: April 1, 2015

Subject:

Transportation Development Act Article 3 Phase 1 Awards

Recommendation:

That the Board of Directors, acting in its capacity as the San Bernardino County Transportation Commission, award Phase 1 Transportation Development Act (TDA) Article 3 funds as local match assistance for Cycle 2 Active Transportation Program (ATP) grant applications in the amount of \$1,894,742 as identified in Attachment A to this item.

Background:

On February 4, 2015 the SANBAG Board authorized the release of the Phase 1 Transportation Development Act (TDA) Article 3 Call for Projects on local match assistance for the Caltrans Active Transportation Program (ATP). Prior to the approval of the Call for Projects by the Board, staff had discussed the Call with the Transportation Technical Advisory Committee (TTAC) on February 2, 2015. The Call for Projects was released on February 12, 2015, and the closing date was set for March 16, 2015. This agenda item is being brought directly to the Board because the designation of matching funds needed to be complete before or shortly after the release of the ATP Call for Projects. The ATP Call for Projects is scheduled for early April so it was not possible to complete the Article 3 evaluation by the March policy committee meeting deadlines.

The TDA provides that 2% of the State's Local Transportation Funds (LTF) be made available to counties and cities for facilities for the exclusive use of bicyclists and pedestrians, known as the TDA Article 3 Program. The SANBAG Board approved a policy that 20% of the Article 3 Program would be made available for projects that improve access to transit stops for pedestrians and persons with disabilities. It was indicated in the February 4, 2015 Board agenda item that an additional 10% would be reserved for maintenance of the bicycle and pedestrian infrastructure for the Phase 2 Article 3 Call for Projects, although this amount could be modified. The remaining 70% is being made available for bicycle and pedestrian projects in this Call for Projects. However, for this funding cycle, the SANBAG Board authorized that this 70% reserved for bicycle and pedestrian infrastructure be used to leverage funds available for the State's ATP Cycle 2 grant applications to maximize San Bernardino County's competitiveness in the statewide selection process. This amount was calculated as \$1,894,742.

Point scores in the ATP could potentially be improved by using Article 3 funding to augment the local match on proposed ATP applications. The strategy is to maximize the amount of statewide ATP funding awarded to San Bernardino County by garnering as many leveraging points as possible out of the five points specified in the ATP evaluation criteria. If this leads to a higher success rate in the statewide competition, it will bring more funds to San Bernardino County in

Entity: CTC

the long run, enabling SANBAG and the jurisdictions to stretch the available funding to construct more projects.

TDA Article 3 Application and Selection Process

An evaluation panel comprised of SANBAG staff (2 members), the Inland Empire Biking Alliance (IEBA) and Riverside County Transportation Commission (RCTC) scored the projects using evaluation criteria similar to that of the State's ATP application. In the Article 3 application, basic project information was requested describing the proposed project, estimated cost, project delivery schedule, and current status. The requested information was evaluated based on how well the project will compete in the State's ATP competitive process.

Part of the instruction in the Call for Projects was that the maximum award for any individual project would be 16% of total project cost and that applicants must provide an additional local match of at least 4% of total project cost, totaling a 20% match for the ATP application. These percentages were set recognizing that the ATP criteria had not yet been finalized and that the upper range of the match percentage being considered by Caltrans at that time was 35% (i.e. the match would need to be at least 35% to garner all five leveraging points in the ATP application). SANBAG and a coalition of Southern California agencies provided comments to Caltrans that the 35% match threshold was too high and that the scale should be set lower, with a 20% match required to earn all five points. Although the guidelines have not yet been finalized, SANBAG staff is optimistic that the match threshold will be reset at the lower 20% level, with the following points earned by match percentage, per communication with Caltrans ATP staff.

1 point:	1% to 4.9% match of total project cost
2 points:	5% to 9.9% of total project cost
3 points:	10% to 14.9% of total project cost
4 points:	15% to 19.9% of total project cost
5 points:	20% or more of total project cost

The California Transportation Commission (CTC) has indicated that the applications for the ATP funds, particularly the statewide portion, will be very competitive. Although San Bernardino County did well in ATP Cycle 1, we expect Cycle 2 to be even more competitive, with projects qualifying or not qualifying based on fractions of points.

Evaluation Results

Twenty-four (24) Bicycle and Pedestrian Facilities project applications from sixteen (16) jurisdictions were submitted for a total funding request of \$6,461,305. Attachment A provides the scoring results in descending order and identifies the top seven projects as recommended for 16% Article 3 local match funding and one partially funded project of \$180,428. The list includes:

- Highland/Redlands Regional Connector Project in Highland
- G Street and San Antonio Bike Corridors in Ontario
- Willow Street Shared Use Paseo Phase 1 in Hesperia (though the traffic signal was viewed by the evaluators as an ineligible expense)
- 6th Street Cycle Track in Rancho Cucamonga

Board of Directors Agenda Item

April 1, 2015

Page 3

- Trona Bikeway Connection and Rehabilitation in San Bernardino County
- Etiwanda Corridor Improvements in Rialto
- Big Bear Blvd. Pedestrian and Bicycle Mobility Project in Big Bear Lake
- Mojave Riverwalk Multi-Use Bicycle Facility in Victorville (partial funding)

The application evaluation team discussed options to award lower match percentages and thereby extend the match allocations to additional projects. However, it was also recognized that the guidance provided in the Call for Projects was to use 20%, assuming this might earn the maximum number of points. Therefore, the SANBAG staff recommendation is to keep the local match assistance level at 20% (16% Article 3 and 4% local), not to reduce the award percentage. This will allow projects to maximize their selection chances, with the idea that projects that are successful for the statewide pool will bring net new revenues to San Bernardino County. Every point will be needed to be competitive at that statewide level.

It should be understood that there is no guarantee how well San Bernardino County's grant applications will fare in the statewide ATP competition. Much more detail will need to be provided by the applicants than was requested for the Phase 1 Article 3 Call for Projects. SANBAG staff will take a proactive role in advising local jurisdictions on ATP applications and will provide draft text needed for applicants to address some of the regional and health-related topics called for in the ATP applications.

It should also be noted that an agency not awarded an Article 3 match is still free to compete in the statewide ATP application process, and is encouraged to do so. A quality project with a complete application could still compete well. In addition, planning projects are eligible in ATP Cycle 2, even though they were not eligible as part of the Article 3 application process.

Financial Impact:

The administration of TDA funds is the responsibility of SANBAG. Expenses associated with this responsibility are included in the adopted budget under Task 0502 – TDA Administration. The funding source is Local Transportation Fund – Administration. The award of \$1,894,742 for Pedestrian and Bicycle Facilities projects is consistent with the amount of Article 3 funds held in Task 0506 – Local Transportation Funds – Pass Through.

Reviewed By:

This item has not had prior policy committee review. This item is scheduled for review by the Transportation Technical Advisory Committee (TTAC) on March 30, 2015.

Responsible Staff:

Steve Smith, Director of Planning

Approved
Board of Directors
Date: April 1, 2015

Witnessed By:

Attachment A: Project Rankings for Phase I TDA Article 3 Local Match Assistance for ATP (03/20/2015)

Agency	Project	Score (50 max)	Total Project Funds	ATP Funds	Total Match	Article 3 Match Request	Local Match	Article 3 Award	Cumulative Article 3 Award
Highland	Highland/Redlands Regional Connector Project	43.75	\$4,391,010	\$3,512,810	\$878,202	\$702,562	\$175,640	\$702,562	\$702,562
Ontario	G Street and San Antonio Bike Corridors	40.50	\$791,672	\$633,338	\$158,334	\$126,668	\$31,667	\$126,668	\$829,229
Hesperia *	Willow Street Shared Use Paseo Phase 1	37.75	\$1,885,400	\$1,200,320	\$377,080	\$301,664	\$75,416	\$240,064	\$1,069,293
Rancho Cucamonga	6th Street Cycle Track	37.75	\$1,341,247	\$1,072,997	\$268,249	\$214,599	\$53,650	\$214,599	\$1,283,893
SB County	Trona Bikeway Connection and Rehabilitation	37.75	\$847,000	\$677,600	\$169,400	\$135,520	\$33,880	\$135,520	\$1,419,413
Rialto **	Etiwanda Corridor Improvements	37.00	\$850,132	\$629,098	\$170,026	\$136,021	\$34,005	\$136,021	\$1,555,434
Big Bear Lake	Big Bear Blvd Pedestrian and Bicycle Mobility Project	37.00	\$993,000	\$794,400	\$198,600	\$158,880	\$39,720	\$158,880	\$1,714,314
Victorville	Mojave Riverwalk Multi-Use Bicycle Facility	36.75	\$4,700,000	\$3,760,000	\$940,000	\$752,000	\$188,000	\$180,428	\$1,894,742
SB County	Santa Ana River Trail Phase IV	36.25	\$5,000,000	\$4,000,000	\$1,000,000	\$800,000	\$200,000		
Fontana	Safe Routes to Schools Project	36.00	\$1,892,000	\$1,513,600	\$378,400	\$302,720	\$75,680		
Hesperia	Bear Valley Road Bicycle Bypass, Phase 2	36.00	\$559,073	\$447,259	\$111,815	\$89,452	\$22,363		
Yucaipa	Yucaipa/Calimesa Comprehensive ATP	36.00	\$764,056	\$611,244	\$152,811	\$122,249	\$30,562		
Fontana	San Sevaine Trail Connectivity	35.75	\$697,732	\$558,185	\$139,546	\$111,637	\$27,909		
Ontario	SR2S for Three Elementary OMSD Schools	35.50	\$793,998	\$635,198	\$158,800	\$127,040	\$31,760		
Redlands	Redlands Boulevard OBT Connector	35.25	\$3,843,125	\$3,074,500	\$768,625	\$614,900	\$153,725		
SB County	Joshua Tree Class II Bike Path	33.50	\$1,318,300	\$1,054,640	\$263,660	\$210,928	\$52,732		
Colton	West Colton Class I Bikelane and Safe Routes to School Project	32.50	\$1,250,955	\$1,000,764	\$250,191	\$200,153	\$50,038		
Chino Hills	Los Serranos SRTS Project #2 (Lugo Ave/Gird Ave/Sierra Vista Dr)	32.25	\$2,472,000	\$1,977,600	\$494,400	\$395,520	\$98,880		
Highland	Palm Avenue/Pacific Street Bicycle/Pedestrian Improvements	31.50	\$1,494,505	\$1,195,604	\$298,901	\$239,121	\$59,780		
Rancho Cucamonga	SRTS Sidewalk and Pedestrian Safety Improvements	31.50	\$674,786	\$539,829	\$134,957	\$107,966	\$26,991		
Chino Hills	Los Serranos SRTS Project #1 (Country Club Dr/Ethel St/Cecelia St)	31.00	\$1,285,000	\$1,028,000	\$257,000	\$205,600	\$51,400		
SB City	sbX BRT Corridor Pedestrian Enhancements	30.75	\$930,664	\$744,531	\$186,133	\$148,906	\$37,227		
Grand Terrace	Michigan Street Safe Routes to School	28.25	\$1,250,000	\$1,000,000	\$250,000	\$200,000	\$50,000		
Loma Linda	Sidewalk Improvements (Rosarita, San Mateo, and Yardley)	18.75	\$357,500	\$286,000	\$71,500	\$57,200	\$14,300		
Total			\$40,383,155	\$31,947,517	\$8,076,631	\$6,461,305	\$1,615,326	\$1,894,742	

* Evaluation panel recommended that the traffic signal (and associated contingency) be removed from the project cost to determine Article 3 match (-\$385,000).
 Local match would need to be increase to obtain full ATP points associated with local match assuming 20% threshold assumption holds.
 ** City of Rialto proposed 10% local match. This was reduced to 4% consistent with Phase 1 guidelines.

Minute Action

AGENDA ITEM: 31

Date: April 1, 2015

Subject:

Fiscal Year 2014/2015 Low Carbon Transit Operations Program - Population Share Apportionment & Allocation

Recommendation:

That the Board, acting as the San Bernardino County Transportation Commission:

A. Approve a Low Carbon Transit Operations Program – Population Share Apportionment for Fiscal Year 2014/2015 of \$679,599 to be apportioned to the Valley and the Mountain/Desert Areas based on the 2014 California Department of Finance Population Data as follows:

- Valley Fiscal Year 2014/2015 Apportionment: \$493,234
- Mountain/Desert Fiscal Year 2014/2015 Apportionment: \$186,365

B. Allocate \$679,599 of Low Carbon Transit Operations Program – Population Share funding to the Downtown San Bernardino Passenger Rail Project for costs associated with operations and credit \$186,378 to the Mountain/Desert Areas for allocation out of future year Valley apportionments.

C. Adopt Resolution No. 14-035 Authorization for the Execution of the Certifications and Assurances for the Low Carbon Transit Operations Program.

Background:

The Low Carbon Transit Operations Program (LCTOP) is a new source of funding to be administered by SANBAG and one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862. The LCTOP was created to provide transit operating and capital assistance to eligible project sponsors in an effort to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. This program is funded by auction proceeds from the California Air Resources Board (CARB) Cap-and-Trade Program where proceeds are deposited into the Greenhouse Gas Reduction Fund (GGRF). The LCTOP has received \$25 million this fiscal year and 5 percent of the annual proceeds deposited in the GGRF will be continuously appropriated annually beginning in Fiscal Year 2015/2016.

For the first year of the LCTOP, CARB and Caltrans have agreed to use a defined list of transit projects that will provide a streamlined way for identifying eligible investments. Four categories of projects have been identified: A) Expand Transit Service; B) Low Carbon Transportation Projects that Support New/Expanded Transit Services; C) Active Transportation Projects that Support New/Expanded Transit Service; and D) Enhancement Projects. Example projects include new or expanded bus or rail service, expanded intermodal transit facilities, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or

Entity: CTC

facilities, with each project required to reduce greenhouse gas emissions. For agencies whose service area includes disadvantaged communities, at least 50 percent of the total moneys received shall be expended on projects that will benefit disadvantaged communities as identified in Section 37911 of the Health and Safety Code.

As with State Transit Assistance (STA) Funds, LCTOP funding is allocated pursuant to California Public Utilities Code (CPUC) Section 99313 and 99314. A County Transportation Commission (CTC), such as SANBAG, that is eligible to receive STA funds per CPUC 99313 is eligible to receive LCTOP funds by formula based on the ratio of the population of the area under the CTC's jurisdiction to the total population of the state. A transit operator that is eligible to receive STA funds per CPUC 99314 is eligible to receive LCTOP funds by formula based on the ratio of the revenue of the transit operator's jurisdiction to the total revenue of all operators in the state. The transit operators receiving LCTOP funds per CPUC Section 99314 work directly with Caltrans to receive their LCTOP funds. In San Bernardino County that includes Morongo Basin Transit Authority, Mountain Area Transit Authority, Victor Valley Transit Authority, Omnitrans, and Southern California Regional Rail Authority.

The State Controller's Office prepared a list of eligible project sponsors and the formulaic share of funds each is to receive for Fiscal Year 2014/2015 in accordance with CPUC Sections 99313 and 99314. SANBAG has been allocated \$679,599 under CPUC Section 99313 and the five San Bernardino County transit operators have been allocated a combined total of \$156,732 under CPUC Section 99314.

As is done for STA funds SANBAG receives per CPUC Section 99313, staff is recommending that LCTOP funds received under the population formula be further apportioned to the Valley and Mountain/Desert based on population as shown in Table 1.

TABLE 1: LCTOP Fiscal Year 2014/2015 Formula Apportionment

			Formula Share¹
Fiscal Year 2014/2015 LCTOP Funds Per CPUC 99313			\$ 679,599
Apportionment Area	Population²	Percentage	Apportionment
Valley	1,513,681	72.58%	\$ 493,234
Mountain/Desert	571,933	27.42%	\$ 186,365
Total	2,085,614	100.00%	\$ 679,599

¹ Formula Share amount determined by the State Controller's Office.

²Population Source: California Department of Finance January 2014.

The Mountain/Desert transit operators have not identified an immediate use for these funds, aside from what they are directly allocated under CPUC Section 99314, as this is a new program with specific requirements and the funds became available well into the fiscal year. As such, staff is recommending \$679,599 be allocated to Downtown San Bernardino Passenger Rail operations. Since this is a new or expanded service, by allocating LCTOP funds at the start of the service, the service will continue to be eligible for future allocations of LCTOP funds at the discretion of the SANBAG Board. Use of these funds for that purpose relieves a like amount of Measure I Metrolink/Passenger Rail Program funds, which can reduce bonding required to

implement the Redlands Passenger Rail Project on the current schedule. However SANBAG is not required to continue to use LCTOP funds for this purpose and can continue to explore eligible uses for these funds in future fiscal years. Project applications for Fiscal Year 2014/2015 LCTOP funding are due to Caltrans on April 15, 2015.

Caltrans requires an executed "Certifications and Assurances" with project applications, which outlines special requirements with which grantees must comply in order to receive the LCTOP funds. A sample is attached. Additionally, Caltrans requires that SANBAG submit an authorizing resolution from its governing board that approves the submission of the Certifications and Assurances, as well as the following actions:

1. Authorizes SANBAG to accept the LCTOP funds.
2. Authorizes SANBAG Executive Director to execute the Certifications and Assurances, future funding agreement(s) and other relevant documents necessary for funding and completing the LCTOP-funded projects.
3. Identifies the LCTOP projects that are not included in the most recent short-range transit plan.

Financial Impact:

This item has no financial impact on the FY 2014/2015 Budget. The use of the Fiscal Year 2014/2015 LCTOP funding will be reflected in the Fiscal Year 2015/2016 budget.

Reviewed By:

Recommendation A was reviewed and unanimously recommended for approval by the Commuter Rail and Transit Committee on March 12, 2015. Recommendations B and C have not received prior policy committee or technical advisory committee review. SANBAG General Counsel has reviewed this item and the draft resolution.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
 Board of Directors
 Date: April 1, 2015

Witnessed By:

Low Carbon Transit Operations Program (LCTOP)

Certifications and Assurances

Project Sponsor: San Bernardino Associated Governments, acting in its capacity as the San Bernardino County Transportation Commission (“SANBAG”).

Effective Date of this Document: _____

The California Department of Transportation (Department) has adopted the following certifications and assurances for the Low Carbon Transit Operations Program. As a condition of the receipt of LCTOP funds, project sponsors (both Project Lead and Contributing Sponsors) must comply with these terms and conditions.

A. General

- (1) The project sponsor agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
- (2) The project sponsor must submit to the Department a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

- (1) The project lead certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The project lead assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
- (2) The project lead certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
- (3) The project lead certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
- (4) The project lead certifies that they will notify the Department of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
- (5) The project lead must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
- (6) Any interest the project lead earns on LCTOP funds must be used only on approved LCTOP projects.

- (7) The project lead must notify the Department of any changes to the approved project with a Corrective Action Plan (CAP).
- (8) Under extraordinary circumstances, a project lead may terminate a project prior to completion. In the event the project lead terminates a project prior to completion, the project lead must (1) contact the Department in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.
- (9) Funds must be encumbered and liquidated within the time allowed.

C. Reporting

- (1) The project lead must submit the following LCTOP reports:
 - a. Semi-Annual Progress Reports by February 15th and August 15th each year.
 - b. A Final Report within six months of project completion.
 - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to the Department within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
- (2) Other Reporting Requirements: The Air Resources Board (ARB) is developing funding guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with ARB's funding guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

D. Cost Principles

- (1) The project lead agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The project lead agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
 - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and
 - b. Those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 49

CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (3) Any project cost for which the project lead has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by the project lead to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the project lead to the State. Should the project lead fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the project lead from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

- (1) The project lead agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the project lead, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the project lead, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the project lead, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the project lead pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the project lead's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the project lead's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the project lead shall furnish copies thereof if requested.
- (3) The project lead, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other

agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

The Department may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at the Department's discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

Dr. Raymond Wolfe, Executive Director
SANBAG

ATTACHMENT I
Board Resolution

RESOLUTION NO. 14-035

**RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION
COMMISSION DESIGNATING ITS AUTHORIZED AGENT AND AUTHORIZING
THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND OTHER
DOCUMENTS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM
(LCTOP)**

WHEREAS, the San Bernardino County Transportation Commission (SANBAG) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, SANBAG wishes to designate the SANBAG Executive Director as its Authorized Agent to act on behalf of SANBAG and to delegate authority to execute these documents and any amendments thereto to the Executive Director; and

WHEREAS, SANBAG is programming \$679,599 of the LCTOP funds for operation of the new Downtown San Bernardino Passenger Rail Project, which is an extension of the Metrolink regional passenger rail service approximately one mile from its current terminus at the existing San Bernardino Metrolink Station to the San Bernardino Transit Center currently under construction.

NOW, THEREFORE, BE IT RESOLVED by the San Bernardino County Transportation Commission (Commission), as follows:

Section 1. The fund recipient, SANBAG, agrees to comply with all conditions and requirements set forth in the Certifications and Assurances document and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

Section 2. The SANBAG Executive Director is designated as SANBAG's Authorized Agent, who is authorized to execute the Certifications and Assurances, all required documents of the LCTOP program, and any Amendments thereto with the California Department of Transportation.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the San Bernardino County Transportation Commission held on April 1, 2015.

L. Dennis Michael
Commission Chairperson

ATTEST:

Clerk of the Commission

Attachment: Resolution No. 14-035 [Revision 1] (1832 : Low Carbon Transit Operations Program Fiscal Year 2014/2015 Funding)

**ADDITIONAL
INFORMATION**

BOARD OF DIRECTORS ATTENDANCE RECORD – 2015

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Robert A. Lovingood Board of Supervisors	X	X	X									
Janice Rutherford Board of Supervisors		X	X									
James Ramos Board of Supervisors	X	X	X									
Curt Hagman Board of Supervisors		X	X									
Josie Gonzales Board of Supervisors	X	X	X									
Rich Kerr City of Adelanto	X	X	X									
Curt Emick Town of Apple Valley	X	X										
Julie McIntyre City of Barstow		X	X									
Bill Jahn City of Big Bear Lake	X	X	X									
Dennis Yates City of Chino	X	X	X									
Ed Graham City of Chino Hills	X	X	X									
Frank Navarro City of Colton	X	X	X									
Michael Tahan City of Fontana	X	X	*									
Darcy McNaboe City of Grand Terrace	X	X	X									
Mike Leonard City of Hesperia	X		X									
Larry McCallon City of Highland	X	X	X									

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

Communication: Attendance (Additional Information)

BOARD OF DIRECTORS ATTENDANCE RECORD – 2015

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rhodes 'Dusty' Rigsby City of Loma Linda	X	X	X									
Paul Eaton City of Montclair	X	X	X									
Edward Paget City of Needles	X	X	X									
Alan Wapner City of Ontario	X	X	X									
L. Dennis Michael City of Rancho Cucamonga	X	X	X									
Jon Harrison City of Redlands	X	X	X									
Deborah Robertson City of Rialto	X	X	X									
R. Carey Davis City of San Bernardino	X	X										
Joel Klink City of Twentynine Palms	X	X	X									
Ray Musser City of Upland		*	X									
Ryan McEachron City of Victorville	X	X	X									
Dick Riddell City of Yucaipa	X	X	X									
George Huntington Town of Yucca Valley	X	X	X									
Basem Muallem Ex-Official Member	David Bricker	X	X									

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.

Communication: Attendance (Additional Information)

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a **Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

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

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

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

AGENCY REPORTS



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

March 10, 2015

Members of the Governing Board:

Chairman
Dr. William A. Burke
Speaker of the Assembly
Appointee

Vice Chairman
Dennis R. Yates
Mayor, Chino
Cities of San Bernardino County

Michael D. Antonovich
Supervisor, Fifth District
County of Los Angeles

Ben Benoit
Mayor, Wildomar
Cities of Riverside County

John J. Benoit
Supervisor, Fourth District
County of Riverside

Joe Buscaino
Councilmember, 15th District
City of Los Angeles Representative

Michael A. Cacciotti
Councilmember, South Pasadena
Cities of Los Angeles County/
Eastern Region

Joseph K. Lyon, Ph.D.
Governor's Appointee

Judith Mitchell
Councilmember, Rolling Hills Estates
Cities of Los Angeles County/
Western Region

Shawn Nelson
Supervisor, Fourth District
County of Orange

Dr. Clark E. Parker, Sr.
Senate Rules Committee Appointee

Miguel A. Pulido
Mayor, Santa Ana
Cities of Orange County

Janice Rutherford
Supervisor, Second District
County of San Bernardino

To: Mayors and Councilmembers

From: **Dennis R. Yates**
Mayor, City of Chino
Vice Chairman, South Coast AQMD Governing Board /
Representative, Cities of San Bernardino County

Below is the agenda item and outcome of the March 6, 2015 SCAQMD Governing Board meeting, and a preview of item(s) for discussion at the April 3, 2015 meeting.

PUBLIC HEARING ITEM AT FEBRUARY 6 BOARD MEETING:

Amend Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities

At the January 2014 Board meeting, staff reported on two studies to address the technical, economic, and physical feasibility of achieving a total facility mass lead emission rate of 0.003 lb/hour from all lead point sources (stack emissions) at large lead acid battery recycling facilities. Based on elevated levels of lead found in surface dust and soil samples collected and analyzed by the Department of Toxic Substances Control, the Board directed staff to amend Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities to lower the lead point source emission rate and other possible revisions to reduce lead exposure to the surrounding communities. SCAQMD staff is proposing to lower the point source emission rate limit, lower ambient lead concentration limits, increase the frequency of lead and arsenic monitoring to daily, and other provisions that will further reduce lead exposure and the accumulation of lead in the soil and surface dust. This action is to adopt the resolution: 1) Certifying the Final Subsequent Environmental Assessment for Proposed Amended Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-acid Battery Recycling Facilities; and 2) Amending Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities.

Vote: 11 Yes; 1 No; 0 Abstain; 1 Absent

Communication: South Coast Air Quality Management District Agency Report (Agency Reports)

Annual RECLAIM Audit Report for 2013 Compliance Year

The annual report on the NOx and SOx RECLAIM program is prepared in accordance with Rule 2015 - Backstop Provisions. The report assesses emission reductions, availability of RECLAIM Trading Credits (RTCs) and their average annual prices, job impacts, compliance issues, and other measures of performance for the twentieth year of this program. In addition, recent trends in trading future year RTCs are analyzed and presented in this report. Further, a list of facilities that did not reconcile their emissions for the 2013 Compliance Year is included with the report.

Vote: 12 Yes; 0 No; 0 Abstain; 1 Absent

PUBLIC HEARING(S) SET FOR APRIL BOARD MEETING:

Approve and Adopt Technology Advancement Office Clean Fuels Program Annual Report and Plan Update and Resolution and Receive and File Revised Membership of Technology Advancement Advisory Group (Continued from March 6, 2015 Board Meeting)

Each year by March 31, the Technology Advancement Office must submit to the California Legislative Analyst an approved Annual Report for the past year and a Plan Update for the current calendar year. Staff has reviewed the Clean Fuels Program with the Clean Fuels Advisory Group, the Technology Advancement Advisory Group and other technical experts. Additionally, the 2015 Clean Fuels Program Draft Plan Update was presented to the Board for review and comment at its December 5, 2014 meeting. This action is to approve and adopt the final Technology Advancement Clean Fuels Program Annual Report for 2014 and 2015 Plan Update as well as the resolution finding that proposed projects do not duplicate any past or present programs and to receive and file the revised membership of the Technology Advancement Advisory Group.

Amend Regulation IX - Standards of Performance for New Stationary Sources and Regulation X - National Emission Standards for Hazardous Air Pollutants

Amendments to Regulations IX and X are periodically made to incorporate new or amended federal performance standards that have been enacted by U.S. EPA for stationary sources. These standards are currently in effect and enforceable by SCAQMD pursuant to the federal Clean Air Act, regardless of whether SCAQMD incorporates them into Regulations IX and X. The Board has historically adopted NSPS (40 CFR 60) and NESHAPS (40 CFR 61) into Regulations IX and X, by reference, thus providing stationary sources with a single source of information for determining which federal and local requirements apply to their specific operations. The NSPS and NESHAPS actions by U.S. EPA, primarily from July 1, 2011 to December 31, 2014, are proposed for incorporation into Regulations IX and X, respectively, including new performance standards for certain oil and gas operations not covered by previous EPA regulation. The actions also include amendments to previous provisions of twelve NSPS standards and two NESHAPS standards. This action is to adopt the resolution: 1) Determining that the proposed amendments to Regulations IX and X are exempt from the California Environmental Quality Act; and 2) Amending Proposed Regulation IX – Standards of Performances for New Stationary Sources and Regulation X – National Emission Standards for Hazardous Air Pollutants.

COMMITTEE MEMBERSHIP

APPOINTING/ELECTING AUTHORITY		REGIONAL COUNCIL (12:00 noon)	POLICY COMMITTEES (Regional Council Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TC) (10:00 a.m.)		
			Community, Economic, and Human Development	Energy and Environment	Transportation
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa)		F. Navarro	L. McCallon	D. Robertson	F. Navarro
District 7 (San Bernardino, Highland)		L. McCallon			
District 8 (Rialto, Fontana)		D. Robertson			
District 9 (Rancho Cucamonga, Upland, Montclair)		P. Eaton			P. Eaton
District 10 (Chino, Chino Hills, Ontario)		R. Marquez		R. Marquez	
District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley)		B. Jahn	B. Jahn		
District 65 (Adelanto, Apple Valley, Hesperia, Victorville)		R. McEachron			R. McEachron
San Bernardino County		G. Ovit			G. Ovit
†SANBAG Acting as County Transportation Commission		A. Wapner			A. Wapner
SANBAG Subregional Appointees*			Julie McIntyre	Diane Williams	B. Stanton
*One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SANBAG has a total of seven subregional appointees to the policy committees.			Ray Musser	Eric Schmidt	
			Ed Paget	Ed Graham	

Rules of Appointment

1. SANBAG policy stipulates that all SANBAG appointees be SANBAG Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment are two years, commencing on adjournment of the annual General Assembly in May of each year. Even-numbered District representatives' terms expire in even-numbered years; odd-numbered District representatives expire in odd-numbered years. †SANBAG's Regional Council Representative serves a two-year term from the date of appointment.

Stipend Summary

SCAG Regional Council members receive a \$120 stipend for attendance and travel to SCAG sponsored meetings. Regional Council members may also receive reimbursement for public transit expenses or a mileage reimbursement. Parking is validated at SCAG's downtown Los Angeles office for RC members. RC members are eligible to receive up to six (6) per diem stipends per month. Both RC members and Subregional Appointees, if eligible, may receive reimbursement (\$150 + taxes) for lodging (please review SCAG rules before making expenditure). Subregional Appointees shall receive a \$120 stipend for up to four Policy or Task Force meetings per month.

Meeting Information

The regular meetings of SCAG Regional Council and Policy Committees are on the 1st Thursday of each month at the SCAG offices located at 818 West 7th Street, 12th Floor in Los Angeles. Generally, the Policy Committee meetings start at 10 AM and Regional Council meetings start at 12:15 PM.

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservative proposals and administrative guidelines affecting environmental quality, resource conservation.

Planning Committee on state and federal legislative proposals Reviews the Environmental Impact Report of the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

Transportation and Communications: Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>General Policy Committee Membership consists of the following: SANBAG President, Vice President, and Immediate Past President 4 East Valley (3 City, 1 County) 4 West Valley (3 City, 1 County) 4 Mt/Desert (3 City, 1 County) City members shall be SANBAG Board Members elected by caucus of city SANBAG Board Members within the subarea. All Policy Committee and Board Study Session Chairs are included in this policy committee. All City members serving as Board officers, Committee chairs, or Board Study Session Chair, are counted toward their subareas City membership. Supervisors collectively select their representatives. The SANBAG Vice President shall serve as Chair of the General Policy Committee.</p>	<p>Makes recommendations to Board of Directors and: (1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity; (2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization; (3) Serves as policy review committee for any program area that lacks active policy committee oversight. Committee has authority to approve contracts in excess of \$25,000 with notification to the Board of Directors.</p>	<p>Ryan McEachron, Victorville, Vice President (Chair) L. Dennis Michael, Rancho Cucamonga, President (Vice Chair) Bill Jahn, Big Bear Lake, Past President <u>West Valley</u> L. Dennis Michael, Rancho Cucamonga Paul Eaton, Montclair (Chair – CRTC) Michael Tahan, Fontana (Chair – MVSS) Janice Rutherford, Supervisor <u>East Valley</u> Larry McCallon, Highland Dick Riddell, Yucaipa Rhodes “Dusty” Rigsby, Loma Linda James Ramos, Supervisor <u>Mountain/Desert</u> Bill Jahn, Big Bear Lake Joel Klink, Twentynine Palms Robert Lovingood, Supervisor Ryan McEachron, Victorville, Vice President (Chair - MDC)</p>	<p>6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015 6/30/2015</p>
<p>Commuter Rail & Transit Committee Membership consists of 11 SANBAG Board Members: 9 Valley-members, two being Southern California Regional Rail Authority (SCRRA) primary (*) and two being SCRRA alternate (**) members. 2 Mountain/Desert Board Members who serve on the Board of a Mountain/Desert transit agency. SCRRA members and alternates serve concurrent with their term on the SCRRA Board of Directors as appointed by the SANBAG Board. Other members are appointed by the SANBAG President for 2-year terms.</p>	<p>Provides policy guidance and recommendations to the SANBAG Board of Directors and Southern California Regional Rail Authority (SCRRA) delegates with respect to commuter rail and transit service. * SCRRA Primary Member ** SCRRA Alternate Member</p>	<p>Paul Eaton, Montclair* (Chair) James Ramos, Supervisor**(Vice Chair) Jon Harrison, Redlands Bill Jahn, Big Bear Lake Mike Leonard, Hesperia Larry McCallon, Highland* L. Dennis Michael, Rancho Cucamonga Deborah Robertson, Rialto Ray Musser, Upland Dick Riddell, Yucaipa Alan Wapner, Ontario**</p>	<p>Indeterminate (6/30/2015) Indeterminate (6/30/2015) 12/31/2016 12/31/2015 12/31/2015 Indeterminate 12/31/2015 12/31/2016 12/31/2015 12/31/2016 Indeterminate</p>

Communication: SANBAG Committee Memberships (Committee Membership)

SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
Mountain/Desert Committee Membership consists of 12 SANBAG Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First, Second, and Third Districts.	Provides ongoing policy level oversight related to the full array of SANBAG responsibilities as they pertain specifically to the Mountain/Desert subregion. The Committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for Measure I Mountain/Desert Expenditure Plan.	Ryan McEachron, Victorville (Chair) Robert Lovingood, Supervisor (Vice Chair) Curt Emick, Apple Valley George Huntington, Yucca Valley Bill Jahn, Big Bear Lake Rich Kerr, Adelanto Joel Klink, Twentynine Palms Mike Leonard, Hesperia Julie McIntyre, Barstow Edward Paget, Needles James Ramos, Supervisor Janice Rutherford, Supervisor	Indeterminate (6/30/2015) Indeterminate (6/30/2015) Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate

Policy Committee Meeting Times

General Policy Committee	Second Wednesday, 9:00 a.m., SANBAG Office
Commuter Rail & Transit Committee	Third Thursday, 9:00 a.m., SANBAG Office
Mountain/Desert Committee	Third Friday, 9:30 a.m., Apple Valley

NOTE: Policy Committee meetings will not be held in July of each year (effective 9/5/12).

Board of Directors Study Sessions for Metro Valley Issues

STUDY SESSION	PURPOSE	MEMBERSHIP	TERMS
Board of Directors Study Sessions for Metro Valley Issues Refer to SANBAG Policy 10007.	To review, discuss, and make recommendations for actions to be taken at regular meetings of the Board on issues relating to Measure I Projects in the Valley.	Board of Directors Michael Tahan, Fontana (Chair) Ray Musser, Upland (Vice Chair)	6/30/2015 6/30/2015

Meeting Time: Second Thursday, 10:00 a.m., SANBAG Office

Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
Independent Taxpayer Oversight Committee (ITOC) Review of Measure I Expenditure Plan The ITOC shall provide citizen review to ensure that all Measure I funds are spent by the San Bernardino County Transportation Authority (hereby referred to as the Authority) in accordance with provision of the Expenditure Plan and Ordinance No. 04-01.	The ITOC shall review the annual audits of the Authority; report findings based on the audits to the Authority; and recommend any additional audits for consideration which the ITOC believes may improve the financial operation and integrity of program implementation. The Authority shall hold a publicly noticed meeting, which may or may not be included on the agenda of a regularly scheduled Board meeting, with the participation of the ITOC to consider the findings and recommendations of the audits.	Richard Haller Rod Johnson Norman Orfall Craig Scott Larry Sharp Ray Wolfe, Ex-Officio In addition to the appointed members, the SANBAG Executive Director will serve as an ex officio member.	12/31/16 12/31/16 12/31/18 12/31/18 12/31/18

SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p>Audit Subcommittee of the General Policy Committee In November 2008, the Board approved the creation of an Audit Subcommittee of the General Policy Committee to strengthen the financial oversight function of the Board. Additional SANBAG Board Members may be appointed annually at the discretion of the Board President.</p>	<p>The responsibilities of the Audit Subcommittee shall be to:</p> <ul style="list-style-type: none"> • Provide a direct contact between the independent auditor and the Board of Directors before, during and after the annual audit. • Work with the auditor and SANBAG staff on reviewing and implementing practices and controls identified in the annual audit. 	<p>Audit Subcommittee (for FY 2013/2014 Audit) - SANBAG President – L. Dennis Michael, Rancho Cucamonga - Vice President – Ryan McEachron, Victorville - Immediate Past President – Bill Jahn, Big Bear Lake - Presidential Appointment – Walt Stanckiewicz, Grand Terrace</p>
<p>Ad Hoc Committee on Litigation with San Bernardino County Flood Control District In January 2007, the SANBAG President was authorized to appoint an ad hoc review committee of SANBAG Board Members who do not represent local jurisdictions party to the San Bernardino County Flood Control District vs. SANBAG litigation relative to the Colonies Development. In April 2008, the role of this committee was expanded to include the Cactus Basin litigation.</p>	<p>Review and provide guidance on litigation with San Bernardino County Flood Control District regarding the Colonies Development and the Cactus Basin in Rialto.</p>	<p>Larry McCallon, Highland Dick Riddell, Yucaipa</p>
<p>Budget Process In July 2012, the SANBAG Board President appointed this ad hoc committee to review SANBAG’s budget preparation process and final budget document and make recommendations to help improve communication and transparency of SANBAG’s budget to elected officials and the general public.</p>	<p>Review SANBAG’s budget adoption process and final budget document and make recommendations on changes to improve the process and the final budget document to make them more useful and informative to Board Members and the public.</p>	<p>Ray Musser, Upland – Chair Mike Podegracz, P.E. – City Manager, City of Hesperia Sam Racadio – Council Member, City of Highland Kevin Ryan - Principal Transportation Planner, City of Fontana</p>
<p>I-10 and I-15 Corridor Joint Sub-Committee In January 2015, the Board approved the change status of Express Lanes Ad Hoc Committee to the creation of the I-10 and I-15 Corridor Joint Sub-Committee of the Board of Directors Metro Valley Study Session and the Mountain/Desert Policy Committee (I-10 and I-15 Joint Sub-Committee). Members of the committee will be members of the SANBAG Board of Directors and will be appointed by the SANBAG Board President. The President will appoint the Chair and Vice-Chair of the Sub-Committee. The Sub-Committee will include a minimum of nine and a maximum of fourteen SANBAG Board members. Membership will be composed of a minimum of three representatives from the East Valley; and a minimum of two representatives from the Victor Valley. The Sub-Committee will meet as necessary immediately following the Metro Valley Study Session.</p>	<p>The purpose is to consider and make recommendations to the Board of Directors on the development of express lanes in San Bernardino County, in particular on the I-10 and I-15 Corridors.</p>	<p>Alan Wapner, Ontario – Chair Ryan McEachron, Victorville – Vice Chair Josie Gonzales, Supervisor Mike Leonard, Hesperia Robert Lovingood, Supervisor Larry McCallon, Highland L. Dennis Michael, Rancho Cucamonga Frank Navarro, Colton Dusty Rigsby, Loma Linda Deborah Robertson, Rialto Janice Rutherford, Supervisor Michael Tahan, Fontana</p>

Communication: SANBAG Committee Memberships (Committee Memberships)

SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p>Legislative In March 2013, the SANBAG Board President appointed this ad hoc committee. This committee will consist of the SANBAG Board Officers.</p>	<p>Review proposed legislation at the state and federal level. Provide direction to staff on positions consistent with the Board-adopted legislative platform.</p>	<p>President – L. Dennis Michael, Rancho Cucamonga Vice President – Ryan McEachron, Victorville Immediate Past President – Bill Jahn, City of Big Bear Lake</p>
<p>Transit Review Ad Hoc Committee In July 2013, the SANBAG Board President appointed this ad hoc committee.</p>	<p>Review transit agency efficiencies and maximize transit funding.</p>	<p>Janice Rutherford, Supervisor – Chair Jim Harris, Twentynine Palms Robert Lovingood, Supervisor Ryan McEachron, Victorville L. Dennis Michael, Rancho Cucamonga Dusty Rigsby, Loma Linda Alan Wapner, Ontario</p>

Communication: SANBAG Committee Memberships (Committee Memberships)

SANBAG Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<p>Transportation Technical Advisory Committee (TTAC) Committee membership consists of a primary staff representative of each SANBAG member agency designated by the City Manager or County Administrative Officer.</p>	<p>SANBAG’s Transportation Technical Advisory Committee was formed by SANBAG management to provide input to SANBAG staff on technical transportation-related matters and formulation of transportation-related policy recommendations to the SANBAG Board of Directors. The TTAC is not a Brown Act committee.</p>	<p>Generally meets on the first Monday of each month at 1:30 PM, at SANBAG.</p>
<p>City/County Manager’s Technical Advisory Committee (CCM TAC) The committee is made up of up to two representatives of the County Administrator’s Office and the city manager or administrator from each city and town in the County.</p>	<p>SANBAG’s City/County Manager’s Technical Advisory Committee was established in the Joint Powers Authority that established SANBAG. The primary role of the committee is to provide a forum for the chief executives of SANBAG’s member agencies to become informed about and discuss issues facing SANBAG. It also provides a forum for the discussion of items of mutual concern and a way to cooperate regionally in addressing those concerns. The CCM TAC is a Brown Act Committee.</p>	<p>Meets on the first Thursday of each month at 10:00 AM, at SANBAG.</p>
<p>Public and Specialized Transportation Advisory and Coordinating Council (PASTACC) Membership consists of 13 members appointed by the SANBAG Board of Directors 6 representing Public Transit Providers 1 representing County Dept. of Public Works 1 representing the Consolidated Transportation Services Agency 5 representing Social Service Providers</p>	<p>Subject to the Transportation Development Act (TDA) Section 99238 – establishes PASTACC’s statutory responsibilities: (1) Review and make recommendations to SANBAG on annual Unmet Transit Needs, Federal Transit Administration and Measure I Program applications and reports. (2) Assist SANBAG in developing public outreach approach on updating the Coordinated Public Transit/Human Services Transportation Plan and disseminate information in reference to State law and recommendations as they relate to transit and specialized transit. (3) Monitor and make recommendations on Federal regulatory processes as they relate to transit and specialized transit. (4) Address any special issues of PASTACC voting and non-voting members. The PASTACC is a Brown Act committee.</p>	<p>Meets the second Tuesday every other even month at 10:00 AM, at SANBAG.</p>
<p>Planning and Development Technical Forum (PDTF) Committee membership consists of a primary staff representative of each SANBAG member agency designated by the City Manager or County Chief Executive Officer.</p>	<p>The SANBAG Planning and Development Technical Forum was formed by SANBAG management to provide an opportunity for interaction among planning and development representatives of member agencies on planning issues of multijurisdictional importance. The PDTF is not a Brown Act Committee.</p>	<p>Meets the 4th Wednesday of each month at 2:00 p.m. at the Depot (in the SCAG Office).</p>

Communication: SANBAG Committee Memberships (Committee Membership)

SANBAG Technical Advisory Committees

COMMITTEE	PURPOSE	MEETING SCHEDULE
<p>Project Development Teams</p>	<p>Project Development Teams (PDTs) are assembled for all major project development activities by SANBAG staff.</p> <p>Teams are generally composed of technical representatives from SANBAG, member jurisdictions appropriate to the project, Caltrans, and other major stakeholder entities that have significant involvement in the project.</p> <p>PDTs make recommendations related to approaches to project development, evaluation of alternatives, and technical solutions.</p> <p>PDTs meet on a regular basis throughout the project phase to review progress and to provide technical input required for project development.</p> <p>The PDTs are not Brown Act Committees.</p>	<p>Varies with the PDT, at SANBAG.</p>

Communication: SANBAG Committee Memberships (Committee Membership)

San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996