

## AGENDA

### General Policy Committee Meeting

**August 14, 2013**

**9:00 a.m.**

**Location**

**SANBAG**

*Super Chief Conference Room*

1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor

San Bernardino, CA

### *General Policy Committee Membership*

**Chair – SANBAG Vice President**

Mayor L. Dennis Michael  
City of Rancho Cucamonga

**SANBAG President**

Council Member Bill Jahn  
City of Big Bear Lake

**SANBAG Past President**

Supervisor Janice Rutherford  
County of San Bernardino

**Mt./Desert Representatives**

Mayor Edward Paget (*Chair-MDC*)  
City of Needles

Council Member Jim Harris  
City of Twentynine Palms

Supervisor Robert Lovingood  
County of San Bernardino

**East Valley Representatives**

Mayor Patrick Morris (*Chair-CRTC*)  
City of San Bernardino

Council Member Dick Riddell (*Chair-MVSS*)  
City of Yucaipa

Mayor Larry McCallon  
City of Highland

Supervisor James Ramos  
County of San Bernardino

**West Valley Representatives**

Vice Mayor Ed Graham  
City of Chino Hills

Mayor Dennis Yates  
City of Chino

Supervisor Gary Ovitt  
County of San Bernardino

*Ray Wolfe*  
*Executive Director*

*Eileen Teichert*  
*SANBAG Counsel*

*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.*

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

**AGENDA**

**General Policy Committee Meeting**

**August 14, 2013**

**9:00 a.m.**

**Location:** SANBAG, Super Chief Conference Room, 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino

**CALL TO ORDER 9:00 a.m.**

(Meeting chaired by L. Dennis Michael)

- I. Pledge of Allegiance
- II. Attendance
- III. Announcements
- IV. Agenda Notices/Modifications – Diane Greve

**Notes/Actions**

**1. Possible Conflict of Interest Issues for the General Policy Committee Meeting August 14, 2013 Pg. 9**

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.

**Consent Calendar**

Consent Calendar items shall be adopted by a single vote unless removed by member request.

**Administrative Matters**

**2. Attendance Register Pg. 10**

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

**3. June and July 2013 Procurement Report Pg. 12**

Receive June and July 2013 Procurement Report.  
William Stawarski

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

**Consent Calendar Continued....****Administrative Matters (Cont.)****4. Measure I Revenue Pg. 18**

Receive report on Measure I receipts for Measure I 2010-2040.  
William Stawarski

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

**Discussion Items****Administrative Matters****5. San Bernardino Associated Governments (SANBAG) status of Financial Statement Findings and Questioned Costs from the Fiscal Year 2011/2012 audit. Pg. 20**

Receive SANBAG's status of Financial Statement Findings and Findings with Questioned Costs from the Fiscal Year 2011/2012 audit. William Stawarski

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

**6. California Department of Transportation (Caltrans) resolution to audit findings identified by Caltrans' Final Audit Report issued on August 30, 2012. Pg. 27**

1. Receive Department of Transportation letter dated July 17, 2013 notifying SANBAG of resolution to audit findings identified by Caltrans' Final Audit Report issued on August 30, 2012.

2. Approve Fiscal Year 2012/2013 budget amendment to increase Task 0701, Valley Signal Coordination, in the amount of \$573,428 funded with Measure I (MSI) 1990-TMEE and authorize payment to Caltrans for \$573,428.

**Kathleen Murphy Perez and Hilda Flores**

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

**7. Investment Policy No. 20100 Pg. 34**

That the Committee recommend to the Board no changes be made to the existing Investment Policy No. 20100.  
William Stawarski

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

**Discussion Items Continued ....****Administrative Matters (Cont.)****8. Budget Amendments for Fiscal Year 2013/2014**

Pg. 42

That the Committee recommend the Board approve Fiscal Year 2013/2014 Budget Amendments for the following tasks:

- a. Increase Task No. 0102, Air Quality Activities in the amount of \$622,573, funded by ARRA FED DOE Clean Cities FY 09, for a new task total of \$1,129,934.
- b. Amend Task No. 0311, Transit Capital, to decrease Local Transportation Fund-Rail in the amount of \$250,000, increase State Transit Assistance Fund – Rail in the amount of \$447,000 and increase Prop 1B-Transit System Safety Fund in the amount of \$500,000 for a new task total of \$20,962,858.
- c. Amend Task No. 0352, General Commuter Rail, to decrease Local Transportation Fund-Rail in the amount of \$1,600,000, increase State Transit Assistance Fund – Rail in the amount of \$1,100,000, and increase Prop 1B-Transit System Safety Fund in the amount of \$250,000 for a new task total of \$2,810,807.
- d. Amend Task No. 0377, Commuter Rail Operating Expenses, to decrease Local Transportation Fund-Rail in the amount of \$147,300, increase State Transit Assistance Fund – Rail in the amount of \$147,300, and increase Rail Assets Fund in the amount of \$340,000 for a new task total of \$12,968,500.
- e. Amend Task No. 0379, Commuter Rail Capital Expenses, to increase State Transit Assistance Fund – Rail in the amount of \$2,243,924, decrease Federal Transit Administration 5337 Fund in the amount of \$7,500,000, and increase MSI Valley-Metrolink/Rail Service Fund in the amount of \$12,515,000 for a new task total of \$94,817,941.
- f. Increase Task No. 0404, Subregional Transportation Planning in the amount of \$5,000 funded by 1990-TMEE Fund for a new task total of \$1,450,715.
- g. Increase Task No. 0506, Local Transportation Fund in the amount of \$1,997,300 funded by Local Transportation Fund Pass-Thru for a new task total of \$96,855,402.
- h. Decrease Task No. 0507, State Transit Assistance Fund in the amount of \$3,938,224 funded by State Transit Assistance Fund Pass-Thru for a new task total of \$46,710,747.

**Agenda Item 8 - Budget Amendments for FY 2013/2014 (Cont.)**

- i. Amend Task No. 0516, Measure I Mtn./Desert Apportionment and Allocation, to decrease MSI Victor Valley-Major Local Highway Fund in the amount of \$7,947,535, increase MSI Victor Valley-Major Local Highway Bond Fund in the amount of \$7,947,535, increase MSI Colorado River Major Local Highway in the amount of \$141,000, increase MSI Morongo Basin-Major Local Highway in the amount of \$85,000, increase MSI Morongo Basin Traffic Mgmt Sys in the amount of \$8,400 for a new task total of \$10,077,259.
- j. Amend Task No. 0840, Interstate 215 Barton Road Interchange to decrease Surface Transportation Program in the amount of \$17,400,000 and increase Regional Improvement Program in the amount of \$17,400,000 for a new task total of \$24,025,749.
- k. Increase Task No. 0842, Interstate 10 Tippecanoe Avenue Interchange, to increase Corridor Mobility Improvement Account Fund in the amount of \$2,395,273 for a new task total of \$23,319,174.
- l. Increase Task No. 0876, So. Milliken Avenue Grade Separation, funded by MSI Valley Major Street Bond Fund in the amount of \$6,408,045 for a new task total of \$10,904,309.
- m. Increase Task No. 0877, Vineyard Avenue Grade Separation, funded by MSI Valley Major Street Bond Fund in the amount of \$7,035,450 for a net total of \$14,109,543.
- n. Amend Task No. 0892, I-15 Baseline Interchange, to increase Interstate Maintenance Program in the amount of \$958,110, increase Demonstration Priority Program in the amount of \$1,148,860, and increase Local Projects in the amount of \$4,219,630 for a new task total of \$19,169,739.

**William Stawarski**

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

**9. SANBAG Participation with the Inland Empire Economic Partnership (IEEP)**

Pg. 46

That the Committee recommend the Board approve SANBAG's continued participation as a member of IEEP, however, change its membership from the Board of Directors level (\$15,000/year) to the Public Partners level (\$7,500/year).

**Duane Baker**

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

**Discussion Items Continued ....****Administrative Matters (Cont.)****10. Award Bond Counsel and Disclosure Counsel Services Contracts Pg. 48**

1. That the Committee recommend the Board acting in its capacity as the San Bernardino County Transportation Authority award Contract No. C14005 for Bond Counsel Services for a five (5) year contract term with two (2) one-year options to extend to a law firm and in an amount to be disclosed in a supplemental report provided to the Committee after publication of this agenda.
  2. That the Committee recommend the Board acting in its capacity as the San Bernardino County Transportation Authority award Contract No. C14006 for Disclosure Counsel Services for a five (5) year contract term with two (2) one-year options to extend to a law firm in an amount to be disclosed in a supplemental report provided to the Committee after publication of this agenda.
- Eileen Monaghan Teichert**

**This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item as to form.**

**11. Overview of PlanetBids, e-Procurement Pg. 51**

Receive and File a presentation of an overview of the PlanetBids e-Procurement System which is being implemented within the next month. **Jeffery Hill**

**This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have approved this item as to form.**

**Council of Governments****12. Legislative Update Pg. 53**

Receive State and Federal Update. **Wendy Strack**

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

**13. Draft State and Federal Legislative Platforms Pg. 85**

Receive and comment on proposed revisions and approve distribution for stakeholder feedback. **Wendy Strack**

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

**Discussion Items Continued ....****Regional/Subregional Planning****14. Countywide Transportation Plan Update**

Pg. 98

Receive update on Countywide Transportation Plan. Tim Byrne

The information in this item was presented to the Transportation Technical Advisory Committee on August 5, 2013 and will be presented to the Planning and Development Technical Forum on August 28, 2013.

**Air Quality/Traveler Services****15. Amendment No. 2 to Contract No. C12175 with the California Highway Patrol (CHP) adding funds for Devore Interchange Project Construction Freeway Service Patrol (CFSP) services.**

Pg. 103

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

1. Approve Amendment No. 2 to Cooperative Agreement No. C12175 with the CHP to provide additional funds in the amount of \$193,130 for supervision and daily oversight of the Freeway Service Patrol Program over a two-year period for the Devore Interchange Project;

2. Approve Budget Amendment to Task 704, Freeway Service Patrol Program, for fiscal year 13/14 to add Measure I Cajon Pass Bond funds in the amount of \$128,831 for a total budget of \$2,160,506 as specified in the Financial Impact section.

Duane A. Baker

SANBAG General Counsel and Contract Administrator have reviewed this item and draft of the contract amendment.

**Comments from Committee Members**

Brief Comments from Committee Members

**Public Comment**

Brief Comments by the General Public

Adjourn to:

**Closed Session**

**CONFERENCE WITH LABOR NEGOTIATOR RAY WOLFE**

Regarding Unrepresented Employees of SANBAG  
Pursuant to Government Code Section 54957.6

**ADJOURNMENT**

**Additional Information**

Acronym List

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Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## 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. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> 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](http://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 Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item 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. "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**

**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 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 would like to amend his 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 Board/Committee 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*



- 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:** August 14, 2013

**Subject:** Information Relative to Possible Conflict of Interest

**Recommendation\*:** Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

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

Item No.	Contract No.	Contractor/Agents	Subcontractors
10	C14005	Not yet determined	
10	C14006	Not yet determined	

**Financial Impact:** This item has no direct impact on the budget.

**Reviewed By:** This item is prepared monthly for review by the Board of Directors and Policy Committee members.

\*

	<p><i>Approved</i>  <i>General Policy Committee</i></p> <p>Date: _____</p> <p>Moved: _____ Second: _____</p> <p>In Favor: _____ Opposed: _____ Abstained: _____</p> <p>Witnessed: _____</p>
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COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

GPC1308z-dab

**GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2013**

<b>Name</b>	<b>Jan</b>	<b>Feb</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>
<b>Ed Graham</b> City of Chino Hills	X	X	X	X	X		**					
<b>Jim Harris</b> City of Twentynine Palms	X	X	X	X	X	X	**					
<b>Mike Leonard</b> City of Hesperia	X	X	X	X	X	X	**					
<b>Robert Lovingood</b> Board of Supervisors		X	X		X	X	**					
<b>Larry McCallon</b> City of Highland	X		X	X	X	X	**					
<b>Julie McIntyre</b> City of Barstow		X	X	X	X		**					
<b>L. Dennis Michael</b> City of Rancho Cucamonga						X	**					
<b>Patrick Morris</b> City of San Bernardino	X	X	X	X	X	X	**					
<b>Gary Ovitt</b> Board of Supervisors	X	X	X	X	X	X	**					
<b>Dick Riddell</b> City of Yucaipa	X	X	X	X	X	X	**					
<b>Janice Rutherford</b> Board of Supervisors	X	X	X	X	X	X	**					
<b>James Ramos</b> Board of Supervisors	X	X	X	X	X		**					
<b>Dennis Yates</b> City of Chino	X	X	X	X	X	X	**					

X =Member attended meeting.      Empty box = Member did not attend meeting.      Crossed out box = Not a member at the time.      \*\* =The General Policy Committee did not meet this month

**\*\*\*GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2012**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Rick Roelle</b> Town of Apple Valley	X	X	X			X						
<b>Julie McIntyre</b> City of Barstow							X	X		X		
<b>Bill Jahn</b> City of Big Bear Lake		X										
<b>Dennis Yates</b> City of Chino	X		X	X	X							X
<b>Mike Leonard</b> City of Hesperia	X		X	X	X	X	X	X		X	X	X
<b>Larry McCallon</b> City of Highland	X	X	X	X	X	X		X	X		X	X
<b>Rhodes Rigsby</b> City of Loma Linda	X	X	X	X	X	X						
<b>Ed Scott</b> City of Rialto	X	X	X	X	X							
<b>Ed Graham</b> City of Chino Hills	X	X	X	X	X	X	X	X	X	X	X	X
<b>L. Dennis Michael</b> City of Rancho Cucamonga							X	X		X		X
<b>Patrick Morris</b> City of San Bernardino		X	X	X	X	X		X	X	X	X	
<b>Jim Harris</b> City of Twentynine Palms		X	X	X	X	X	X	X	X	X	X	X
<b>Dick Riddell</b> City of Yucaipa		X	X		X	X	X	X		X	X	
<b>Janice Rutherford</b> Board of Supervisors	X		X	X		X		X	X	X	X	X
<b>Josie Gonzales</b> Board of Supervisors	X	X	X	X	X	X						
<b>Brad Mitzelfelt</b> Board of Supervisors	X		X		X			X	X	X	X	
<b>Robert Lovingood</b> Board of Supervisors												X
<b>Gary Ovitt</b> Board of Supervisors	X	X	X	X		X	X	X	X	X	X	
<b>Neil Derry</b> Board of Supervisors	(Self-Suspension as of 5/3/11)	X	X				X	X				
<b>James Ramos</b> Board of Supervisors												X

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

\*\*\*On October 3, 2012 the Board approved changing the name of the Administrative Committee to the General Policy Committee



- 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:** August 14, 2013

**Subject:** June and July 2013 Procurement Report

**Recommendation:\*** Receive June and July 2013 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 May 1, 2013. 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; 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

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*Approved*  
*General Policy Committee*

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

GPC1308c-wws

Attachment:

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308c1-wws.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308c2-wws.docx>

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 month of June and July 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 2012/2013 or Fiscal Year 2013/2014 budget. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy (Policy No. 11000).

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

**Responsible Staff:** William Stawarski, Chief Financial Officer

**Attachment A**  
**June and July Contract/Purchase Order Actions**

**Contracts Executed:**

Contract No.	Description of Specific Services	Vendor Name	Dollar Amount	Description of Overall Program
C13123	Preliminary work for utility relocations	Sprint Communications	\$11,500.00	I-15/I-215 Devore Interchange Project
C13134	Park and ride lot lease	Community Baptist Church	\$5,880.00	Park and ride lot lease
C13135	Park and ride lot lease	Montecity Park Union Church	\$6,120.00	Park and ride lot lease
C13136	Park and ride lot lease	Shepherd of the Hills Lutheran Church	\$15,840.00	Park and ride lot lease
C13137	Park and ride lot lease	Highland Avenue Church	\$21,600.00	Park and ride lot lease
C13138	Park and ride lot lease	St. Paul the Apostle Catholic Church	\$18,480.00	Park and ride lot lease
C13170	Online Agenda Management Software	Carahsoft Technology Corp.	\$25,000.00	Online Agenda Management Software
C14020	Temporary Staffing Services	Material and Contracts	\$100,000.00	Temporary Staffing Services
C13171	Online Vendor Registration Database	PlanetBids	\$100,000.00	Online Vendor Registration Database

## Attachment A

### June and July Contract Amendment Actions

**Contract Amendments Executed:**

Contract No. & Amendment No.	Reason for Amendment (include a description of the amendment)	Vendor Name	Amended Contract Total	Dollar Amount of Amendment
C10164 Amendment No. 3	Exercised the option to extend one year and included language regarding Prevailing wages	CityCom Real Estate	\$168,720.00	\$41,040.00
C12183 Amendment No 2	For actual costs incurred in approving all of the asphalt within the project area	State of California Department of Transportation	\$50,000.00	\$50,000.00
C12198 Amendment No.1	Changed the payment method due to the State Budget changes that recently occurred	State of California Department of Transportation	\$102,500.00	\$0.00
C12226 Amendment No 2	For actual costs incurred in approving all of the asphalt within the project area	State of California Department of Transportation	\$50,000.00	\$50,000.00
C12189 Amendment No. 3	Approve Funding Summary. This results in a cost reduction and a proportional reduction in CMAQ and Measure I funds that SANBAG is contributing to the project construction cost	State of California Department of Transportation	\$36,180,000.00	(\$959,000.00)
C13020 Amendment No. 1	Extended contract in order to complete tasks, no cost increase.	ICF Jones	\$173,628.00	\$0.00
C13021 Amendment No. 1	Extended contract in order to complete tasks, no cost increase.	Atkins North America	\$220,803.35	\$0.00

## Attachment A

### June 1-30, July 1-24 Contract/Purchase Order Actions

**Purchase Orders:**

PO No.	PO Issue Date	Vendor Name	Description of Services	Dollar Amount
4001005	06/19/13	Simon Wong Engineering	Purchase second copy of TransCAD license. TransCAD is the base of SANBAG's SBTAM model that is used for transportation modeling in the county.	\$9,391.25
4001014	07/09/13	Los Angeles County Metropolitan Transportation Authority (LACMTA)	SANBAG's share of regional rideshare marketing and outreach, includes eNewsletter, media luncheon, and rideshare survey.	\$18,817.00
4001018	07/18/13	Southern California Association of Governments	Membership dues for Fiscal Year 2013/2014.	\$25,000.00
<i>*Note: Sole Source justification is noted in the Purpose statement, if applicable.</i>				<b>Total</b>
				<b>\$53,208.25</b>

**Attachment B**  
**June and July 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
06/13/13	C14005	Bond Counsel Services	\$300,000.00	09/04/13	Bond Counsel Services
06/13/13	C14006	Disclosure Counsel Services	\$200,000.00	09/04/13	Disclosure Counsel Services
06/24/13	C14008	Investment Banking	\$800,000.00	09/04/13	Investment Banking for bonds
06/02/13	C13139	Install a small fence to secure a site	\$12,000.00	07/25/13	Minor fencing project along Baseline Road in the City of San Bernardino near the Lytle Creek Wash to prevent illegal dumping and as required to close an environmental permit.
06/28/13	C14004	Install Storm Drain prior to sbX Project being completed	\$392,000.00	08/15/13	First Mile
				<b>Total</b>	<b>\$1,704,000.00</b>



- 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: 4

**Date:** August 14, 2013

**Subject:** Measure I Revenue

**Recommendation:**\* Receive report on Measure I receipts for Measure I 2010-2040.

**Background:** Sales tax revenue collections for Measure I 2010 through 2040 began on April 1, 2010. Cumulative total receipts for Fiscal Year 2012/2013 as of June 30, 2013 were \$138,340,881.

Included is a summary of the current Measure I receipts by quarter and cumulative total since its inception. The quarterly receipts represent sales tax collection from the previous quarter taxable sales. For example, receipts for April through June represent sales tax collections from January through March.

Measure I revenue for the 2012/2013 Fiscal Year budget was estimated to be \$122,000,000. Actual Measure I receipts for Fiscal Year 2012/2013 April through June are \$34,309,171, in comparison to \$33,476,051 received during the quarter ending June 2011/2012, with an increase of 2.49%.

**Financial Impact:** Measure I revenues exceed both the budgeted amount and prior years collections.

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

**Responsible Staff:** William Stawarski, Chief Financial Officer

Approved  
 General Policy Committee

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG		CTC	X	CTA	X	SAFE		CMA	X
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Check all that apply.

## ATTACHMENT A

### Summary of SANBAG Measure I Receipts 2010-2040

Fiscal Year	July- September	October- December	January- March	April- June	Fiscal Year Total	Cumulative Total To Date
<b>Receipts Prior to Fiscal Year 2010/2011</b>						<b>\$7,158,800</b>
<b>Fiscal Year 2010/2011</b>	28,188,907	29,207,950	28,808,766	29,397,456	115,603,079	<b>\$122,761,879</b>
<b>Fiscal Year 2011/2012</b>	31,027,319	33,547,956	32,757,419	33,476,051	130,808,745	<b>\$253,570,624</b>
<b>Fiscal Year 2012/2013</b>	34,279,449	35,076,980	34,675,280	34,309,171	138,340,881	<b>\$391,911,505</b>
% Increase Over 11/12	10.48%	4.56%	5.85%	2.49%		



- 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: 5

**Date:** August 14, 2013

**Subject:** San Bernardino Associated Governments (SANBAG) status of Financial Statement Findings and Questioned Costs from the Fiscal Year 2011/2012 audit

**Recommendation:\*** Receive SANBAG's status of Financial Statement Findings and Findings with Questioned Costs from the Fiscal Year 2011/2012 audit.

**Background:** The audit of the financial statements for Fiscal Year 2011/2012 was conducted by the firm of McGladrey. The financial audit included audit of SANBAG's basic financial statements, single audit compliance report in accordance with Office of Management and Budget (OMB), and a management letter that identifies control deficiencies.

As previously presented, the audit results identified certain control deficiencies and financial statement and compliance findings. The Finance Department has taken immediate corrective action to resolve the audit findings.

**Single Audit**  
 Financial Statement Finding:  
Segregation of Duties

\*

Approved  
 General Policy Committee  
 Date: \_\_\_\_\_  
 Moved: Second:  
 In Favor: Opposed: Abstained:  
 Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

GPC1308f-wws

Attachments:

- <http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308f1-wws.xlsx>
- <http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308f2-wws.xlsx>
- <http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308f3-wws.xlsx>
- <http://portal.sanbag.ca.gov/mgmt/Intranet/ppcontracting/Procedures%20Library/Procedure11015.docx>

The audit showed no standard review process of month-end reconciliations over investments and debt. Finance has implemented a review of month-end reconciliations and procedures for year-end. A list of procedures and month-end closing entries was created to identify the preparer and reviewer performing the task and the date completed (see Attachment A). Also, Finance has implemented reconciliation for all cash and investment accounts to general ledger on a monthly basis (see Attachment B).

### **Findings and Questioned Costs**

Compliance Finding:

#### **Suspension and Debarment**

Compliance finding involves developing procedures to obtain and verify suspension and debarment with vendors. SANBAG has included suspension and debarment verification in the Request for Proposal (RFP) Proposal Responsiveness Review, Form 311 (see Attachment C). A procedure to accompany this form is also attached (see Attachment D).

Management Letter included three control deficiencies:

1. An accounts payable check was not released by June 30<sup>th</sup> since the vendor had arranged to pick it up, but did not on that day. This was an anomalous case and Finance has implemented a procedure to release all checks at year-end.
2. Errors on recording capital assets were identified. Finance reviews capital asset additions and deletions on a quarterly basis to avoid errors at year-end.
3. Quarterly budget to actual reports are not being prepared and presented to the Board of Directors in a timely manner. Finance produces the report after all transactions, including payroll, expenditure reclassifications, and indirect cost allocation have been posted into the EDEN financial system. Finance always strives to provide timely and accurate information to the SANBAG Board. For example, the budget to actual report for period ending March 31, 2013, was presented to the General Policy Committee in early June and Board in July.

Finance is in continuous contact with Tyler Technologies to produce a customized budget to actual report by fund.

***Financial Impact:*** This item has no direct impact on the budget.

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

***Responsible Staff:*** William Stawarski, Chief Financial Officer

ATTACHMENT A

	July 2012	August 2012	September 2012	October 2012	November 2012	December 2012	January 2013	February 2013	March 2013	April 2013	May 2013	June 2013	Responsibility
Reverse accruals/deferrals in new FY	ME 07/31/12	ME 08/31/12	ME 09/30/12	ME 10/31/12	ME 11/30/12	ME 12/31/12	ME 01/31/13	ME 02/28/13	ME 04/05/13	ME 5/6/13	me 6/27/13		ME/CM
AM to approve payroll before transmittal to County	CH 07/31/2012	CH 08/31/2012	CH 09/30/2012	CH 10/31/2012	CH 11/30/2012	CH 12/31/2012	CH 01/31/2013	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013		CH/HF
Prepare payroll AJE -HF approval	CH 07/31/2012 HF 7/31/12	CH 08/31/2012 HF 8/31/12	CH 09/30/2012 HF 9/30/12	CH 10/31/2012 HF 10/31/12	CH 11/30/2012 HF 11/30/12	CH 12/31/2012 HF 12/31/12	CH 01/31/2013 HF 1/31/13	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013		CH/HF
Update Checking Account Register	ML 7/31/12	ML 8/31/12	ML 9/30/12	ML 10/31/12	ML 11/30/12	ML 12/31/12	ML 1/31/13	ML 2/28/13	ML 4/2/13	ML 5/2/13	ML 6/6/13	ML 7/10/13	ML
Prepare pink slips for all deposits	ML 7/31/12	ML 8/31/12	ML 9/30/12	ML 10/31/12	ML 11/30/12	ML 12/31/12	ML 1/31/13	ML 2/28/13	ML 4/2/13	ML 5/2/13	ML 6/6/13	ML 7/10/13	ML
Prepare AJE for TDA transactions & reconcile to FAS	ME 08/31/12	ME 09/30/12	ME 10/31/12	ME 11/30/12	ME 12/31/12	ME 01/31/13	ME 02/28/13	ME 03/30/13	ME 4/29/13				ME/NP
Prepare AJE for FAS interest/misc transactions	ME 07/31/12	ME 08/31/12	ME 09/30/12	ME 10/31/12	ME 11/30/12	ME 12/31/12	ME 01/31/13	ME 03/30/13	ME 4/29/13	ME 5/7/13	ME 6/27/13		ME
Prepare bank reconciliation for Checking & bank xfers-HF Review	cm 08/10/2012 HF 8/31/12	cm 10/10/2012 HF 10/31/12	cm 11/13/2012 HF 11/30/12	cm 11/30/2012 HF 11/30/12	cm 12/06/2012 HF 12/31/12	cm 01/22/2013 HF 1/31/13	cm 02/26/2013 HF 2/31/13	cm 3/5/13	cm 4/3/13	cm 5/9/13	cm 6/6/2013		CM
Prepare bank reconciliation for all Funds - HF Review	cm 01/31/2013	cm 01/31/2013	cm 01/31/2013	cm 01/31/2013	cm 01/31/2013	cm 01/31/2013	cm 02/28	cm 3/14/13	cm 4/10/13	cm 5/14/13	cm 6/28/13		CM
Record all Purchase Orders	CH 07/31/2012	CH 08/31/2012	CH 09/30/2012	CH 10/31/2012	CH 11/30/2012	CH 12/31/2012	CH 01/31/2013	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013		CH/NP
Record JE for Prepaid Insurance	CH 07/31/2012	CH 08/31/2012	CH 09/30/2012	CH 10/31/2012	CH 11/30/2012	CH 12/31/2012	CH 01/31/2013	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013	CH 06/30/2013	CH
Prepare AJE for debt issuance transactions	na	na	na	na	na	na	na	na	na	na	na	HF 7/10/13	HF
Prepare BNY wire for bond fund expenditures	na	na	na	na	na	na	na	na	HF 3/8/13	na	na	na	HF
Run and post indirect scripts	cm 01/08/2013	cm 01/08/2013	cm 1/10/2013	cm 1/16/2013	cm 1/16/2013	cm 1/16/2013	cm 1/30/13 & 3/18/13 & 4/8/13	04/08/13	cm 5/13/13	cm 5/13/13	cm 7/1/13		CM
Record Interest-Bank of New York	cm 02/25/2013	cm 02/25/2013	cm 2/25/2013	cm 2/27/2013	cm 2/27/2013	cm 3/07/2013	cm 3/07/2013	cm 3/11/13	cm 4/12/13	cm 5/8/13	cm 6/11/13		CM
Record Interest-Community Bank-CKG	cm 8/28/2012	cm 9/17/2012	cm 1/03/2013	cm 1/03/2013	cm 1/03/2013	cm 2/05/2013	cm 2/11/2013	cm 3/11/13	cm 4/3/13	cm 5/7/13	cm 6/6/2013		CM
Record Interest-Community Bank-MM	cm 8/28/2012	cm 9/17/2012	cm 1/03/2013	cm 1/03/2013	cm 1/03/2013	cm 2/05/2013	cm 2/11/2013	cm 3/11/13	cm 4/3/13	cm 5/7/13	cm 6/6/13		CM
Record Interest-LAIF	na	na	cm 1/03/2013	na	na	na	cm 2/12/2013	na	na	cm 5/7/13	na		CM
Record Interest-Union Bank	cm 8/28/12+1/3/13	cm 9/17/12 + 1/3/13	cm 1/03/2013	cm 1/03/2013	cm 1/03/2013	cm 2/05/2013	cm 2/11/2013	cm 3/11/13	cm 4/5/13	cm 5/7/13	cm 6/6/13		CM
Run and post MSI allocation	cm 7/15	cm 08/15/2012	cm 9/15/2012	cm 10/15/2012	cm 11/15/2013	cm 12/15/2013	cm 1/15/2013	cm 2/15/13	cm 3/20/13	cm 4/10/13	cm 5/14/13		CM/NP
Post all cash receipts to EDEN	ME 8/31/12	ME 9/30/12	ME 10/31/12	ME 11/30/12	ME 12/31/12	ME 01/31/13	ME 02/28/13	ME 03/12/13	ME 04/05/13	ME 5/6/13	me 6/10/13		ME/CH
Approve all AJEs for AR	cm 2/28/2013	cm 2/28/2013	cm 2/28/2013	cm 2/28/2013	cm 2/28/2013	cm 2/28/2013	cm 2/28/2013	cm 3/10/13	cm 4/11/13	cm 5/14/13	cm 5/30/13		CM
Approve all AJEs for GL	cm 2/28/2013 HF 2/28/13	cm 2/28/2013 HF 2/28/13	cm 2/28/2013 HF 2/28/13	cm 2/28/2013 HF 2/28/13	cm 2/28/2013 HF 2/28/13	cm 2/28/2013 HF 2/28/13	cm 2/28/2013 HF 2/28/13	cm 3/10/13	cm 4/11/13	cm 5/30/13	cm 6/6/13		CM/HF/WS
Update Grant Schedules	ME 07/31/12	ME 08/31/12	ME 09/30/12	ME 10/31/12	ME 11/30/12	ME 12/31/12	ME 01/31/13	ME 02/28/13	ME 04/05/13	ME 5/6/13	me 6/27/13		ME
Post budget amendments per Board Minutes	CH 07/31/2012	CH 08/31/2012	CH 09/30/2012	CH 10/31/2012	CH 11/30/2012	CH 12/31/2012	CH 01/31/2013	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013		CH
Review and Record AJE for exp reclasses	CH 07/31/2012	CH 08/31/2012	CH 09/30/2012	CH 10/31/2012	CH 11/30/2012	CH 12/31/2012	CH 01/31/2013	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013		CH/NP
Review and Record Budget Adjustments	CH 07/31/2012	CH 08/31/2012	CH 09/30/2012	CH 10/31/2012	CH 11/30/2012	CH 12/31/2012	CH 01/31/2013	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013		CH
Board Stipends (by 2nd week of the month)	ML 7/31/12	ML 8/31/12	ML 9/30/12	ML 10/31/12	ML 11/30/12	ML 12/31/12	ML 1/31/13	ML 2/28/13	ML 3/7/13	ML 5/20/13	ML 6/6/13	ML 7/10/13	ML
Replenish Petty Cash	CH 07/31/2012	CH 08/31/2012	CH 09/30/2012	CH 10/31/2012	CH 11/30/2012	CH 12/31/2012	CH 01/31/2013	CH 02/28/13	CH 03/31/2013	CH 04/30/2013	CH 05/31/2013	CH 06/18/2013	CH/NP
Update LAIF Schedule	cm 8/31/12	cm 9/30/12	cm 10/31/12	cm 11/30/12	cm 12/31/12	cm 1/31/13	cm 2/28/13	cm 3/13/13	cm 4/8/13	cm 5/7/13	cm 6/7/13		CM
Update Union Bank Schedule	cm 8/31/12	cm 9/30/12	cm 10/31/12	cm 11/30/12	cm 12/31/12	cm 1/31/13	cm 2/28/13	cm 3/11/13	cm 4/5/13	cm 5/7/13	cm 6/6/13		CM
Update BNY Schedule	cm 8/31/12	cm 9/30/12	cm 10/31/12	cm 11/30/12	cm 12/31/12	cm 1/31/13	cm 2/28/13	cm 3/11/13	cm 4/9/13	cm 5/7/13	cm 6/11/13		CM
Update County Balance Schedule	cm 8/31/12	cm 9/30/12	cm 10/31/12	cm 11/30/12	cm 12/31/12	cm 1/31/13	cm 2/28/13	cm 3/14/13	cm 4/5/13	cm 5/7/13	cm 6/7/13		CM
Monthly Procurement Report	HF 8/15/12	HF 9/15/12	HF 10/15/12	HF 11/15/12	HF 12/15/12	HF 1/15/13	HF 2/15/13	HF 3/20/13	HF 4/18/13	HF 5/16/13			HF
Budget to Actual Quarterly Report	na	na	cm 1/31/13, HF2/1	na	na	cm 1/31/13, HF 2/1	na	na	na	na	cm 5/15/13, HF 5/16		CM/HF
Monthly Vendor Payment Status Report	ML 7/31/12	ML 8/31/12	ML 9/30/12	ML 10/31/12	ML 11/30/12	ML 12/31/12	ML 1/31/13	ML 2/28/13	ML 3/29/13	ML 5/2/13	ML 6/6/13	ML 6/30/13	ML
<b>YEAR-END:</b>													
Review Trial Balance													HF
Schedule of Credit Risk/Investments													HF
Schedule of Accounts Payable-Agree to EDEN													ML
Schedule of Intergover Pay-Agree to EDEN													ML
Schedule of Retention Pay-Agree to EDEN													ML
Schedule of Accounts Rec-Agree to EDEN													ME
Schedule of Deferred Rev-Agree to EDEN													ME
Schedule of Payroll Accrual-Agree to EDEN													CH
Schedule of Prepaid Insurance-Agree to EDEN													CH/NP
Schedule of Interest Alloc-Agree to EDEN													CM
Schedule of Capital Asset and Depreciation									cm 4/8/13				CM
Schedule of CityCom/Internal Service													CH/NP
PERS Actuarial Data													HF
County Retirement Actuarial Data													HF
Pension Cost													CH
Due to/from Schedule													HF
Transfers In/out Schedule													HF
Long-term Debt Schedule													HF
Advances Payable													HF
Single Audit Schedule													HF
Note Disclosures													ME
Financial Statements													HF
Indirect Scripts Run #1													HF
Indirect Scripts Run #2													CM
Indirect Scripts FINAL													CM

Attachment B

	07/31/2012	08/31/2012	09/30/2012	10/31/2012	11/31/2012	12/31/2012	01/31/2013	02/28/2013	03/31/2013	04/30/2013	05/31/2013
	Bank										
<b>Bank Balance Per Statement</b>											
LAIF	24,124,087.84	24,124,087.84	24,124,087.84	24,145,626.11	24,145,626.11	5,145,626.11	5,162,330.13	5,162,330.13	5,162,330.13	5,165,923.62	5,165,923.62
Petty Cash	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
BNY	81,903,873.62	82,274,488.42	80,859,709.73	81,222,222.85	81,584,633.56	81,946,071.06	82,305,551.82	82,662,627.63	50,553,655.28	50,907,932.94	51,260,243.82
Union Bank	68,180,305.26	68,274,636.31	68,319,487.04	64,873,991.82	75,247,658.49	71,002,933.47	71,085,638.62	71,180,479.59	49,271,327.77	49,358,303.50	49,460,063.28
SB County	155,040,366.79	162,344,446.19	158,391,412.84	155,031,070.50	163,978,662.34	171,268,480.69	167,952,472.56	173,681,770.08	185,433,462.99	184,726,902.73	192,823,640.58
CB Checking	21,576,314.17	12,094,252.62	18,332,861.10	11,042,914.27	4,634,277.76	9,437,774.59	9,858,991.55	3,317,013.07	4,135,609.11	25,009,237.65	20,175,373.87
CB Money Market	16,219,430.05	12,897,839.00	25,430,362.69	4,859,286.35	6,767,300.53	14,169,944.44	8,309,286.12	4,392,057.14	25,395,439.59	9,731,833.18	21,442,699.00
Cash per Bank Balance	367,045,377.73	362,010,750.38	375,458,921.24	341,176,111.90	356,359,158.79	352,971,830.36	344,675,270.80	340,397,277.64	319,952,824.87	324,901,133.62	340,328,944.17
<b>Add - Deposits in Transit</b>											
Less -Outstanding Checks-CB cking	(17,641,460.06)	(6,346,759.65)	(8,313,110.52)	(4,476,294.34)	(1,224,821.10)	(6,903,523.24)	(9,436,865.51)	(1,635,980.83)	(2,672,809.39)	(3,907,104.99)	(2,677,627.38)
Reconciling item for MM	-	-	-	-	-	-	-	437.46	319.31	68.77	-
Reconciling item for CB Checking	78,985.75	79.06	-	(725.50)	-	(1,516.00)	-	-	-	(67,300.00)	322.14
<b>Ending Bank Balance</b>	<b>349,482,903.42</b>	<b>355,664,069.79</b>	<b>367,145,810.72</b>	<b>336,699,092.06</b>	<b>355,134,337.69</b>	<b>346,066,791.12</b>	<b>335,238,405.29</b>	<b>338,761,734.27</b>	<b>317,280,334.79</b>	<b>320,926,797.40</b>	<b>337,651,638.93</b>
<b>Balance per Eden Trial Balance-GL</b>	<b>349,482,903.42</b>	<b>360,605,508.79</b>	<b>383,136,920.72</b>	<b>364,159,177.06</b>	<b>383,019,992.69</b>	<b>377,441,407.12</b>	<b>378,245,504.29</b>	<b>382,315,362.27</b>	<b>370,322,638.79</b>	<b>390,338,576.40</b>	<b>408,114,632.93</b>
BNY/Union Bank	-	-	-	-	-	-	-	-	-	-	-
LTF & STA deposits-timing	-	-	-	-	-	-	-	-	-	-	-
LTF disbursement not in Eden	-	(4,734,635.00)	(15,507,418.00)	(26,976,393.00)	(26,976,393.00)	(29,572,875.00)	(40,670,794.00)	(40,794,181.00)	(41,133,403.00)	(56,204,819.00)	(56,413,920.00)
STA disbursement not in Eden	-	(206,804.00)	(483,692.00)	(483,692.00)	(909,262.00)	(1,801,741.00)	(2,336,305.00)	(2,759,447.00)	(11,908,901.00)	(13,206,960.00)	(14,049,074.00)
	-	(4,941,439.00)	(15,991,110.00)	(27,460,085.00)	(27,885,655.00)	(31,374,616.00)	(43,007,099.00)	(43,553,628.00)	(53,042,304.00)	(69,411,779.00)	(70,462,994.00)
<b>Ending GL Balance</b>	<b>349,482,903.42</b>	<b>355,664,069.79</b>	<b>367,145,810.72</b>	<b>336,699,092.06</b>	<b>355,134,337.69</b>	<b>346,066,791.12</b>	<b>335,238,405.29</b>	<b>338,761,734.27</b>	<b>317,280,334.79</b>	<b>320,926,797.40</b>	<b>337,651,638.93</b>
Variance	-	-	-	-	-	-	-	-	-	-	-



ATTACHMENT D

San Bernardino Associated Governments	Procedure	11015	
Approved by the Executive Director	July 29, 2013	Revised	7/29/13
<b>Debarment Review Process</b>		Revision No.	New

**Important Notice: A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SANBAG Intranet.**

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[Purpose](#) | [Overview](#) | [References](#) | [Debarment Review Procedure](#) | [Revision History](#) |

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**I. PURPOSE**

To document the process for verifying whether a person or entity responding to a solicitation is debarred or suspended.

---

**II. OVERVIEW AND RESPONSIBILITY**

SANBAG's Contract Administrator is responsible for ensuring that all federal, State, and SANBAG procurement policies and procedures are incorporated in all procurements.

This process specifically relates to the adoption of the federal governments "common rule" identified in 49 CFR Part 29, which states in part that a person or entity who is debarred or suspended shall be excluded from Federal financial and non-financial assistance and benefits under Federal programs and activities.

To ensure SANBAG is in compliance with 49 CFR Part 29, SANBAG's Contract Administrator will verify that a person or entity at any tier performing work in excess of \$100,000 is not identified as debarred or suspended.

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**III. REFERENCES**

49 C.F.R. PART 29—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) Title 49 – Transportation

Policy 11000, Contracting and Procurement Policy

Federal Certification Form and Instructions

System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM>)

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**IV. DEBARMENT REVIEW PROCEDURE**

A. Although not required by federal regulation, SANBAG, as a matter of sound business practice will verify that a person or entity performing work in excess of \$100,000 is not currently identified as debarred or suspended.

The Contract Administrator shall:

1. Ensure that the Debarment and Suspension Certification and Instruction be included in federally funded Request For Proposals (RFPs) and Invitation For Bids (IFBs) in excess of \$100,000.
2. Review the requirement at the Pre-Proposal and Pre-Bid meetings as necessary.
3. Verify receipt of the Debarment and Suspension Certification in the proposal or bid. If the certification is not included in the proposal or bid, follow up to ensure receipt of the certification(s) prior to contract award. Failure of a firm to include the certification with their proposal or bid is a matter of responsibility and not responsiveness.
4. Verify on the System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM>):
  - a. That the person or entity is not listed as debarred or suspended.
  - b. That person or entity performing work in excess of \$100,000 have not been listed as debarred or suspended.

5. Include the screen print from SAM indicating that the person or entity is not identified as debarred or suspended.

B. If a person or entity is identified as debarred or suspended on SAM, the Contract Administrator shall notify the firm of the findings. Award of a contract will not be made to any person or entity who is currently identified as debarred or suspended.

On federally funded procurements, the Contract Administrator shall notify the U.S. Department of Transportation of the findings.

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**V. REVISION HISTORY**

Revision No.	Revisions	Approved
0	Approved by the Executive Director.	07/29/13



- 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:   6  

**Date:** August 14, 2013

**Subject:** California Department of Transportation (Caltrans) resolution to audit findings identified by Caltrans' Final Audit Report issued on August 30, 2012.

- Recommendation:\***
1. Receive Department of Transportation letter dated July 17, 2013, notifying SANBAG of resolution to audit findings identified by Caltrans' Final Audit Report issued on August 30, 2012.
  2. Approve Fiscal Year 2012/2013 budget amendment to increase Task 0701, Valley Signal Coordination, in the amount of \$573,428 funded with Measure I (MSI) 1990-TMEE and authorize payment to Caltrans for \$573,428.

**Background:** San Bernardino Associated Governments (SANBAG) received Caltrans' letter dated July 17, 2013, providing a resolution to the audit findings identified by Caltrans' Final Audit Report issued on August 30, 2012. The Letter is attached to this report as Attachment A. The audit findings relate to a review of contracts during the period July 1, 2008 to December 31, 2009. Since that time, SANBAG has instituted many changes to its procurement policies and procedures since 2010, and will continue to ensure that all procurement practices are compliant with federal and State laws, regulations and guidelines.

	<p><i>Approved</i>  <i>General Policy Committee</i></p> <p>Date: _____</p> <p>Moved: _____ Second: _____</p> <p>In Favor: _____ Opposed: _____ Abstained: _____</p> <p>Witnessed: _____</p>
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COG		CTC	X	CTA	X	SAFE		CMA	
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*Check all that apply.*

**Finding 1: Improper Procurement Practices**

The audit questioned payment of \$2,023,224 for State and Federal funds received by SANBAG on four (4) consultant charges. In response, SANBAG staff providing supplemental documentations to substantiate compliance with Title 49, Code of Federal Regulations (CFR) part 18.36 and Master Agreement between SANBAG and Caltrans, Caltrans was satisfied with the documentation provided. Of the \$2,032,224 of questionable payments, Caltrans is seeking repayment of \$544,778 for federal reimbursement received under one contract (C-09-179) due to noncompliance with federal procurement requirements. The finding relates to payment of consultant invoices that were not compliant with the contract payment terms. Caltrans found that the additional information provided by SANBAG was sufficient as to not seek reimbursement of \$1,487,446 of State funds.

In addition to the \$2,023,224 that Caltrans questioned, there was an additional \$8,112,419 that Caltrans could not determine whether these funds were properly expended based on the procurement process. Based on the additional documentation provided by SANBAG in April 2013, Caltrans is satisfied with "SANBAG's follow-up review and the positive steps SANBAG has taken in remedying the audit findings." Caltrans will not seek reimbursement of the \$8,112,419.

**Finding 2: Contract Administration Needs Improvement**

The audit finds that SANBAG did not maintain a contract administration system to ensure consultants perform in accordance with the terms and conditions of the contract. The audit identified three contracts totaling \$559,245 where SANBAG did not follow proper federal regulations when administering the contracts. Based on the supplemental information that SANBAG provided, Caltrans is seeking a repayment in the amount of \$28,650.

Based on the Findings 1 & 2, SANBAG is required to repay Caltrans a total of \$573,428.00.

**Corrective Actions:**

- SANBAG has commenced performing random audits of invoices against contract terms; is working to ensure that contract managers are knowledgeable of contract terms; and ensure contract work is

complete, accurate and consistent with terms, and conditions and specifications of the contract.

- Training has been on-going since 2011, and will be continuous in the areas of contract management and procurement functions and will ensure that the standards, procedures, and policies are followed by staff.
- All policies and procedures are in writing and communicated to all staff after the Executive Director's approval.
- Staff has implemented a contract file system in which all files follow a standardized process. Files are audited for compliance to ensure all required documentation is included in the files. Files are now maintained by the Contract Administrator and are in a secure location so as to maintain the integrity of the files.

Caltrans collaboration and assistance during the audit process is deeply appreciated. SANBAG has taken a proactive approach to resolving the internal control weaknesses and has implemented numerous procedures and updated SANBAG's procurement policy. Caltrans has been supportive in working with SANBAG ensuring that policies and procedures are implemented to comply with Federal guidelines.

***Financial Impact:*** Budget amendment for Fiscal Year 2012/2013 of \$573,428 in Task 0701, Valley Signal Coordination, funded with MSI 1990-TMEE. Staff has received an invoice from Caltrans for \$573,428 and another invoice is forthcoming for \$28,650 to be paid from MSI 1990-TMEE, Task 0701.

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

***Responsible Staff:*** Kathleen Murphy Perez, Contracts Manager  
Hilda Flores, Chief of Accounting and Procurement

**DEPARTMENT OF TRANSPORTATION**

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*Flex your power!  
Be energy efficient!*

July 17, 2013

Mr. Raymond W. Wolfe, Ph.D.  
Executive Director  
San Bernardino Associated Governments  
1170 W. 3rd Street, 2<sup>nd</sup> Floor  
San Bernardino, CA 92410

Dear Mr. Wolfe:

This letter notifies San Bernardino Associated Governments (SANBAG) of the California Department of Transportation's (Caltrans) determination of corrective actions identified by Caltrans' Final Audit Report of SANBAG's federal-aid and State funded transportation projects issued in August 2012.

**Finding 1. Improper Procurement Practices**

The audit finds that SANBAG did not follow procurement practices, as required by Title 49, Code of Federal Regulations (CFR) Part 18.36 and the Master Agreement between SANBAG and Caltrans, as well as SANBAG's own Procurement Policies and Procedures. The audit questioned payment of \$2,023,224 to State or federal funds received by SANBAG on four consultant contracts charges.

**a.) Contracts funded with Federal funds**

The audit finds that SANBAG did not properly follow the federal regulation in the procurement of those contracts funded with federal funds. Caltrans will seek the repayment of \$544,778 from SANBAG, the amount of federal reimbursement questioned by the audit. This amount was for the contract payment to Advantec under SANBAG Contract 09-179.

**b.) Contracts funded with State funds**

The various Caltrans programs that have oversight responsibilities for the various State funded contracts performed follow up reviews of supplemental information provided by SANBAG on the state funded contracts. As the result of the follow up review, we are satisfied with the additional information documenting compliance with the contract terms and will not seek repayment on the reimbursement questioned by the audit.

The audit identified that SANBAG did not maintain evaluation score sheets and that SANBAG should maintain proper record of its consultant selection evaluation documents. We will require

Mr. Raymond W. Wolfe  
July 17, 2013  
Page 2

SANBAG to provide documentation demonstrating how they have strengthened its record keeping and internal control of contract procurement documents.

**c.) Additional \$8,112,419 Reimbursement Question but Not Tested by Audit**

In addition to questioning the payment of \$2,023,224 of State or federal funds received by SANBAG on four consultant contracts charges, the audit was not able to determine whether \$8,112,419 of additional costs for consulting and professional services were properly procured. The audit recommended SANBAG to conduct follow up reviews on the billings of these contracts (Audit Report Attachment VI).

On April 10, 2013, we received your letter that communicated SANBAG's result of its follow-up reviews. We are satisfied with SANBAG's follow-up review result and the positive steps SANBAG has taken in remedying the audit findings. We urge SANBAG to continue its efforts in the following areas:

1. Ensure proper procurement procedures are followed in accordance with 49 CFR Part 18.36, Master Agreement between SANBAG and Caltrans, and SANBAG's written procurement procedures.
2. Seek training for management and staff in proper procurement practices.
3. Maintain adequate documentation to support proper procurement procedures.

Please provide Caltrans with SANBAG's revised procurement procedure by October 1, 2013.

**Finding 2. Contract Administration Needs Improvement**

The audit finds that SANBAG did not maintain a contract administration system to ensure consultants perform in accordance with the terms, conditions and specifications of its contracts. The audit identified at least \$156,645 of questioned costs that were billed to and reimbursed by Caltrans under state and federal fund.

**a.) Contracts funded with Federal funds**

This audit finding identified contract administration issues with three federally funded contracts, Advantec (\$544,778), Republic Electric (\$11,612), and Albert Grover Associates (\$28,650). SANBAG did not properly follow the federal regulation in the administration of the Advantec and Albert Grover contracts. Caltrans will seek a repayment of \$28,650 from SANBAG, in addition to the \$544,778 from Finding 1. The total repayment amount will be \$573,428.

For the questioned reimbursement of \$11,612 on the Republic Electric contract, Caltrans reviewed supplemental information provided by SANBAG regarding the approval of its contract change order (CCO) 14 and concluded that CCO 14 was approved by SANBAG's responsible staff and will not seek repayment. Although the CCO was approved by the responsible

Mr. Raymond W. Wolfe  
July 17, 2013  
Page 3

SANBAG staff, we are concerned about SANBAG's approval format and process and will require SANBAG to formalize its CCO approval process.

**b.) Contracts funded with State funds**

Caltrans performed follow up reviews of supplemental information provided by SANBAG on the state funded contracts. As a result of the follow up review, we are satisfied with the additional information documenting compliance with the contract terms and will not seek repayment on the reimbursement questioned by the audit.

To fully address this finding, SANBAG is required to take the following corrective actions:

1. Ensure that staff assigned as contract managers have knowledge of contract terms, and ensure contractor work is complete, accurate and consistent with terms, conditions and specifications of the contract.
2. Train staff who engage in contract management functions on the applicable standards and ensure the standards are followed.
3. Document contract management policies and procedures in writing.
4. Assess and review other invoices billed under the contracts to identify other questionable costs.

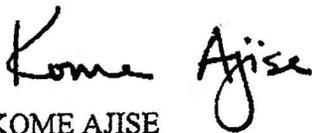
Please provide Caltrans with SANBAG's revised contract administration procedure by October 1, 2013.

**Summary of Actions**

- Reimbursement of Disallowed Costs: In total, Caltrans will seek the repayment of \$573,428 disallowed reimbursement related to audit Findings 1 and 2.
- Submittal of Consultant Contract Procurement Procedure: Due October 1, 2013.
- Submittal of Consultant Contract Administration Procedure: Due October 1, 2013.
- Other Corrective Actions as stated in each audit findings.

If you have any questions, please contact Lai Huynh in the Division of Local Assistance at 916-653-3990.

Sincerely,



KOME AJISE  
Deputy Director  
Planning and Modal Programs

Mr. Raymond W. Wolfe  
July 17, 2013  
Page 4

- c: Basem Muallem, District Director, District 8  
Denix Anbiah, Chief, Division of Local Assistance  
William Bronte, Chief, Division of Rail  
Clark Paulsen, Chief, Division of Accounting  
Ray Zhang, Chief, Office of Policy Development and Quality Assurance, Division of Local Assistance  
John Pagano, Senior Transportation Engineer, Deputy Planning & Public Transportation District 8  
Zilan Chen, Supervising Management Auditor, Audits and Investigations  
Bruce Roberts, Senior Transportation Planner, Division of Rail  
Gilbert Petrissans, Accounting Administrator III, Office of Commodity and Contract Payables, Division of Accounting



- 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: 7

**Date:** August 14, 2013

**Subject:** Investment Policy No. 20100

**Recommendation:\*** That the Committee recommend to the Board no changes be made to the existing Investment Policy No. 20100.

**Background:** The California Government Code, which governs the investment of public funds (Section 53635 et seq.), requires that the agency's governing body review the investment policy at a public meeting.

Staff and SANBAG's investment advisor, PFM Investment Management, have reviewed the current policy and have no recommended changes. Investment Policy No. 20100 (see Attachment A) is current with state and federal requirements.

**Financial Impact:** This item imposes no impact on Fiscal Year 2013/2014 Budget.

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

**Responsible Staff:** William Stawarski, Chief Financial Officer

\*

	<p><i>Approved</i>  <i>General Policy Committee</i></p> <p>Date: _____</p> <p>Moved:      Second:</p> <p>In Favor:      Opposed:      Abstained:</p> <p>Witnessed: _____</p>
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X	COG	X	CTC	X	CTA	X	SAFE	X	CMA
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Check all that apply

ATTACHMENT A

San Bernardino Associated Governments	Policy	20100	
Adopted by the Board of Directors	October 2, 1996	Revised	8/1/12
<b>Investment Policy</b>		Revision No.	15

**Important Notice: A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SANBAG Intranet.**

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**I. PURPOSE**

The purpose of this policy is to provide guidelines for the investment of funds based upon prudent cash management practices and in conformity with all applicable statutes.

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**II. POLICY**

The Board of Directors of the San Bernardino Associated Governments (SANBAG) and its related authorities and agencies recognizes its responsibility to direct the investment of funds under its care. This policy is designed to meet the specific needs of SANBAG while ensuring the safety of funds.

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**III. INVESTMENT GOALS**

The investment of funds by SANBAG shall be guided by the goals of safety, liquidity, diversification, and a reasonable market rate of return.

**Safety:** Safety of principal is the foremost objective of the investment program. Investments of SANBAG will be undertaken in a manner that seeks to ensure the preservation of capital in the portfolio.

**Liquidity:** SANBAG's investment portfolio will remain sufficiently liquid to enable SANBAG to meet all operating requirements and budgeted expenditures, including an additional amount to cover reasonably estimated contingencies.

**Diversification:** The investment portfolio will be diversified to avoid risk regarding specific security types or individual financial institutions.

**Reasonable Market Rate of Return:** The investment portfolio will be designed to attain a market average rate of return through economic cycles which is consistent with SANBAG's primary goals of safety, liquidity and diversification.

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**IV. PRUDENT INVESTOR STANDARD**

SANBAG investments are governed by the prudent investor standard, set forth as follows:

When investing, reinvesting, purchasing, acquiring, exchanging, selling, and managing public funds, a trustee shall act with care, skill, prudence and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency that a prudent person acting in a like capacity and familiarity with those matters would use in the investment of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall investment strategy, investments may be acquired as authorized by law.

## **V. SCOPE**

The investment policy applies to all financial assets held by SANBAG, including bond proceeds. Funds specifically exempt from this policy include employee deferred compensation plans, employee pension plans, or assets held in trust by SANBAG with specific investment instructions.

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## **VI. DELEGATION OF AUTHORITY**

SANBAG's bylaws designate the Executive Director as Treasurer for the Agency.

Under the direction and oversight of the Executive Director, and in consultation with SANBAG's investment adviser, the Chief Financial Officer (CFO) shall direct the investment of SANBAG operating funds, which are not invested in the County Pool or in LAIF ("DIRECT INVESTMENTS"). All officials, staff members and consultants are directly accountable to the SANBAG Board for investment functions.

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## **VII. CONFLICTS OF INTEREST**

All officials, staff members and consultants involved in the investment functions will refrain from personal business activity that could conflict with the execution of the investment function or which could impair their ability to make impartial investment decisions. Officials, staff members, and consultants will disclose to the Executive Director any financial interest with a financial institution or broker that conducts business with SANBAG. Officials, staff members and consultants will further disclose any personal financial positions that could be related to the performance of SANBAG's portfolio.

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## **VIII. PORTFOLIO MATURITY LIMITS**

Investment maturities shall be based on a review of cash flow forecasts. Maturities will be scheduled so as to permit the Authority to meet all projected obligations.

The maximum maturity of any other investment of operating funds ("direct investments") may not exceed five years unless otherwise noted in Paragraph IX.

Investment of bond proceeds shall be made in consideration of the liquidity needs of the bond fund, and may not exceed five years, except for securities to be held in a defeasance escrow for refunded bonds and bond debt serve reserve funds.

Investments in the San Bernardino County Pool and in LAIF are subject to maturity limits and other investment restrictions as imposed by the governing bodies of those agencies.

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## **IX. ALLOWABLE INVESTMENTS FOR SANBAG OPERATING FUNDS**

Investment of SANBAG's funds is governed by the California Government Code, Sections 53600 et seq. and 53635 et seq. Should the Government Code become more restrictive than this policy, the Government Code restrictions shall prevail.

The following investment vehicles are permitted for the investment of operating funds.

- A. Government obligations for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- B. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. No more than 40% of SANBAG's investment portfolio may be invested in the obligations of any one federal agency or United States government-sponsored enterprise.
- C. Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue producing property owned, controlled or operated by the state or any local agency or by a department, board, agency or authority of the state or any local agency. Obligations of the State of California or any California local agency may not represent more than 20% of SANBAG's portfolio and no more than 10% may be invested in the obligations of any one issuer.
- D. Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned,

controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California. Obligations of the other 49 states may not represent more than 20% of SANBAG's portfolio and no more than 10% may be invested in the obligations of any one issuer.

**E. Repurchase Agreements used solely as short-term investments not to exceed 30 days.**

The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities, as described in par. IX. A and B, will be acceptable collateral. All securities underlying Repurchase Agreements must be delivered to SANBAG's custodian bank by book entry, physical delivery, or held by a third party custodial agreement. The total of all collateral for each Repurchase Agreement must equal or exceed, on the basis of market value, 102% of the funds borrowed against those securities. For any Repurchase Agreement with a term of more than one day, the value of the underlying securities must be reviewed on a weekly basis and the value of the underlying securities brought back up to 102% no later than the next business day.

Market value must be calculated each time there is a substitution of collateral.

SANBAG or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to the Repurchase Agreement.

SANBAG may enter into Repurchase Agreements only with primary dealers of the Federal Reserve Bank of New York.

SANBAG will have specific written agreements with each firm with which it enters into Repurchase Agreements.

Reverse repurchase agreements will not be allowed.

Repurchase agreements may not represent more than 20% of SANBAG's investment portfolio.

**F. Bankers' Acceptances issued by domestic or foreign banks, which are eligible for purchase by the Federal Reserve System, the short-term paper of which is rated in the highest category by a nationally recognized statistical-rating organization.**

Purchases of Bankers' Acceptances may not exceed 180 days maturity or 40% of SANBAG's investment portfolio. No more than 3% of SANBAG's investment portfolio may be invested in the securities of any one non-government issuer regardless of security type.

**G. Commercial paper rated in the highest short-term rating category, as provided by a nationally recognized statistical-rating organization. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or paragraph (2):**

(1) The entity meets the following criteria: (a) is organized and operating in the United States as a general corporation; (b) has total assets in excess of five hundred million dollars (\$500,000,000); (c) has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization.

(2) The entity meets the following criteria: (a) is organized within the United States as a special purpose corporation, trust, or limited liability company; (b) has program-wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond; (c) has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization.

Purchases of eligible commercial paper may not exceed 270 days maturity nor represent more than 10% of the outstanding paper of an issuing corporation.

Purchases of commercial paper may not exceed 25% of SANBAG's investment portfolio. No more than 3% of SANBAG's investment portfolio may be invested in the securities on any one non-government issuer regardless of security type.

**H. Medium-term corporate notes issued by corporations organized and operating within the United States or by depository institutions licensed by the U.S. or any state and operating within the U.S. Medium-term corporate notes shall be rated in a rating category "A", or its equivalent or better, by a nationally recognized statistical-rating organization.**

Purchase of medium-term corporate notes may not exceed 30% of SANBAG's investment portfolio. No more than 3% of SANBAG's investment portfolio may be invested in the securities of any one non-government issuer regardless of security type.

- I. Negotiable certificates of deposit or deposit notes issued by a nationally or state-chartered bank or a state or federal savings and loan association or by a federally or state-licensed branch of a foreign bank provided that the senior debt obligations of the issuing institution are rated "A" or its equivalent or better by a nationally recognized statistical-rating organization.

Purchase of negotiable certificates of deposit may not exceed 30% of SANBAG's investment portfolio. No more than 3% of SANBAG's investment portfolio may be invested in the securities of any one non-government issuer regardless of security type.

- J. State of California's Local Agency Investment Fund (LAIF)  
Investment in LAIF may not exceed 60% of SANBAG's operating funds or \$50 million, whichever is less.

- K. San Bernardino County Investment Pool.

- L. Insured savings accounts.

- M. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, et seq.). To be eligible for investment pursuant to this subdivision, these companies shall either: (1) have attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations, or (2) have an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years experience managing money market mutual funds and with assets under management in excess of \$500,000,000.

The purchase price of shares of beneficial interest purchased shall not include any commission that the companies may charge and shall not exceed 20% of SANBAG's investment portfolio. Further, no more than 10% of SANBAG's investment portfolio may be invested in shares of beneficial interest of any one money market fund.

For purposes of determining compliance with this policy, where this section specifies a percentage limitation for a particular category of investment, that percentage is applied on the date of purchase. Credit criteria listed in this section refers to the credit of the issuing organization at the time the security is purchased.

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#### **X. ADDITIONAL ALLOWABLE INVESTMENTS FOR BOND PROCEEDS ONLY**

- A. California Asset Management Program (CAMP)'s money market pool, which is rated AAAM and has an average maturity of 60 days or less and its separately managed portfolio.
- B. Investment agreement with an AA rated bank or collateralized investment agreement with an A rated bank or an investment acceptable to a bond insurance company and approved specifically by the SANBAG Board.
- C. Debt service reserve funds and debt service funds may be invested longer than five years as long as they are permitted by state law and investments are readily available for bond payments and other bond purposes (refundings, defeasance, etc.).
- D. U.S. Treasury Securities and State and Local Government Securities having a maturity longer than five years are permitted for escrowed defeasances.
- E. Forward purchase agreements, forward delivery agreements and debt service reserve agreements approved specifically by the SANBAG Board.
- F. Other investments as permitted by bond indentures.

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#### **XI PROHIBITED INVESTMENT TRANSACTIONS**

Any investment not specifically allowed by this policy is prohibited.

## **XII. INVESTMENT IN "DERIVATIVE" SECURITIES**

Direct investment in derivative securities is prohibited. A "derivative security" is any investment the value of which is derived from an underlying security, commodity or index. For purposes of this policy, a derivative is any security that has principal and/or interest payments which are subject to significant uncertainty as to timing, and/or amount.

It is understood that the County Pool and LAIF may invest in certain derivative securities.

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## **XIII. LEVERAGING**

All forms of portfolio leverage, including, but not limited to, securities lending programs, reverse repurchase agreements, and margin accounts, are prohibited.

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## **XIV. SAFEKEEPING OF SECURITIES**

SANBAG shall enter into an agreement with a bank trust department to serve as the safekeeping agent for all direct investments. The safekeeping agent shall hold all investments in an account for the sole benefit of SANBAG. All direct investments shall be delivered by the broker to SANBAG's safekeeping account on a delivery versus payment basis.

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## **XV. COMPETITIVE BIDDING OF INVESTMENTS**

The investment procedures require that approved broker/dealers compete for direct investment purchases and sales to ensure that all investment transactions are free from favoritism. The CFO in conjunction with SANBAG's investment advisor shall determine the best execution price for SANBAG, and act accordingly.

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## **XVI. BROKER/DEALERS**

If a third party investment advisor is authorized to conduct investment transactions on SANBAG's behalf, the investment advisor may use their own list of approved broker/dealers and financial institutions for investment purposes. The investment advisor's approved list must be made available to SANBAG upon request.

For any investment transactions conducted by the Treasurer on behalf of SANBAG, the Treasurer shall comply with the following requirements:

Transactions initiated by SANBAG shall be executed through government securities dealers reporting as primary dealers to the New York Federal Reserve Bank of New York or direct issuers (defined as corporations that issue their own securities) and through secondary dealers who have received prior approval to do business with SANBAG.

Primary dealers wishing to do business with SANBAG must meet the following criteria:

1. The primary dealer representative must have demonstrated experience providing investment services to public agencies in California.
2. The primary dealer representative must provide SANBAG with a minimum of three references of finance officials from public agencies in California.

Secondary dealers must complete a broker/dealer application provided by SANBAG, and must meet the following criteria to the satisfaction of SANBAG's Chief Financial Officer:

1. The broker/dealer must qualify under SEC Rule 15C3-1 (uniform net capital rule).
2. The broker/dealer and the broker/dealer representative must be properly registered with the appropriate state and federal regulatory bodies.
3. The broker/dealer should be a market maker and have a strong market presence in one or more product areas that are pertinent to SANBAG's investment goals.
4. The broker/dealer and its representative should be well established in the business and have an acceptable track record.

Each broker/dealer will be sent a copy of this Policy, a broker/dealer application, and a list of persons authorized to execute transactions on SANBAG's behalf. In order to be considered for investment business opportunities with SANBAG, each firm must acknowledge receipt of such materials.

## XVII. REPORTING

### A. Quarterly Report

The CFO will provide a quarterly report to the Administrative Committee and to the Board of Directors providing the following information:

1. Breakout of all securities, investments and moneys held by SANBAG by investment type, issuer, date of maturity, par, dollar amount and percent of portfolio invested in each.
2. A description of all SANBAG's funds, investments or programs that are under the management of any outside party that is not a local agency. This report must also include market valuation of the portfolio and the source of the valuation.
3. A statement of compliance with investment policy and a statement denoting the ability of SANBAG to meet all expenditures for the next six months.

### B. Monthly Report

The CFO will provide a monthly list of investment transactions to the Board of Directors as required by the California Government Code §53607 when investment authority has been delegated by the Board.

## XVIII. ANNUAL SUBMISSION OF INVESTMENT POLICY

SANBAG's CFO shall render a statement of investment policy to the Board of Directors annually. The Board shall consider the policy, with any changes, in a public meeting.

## XIX. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	10/02/96
1	20100: Added paragraph starting with "It shall be SANBAG's long term objective . . .".	09/03/97
2	No changes.	12/02/98
3	20100.10: Changed percentage of operating funds amount to 20%. 20100.10: Changed percentage of San Bernardino portfolio to 20%.	11/03/99
4	No changes. Re-approved by the Board of Directors.	11/01/00
5	Added Para. 20100.16 Qualifications of Broker/Dealers; re-sequenced existing paragraphs. 20100.16, 20100.17, 20100.18, 20100.19, 20100.20, and 20100.21 to 20100.17, 20100.18, 20100.19, 20100.20, and 20100.22. Revised Par. 20100.10: Revised "...not to exceed 20% of SANBAG's operating funds..." to "...not to exceed 30% of SANBAG's operating funds...", and "Portion of Portfolio: 20% maximum" to "Portion of Portfolio: 30% maximum".	11/07/01
6	Changed paragraph numbering style from 20100.1, 20100.2, 20100.3 etc. to I, II, III, etc. Par. IX: Changed "one year" to "two years". Par. X.4: Changed "1 year maximum" to "2 year maximum". Par. X.5: Changed "1 year maximum" to "2 year maximum". Par. X.6: Changed "180 days maximum" to "270 day maximum".	11/06/02
7	No changes. Re-approved by the Board of Directors	11/05/03
8	No changes. Re-approved by the Board of Directors	01/05/05
9	No changes. Re-approved by the Board of Directors	11/02/05
10	Paragraphs on DEFINITIONS, ANNUAL MANAGEMENT REVIEW AND AUDIT, AND SEGREGATED INVESTMENT, and EXECUTION AND RECORD KEEPING: Deleted. Paragraphs III, IV, IX, and XVII: Minor revisions. Paragraphs VIII, IX, and XVI: Major revisions.	07/05/06
11	Par. IX.J: Removed limitation.	09/13/06
12	No changes. Re-approved by the Board of Directors	01/09/08

Revision No.	Revisions	Adopted
13	<p>Par. VI: Delete "In addition, the CFO, under the direction and oversight of the Executive Director, and consultation with SANBAG's investment advisor, shall review the alternatives for the investment of bond proceeds, and shall recommend such investments to the SANBAG Board for approval". The investment of bond proceeds is identified under par. X. and will be authorized by bond covenant.</p> <p>Par. IX: Add (C) Obligations of the State of California or any local agency within the state and (D) Registered treasury notes or bonds of other states in addition to California to diversify the number of sectors and issuers; revise (C) to be (E) and add "held" before "by a third party custodial agreement". Also add "Repurchase agreements may not represent more than 20% of SANBAG's investment portfolio", to limit the amount to be invested in repurchase agreements; delete "(G) "provided that the issuing corporation is organized and operating within the United States, has total assets in excess of \$500 million and has an "A" or higher rating for its long-term debt, if any, as provided by a nationally recognized statistical rating organization." This is also stated in paragraphs (G) (1) and (2); increase (J) from \$40 million to \$50 million limitation on LAIF investment per State Treasurer's Office authorization to increase the dollar amount for investment.</p> <p>Par. X: Change (A) For CAMP, rating from AAA to AAAM and average maturity from one year to 60 days or less. This is to improve safety and liquidity.</p> <p>Par. XV: Add "in conjunction with SANBAG's investment advisor" for clarification purposes.</p>	09/01/10
14	<p>Par. VIII: Changed four years to five years and added "unless otherwise noted in Par. IX.</p> <p>Par. IX.B: Changed 10% to 40%.</p> <p>Par. IX.F: Changed 20% to 40% and changed "No more than 5% of SANBAG's investment portfolio may be invested in the Bankers' Acceptances of any one commercial bank." to "No more than 3% of SANBAG's investment portfolio may be invested in the securities of any one non-government issuer regardless of security type."</p> <p>Par. IX.G: Changed "No more than 5% of SANBAG's investment portfolio may be invested in commercial paper of one issuer." to "No more than 3% of SANBAG's investment portfolio may be invested in the securities on any one non-government issuer regardless of security type."</p> <p>Par. IX.H: Changed 20% to 30 and changed "No more than 5% of SANBAG's investment portfolio may be invested in a medium-term note of any one corporation." to "No more than 3% of SANBAG's investment portfolio may be invested in the securities of any one non-government issuer regardless of security type."</p> <p>Par. IX.I: Changed 20% to 30% and added "No more than 3% of SANBAG's investment portfolio may be invested in the securities of any one non-government issuer regardless of security type."</p> <p>Par. XVII: Removed 'QUARTERLY' from title, renumbered paragraphs, and added "B. Monthly Report. The CFO will provide a monthly list of investment transactions to the Board of Directors as required by the California Government Code 53607 when investment authority has been delegated by the Board.</p>	07/06/11
15	<p>Par. IX.H: Changed rating of "AA" to "A".</p> <p>Par. IX.I: Changed "... by a state-licensed branch ..." to "... by a federally or state-licensed branch ..." and changed "... rated AA ..." to "... rated A or its equivalent ...".</p> <p>Re-approved by the Board of Directors.</p>	08/01/012



- 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: 8

**Date:** August 14, 2013

**Subject:** Budget Amendments for Fiscal Year 2013/2014

**Recommendation:\*** That the Committee recommend the Board approve Fiscal Year 2013/2014 Budget Amendments for the following tasks:

- a. Increase Task No. 0102, Air Quality Activities in the amount of \$622,573, funded by ARRA FED DOE Clean Cities FY 09, for a new task total of \$1,129,934.
- b. Amend Task No. 0311, Transit Capital, to decrease Local Transportation Fund-Rail in the amount of \$250,000, increase State Transit Assistance Fund – Rail in the amount of \$447,000 and increase Prop 1B-Transit System Safety Fund in the amount of \$500,000 for a new task total of \$20,962,858.
- c. Amend Task No. 0352, General Commuter Rail, to decrease Local Transportation Fund-Rail in the amount of \$1,600,000, increase State Transit Assistance Fund – Rail in the amount of \$1,100,000, and increase Prop 1B-Transit System Safety Fund in the amount of \$250,000 for a new task total of \$2,810,807.
- d. Amend Task No. 0377, Commuter Rail Operating Expenses, to decrease Local Transportation Fund-Rail in the amount of \$147,300, increase State Transit Assistance Fund – Rail in the amount of \$147,300, and increase Rail Assets Fund in the amount of \$340,000 for a new task total of \$12,968,500.

*Approved*  
*General Policy Committee*

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	<input checked="" type="checkbox"/>	CTC	<input checked="" type="checkbox"/>	CTA	<input checked="" type="checkbox"/>	SAFE	<input checked="" type="checkbox"/>	CMA	<input checked="" type="checkbox"/>
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*Check all that apply.*

- e. Amend Task No. 0379, Commuter Rail Capital Expenses, to increase State Transit Assistance Fund – Rail in the amount of \$2,243,924, decrease Federal Transit Administration 5337 Fund in the amount of \$7,500,000, and increase MSI Valley-Metrolink/Rail Service Fund in the amount of \$12,515,000 for a new task total of \$94,817,941.
- f. Increase Task No. 0404, Subregional Transportation Planning in the amount of \$5,000 funded by 1990-TMEE Fund for a new task total of \$1,450,715.
- g. Increase Task No. 0506, Local Transportation Fund in the amount of \$1,997,300 funded by Local Transpiration Fund Pass-Thru for a new task total of \$96,855,402.
- h. Decrease Task No. 0507, State Transit Assistance Fund in the amount of \$3,938,224 funded by State Transit Assistance Fund Pass-Thru for a new task total of \$46,710,747.
- i. Amend Task No. 0516, Measure I Mtn./Desert Apportionment and Allocation, to decrease MSI Victor Valley-Major Local Highway Fund in the amount of \$7,947,535, increase MSI Victor Valley-Major Local Highway Bond Fund in the amount of \$7,947,535, increase MSI Colorado River Major Local Highway in the amount of \$141,000, increase MSI Morongo Basin-Major Local Highway in the amount of \$85,000, increase MSI Morongo Basin Traffic Mgmt Sys in the amount of \$8,400 for a new task total of \$10,077,259.
- j. Amend Task No. 0840, Interstate 215 Barton Road Interchange to decrease Surface Transportation Program in the amount of \$17,400,000 and increase Regional Improvement Program in the amount of \$17,400,000 for a new task total of \$24,025,749.
- k. Increase Task No. 0842, Interstate 10 Tippecanoe Avenue Interchange, to increase Corridor Mobility Improvement Account Fund in the amount of \$2,395,273 for a new task total of \$23,319,174.
- l. Increase Task No. 0876, So. Milliken Avenue Grade Separation, funded by MSI Valley Major Street Bond Fund in the amount of \$6,408,045 for a new task total of \$10,904,309.
- m. Increase Task No. 0877, Vineyard Avenue Grade Separation, funded by MSI Valley Major Street Bond Fund in the amount of \$7,035,450 for a net total of \$14,109,543.
- n. Amend Task No. 0892, I-15 Baseline Interchange, to increase Interstate Maintenance Program in the amount of \$958,110, increase Demonstration Priority Program in the amount of \$1,148,860, and increase Local Projects in the amount of \$4,219,630 for a new task total of \$19,169,739.

**Background:** The Fiscal Year 2013/2014 budget was approved by SANBAG Board on June 5, 2013. The following are explanations for the amendments required since the adoption of the original budget.

- **Task 102, Air Quality Activities:** Net increase in grant appropriation attributed to natural gas refueling station.
- **Task 0311, Transit Capital:** LTF Rail decrease due to increase in LTF Pass-Thru (see Task No. 0506) for Omnitrans per the Comprehensive Operational Analysis. STAF Rail and Prop IB Transit System are increased to reflect the decrease in LTF Rail and increase in costs of the San Bernardino Transit Center (SBTC). STAF Pass-Thru (see Task No. 0507) is reduced to offset the increase in STAF Rail.
- **Task 0352, General Commuter Rail:** LTF Rail decrease due to increase in LTF Pass-Thru (see Task No. 0506) for Omnitrans per the Comprehensive Operational Analysis. STAF Rail increased to reflect the decrease in LTF Rail including a prior budget amendment in July 2013. STAF Pass-Thru (see Task No. 0507) is reduced to offset the increase in STAF Rail. Proposition 1B-Transit System Safety Fund is increased due to additional state funding available for qualified expenditures.
- **Task 0377, Commuter Rail Operating Expenses:** LTF Rail decrease due to increase in LTF Pass-Thru (see Task No. 0506) for Omnitrans per the Comprehensive Operational Analysis. STAF Rail increased to reflect the decrease in LTF Rail. STAF Pass-Thru (see Task No. 0507) is reduced to offset the increase in STAF Rail. Rail Asset Fund increased due to additional maintenance of right-of-way and property management expenses.
- **Task 0379, Commuter Rail Operating Expenses:** STAF Rail increase to reflect a contract amendment and property appraisal expenditures. FTA 5337 Fund is reduced to provide additional LTF Pass-Thru for SCRRA capital improvements and Omnitrans per the Comprehensive Operational Analysis. MSI Valley Metrolink/Rail Service Fund increased to offset the reduction of FTA 5337 Fund and additional contract.
- **Task 0404, Subregional Transportation Planning:** increase due to Purchase Oder carryover for purchase of two workstations.

- **Task 0506, Local Transportation Fund:** increase due to the Omnitrans Comprehensive Operational Analysis. The increase is offset by the decrease in LTF Rail.
- **Task 0507, State Transit Assistance Fund:** STAF Pass-Thru decrease to offset a decrease in LTF Rail and provide for additional project costs.
- **Task 0516, Measure I Mtn./Desert Apportionment & Allocation:** Staff budgeted to incorrect funds and additional funding is required for Rotary Way Signal and Needles J Street Connector Project.
- **Task 0840, Interstate 215 Barton Road Inerchange:** Budget amendment reflects a change in funding source for Barstow Road Interchange project.
- **Task 0842, Interstate 10 Tippecanoe Avenue Interchange:** Budget amendment increase reflects extended project schedule.
- **Task 0876, So. Milliken Avenue Grade Separation:** Budget amendment due to advance payment to City of Ontario.
- **Task 0877, Vineyard Avenue Grade Separation:** Budget adjustment due to fuel lines relocation and advance payment required.
- **Task 0892, I-15 Baseline Inerchange:** Budget adjustment to correct funding for the I-15/Baseline project.

**Financial Impact:** Budget adjustments total \$29,132,341 affecting various funds and tasks.

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

**Responsible Staff:** William Stawarski, Chief Financial Officer



- 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: 9

**Date:** August 14, 2013

**Subject:** SANBAG Participation with the Inland Empire Economic Partnership (IEEP)

**Recommendation:**\* That the Committee recommend the Board approve SANBAG's continued participation as a member of IEEP, however, change its membership from the Board of Directors level (\$15,000/year) to the Public Partners level (\$7,500/year).

**Background:** The IEEP was formed to provide a regional voice to promote and enhance the economic vitality of the Inland Empire. The IEEP is a partnership that includes business, government, and academic leaders to develop and carry out initiatives to benefit the region.

Last year, the SANBAG Board of Directors approved changing SANBAG's participation level to \$15,000/year to provide SANBAG a seat on the IEEP Board and increase our partnership with IEEP. Nearly a year after that change, SANBAG staff is recommending that we lower our membership level to \$7,500/year.

Staff believes that SANBAG's interests with IEEP are adequately addressed with a more basic membership level. Local government in San Bernardino County is well represented as IEEP members and on the IEEP Board. SANBAG has not seen a significant change in our work with IEEP since increasing our membership level last year and feel that SANBAG is well served with the more basic membership.

\*

Approved  
 General Policy Committee

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC		CTA		SAFE		CMA	
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Check all that apply.  
 GPC1308a-dab

**Financial Impact:** This item is consistent with the adopted SANBAG budget and could result in savings of \$7,500 in the current fiscal year.

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

**Responsible Staff:** Duane A. Baker, Director of Management Services



- 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: 10

**Date:** August 14, 2013

**Subject:** Award Bond Counsel and Disclosure Counsel Services Contracts

- Recommendation:\***
1. That the Committee recommend the Board acting in its capacity as the San Bernardino County Transportation Authority award Contract No. C14005 for Bond Counsel Services for a five (5) year contract term with two (2) one-year options to extend to a law firm in an amount to be disclosed in a supplemental report provided to the Committee after publication of this agenda.
  
  2. That the Committee recommend the Board acting in its capacity as the San Bernardino County Transportation Authority award Contract No. C14006 for Disclosure Counsel Services for a five (5) year contract term with two (2) one-year options to extend to a law firm in an amount to be disclosed in a supplemental report provided to the Committee after publication of this agenda.

**Background:** The San Bernardino Associated Governments acting in its capacity as the San Bernardino County Transportation Authority (SANBAG) requires the services of a Bond Counsel and Disclosure Counsel. The Bond Counsel will provide their knowledge, expertise and recommendation to representatives of SANBAG, including General Counsel ("Issuer Counsel"), financial advisor, and disclosure counsel with respect to the timing, terms and legal structure of the proposed Bonds. The selected firm will be also be responsible for preparing all necessary documents to be adopted or entered into by SANBAG required for the

\*

*Approved*  
*General Policy Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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*Check all that apply.*

authorization, sale and issuance of the Bonds, including preparation of the Bond resolution, Indenture and Supplemental Indenture (the "Major Legal Documents"). The firm will review any swap and/or investment agreements entered into at or prior to closing, and the procedures by which bids are solicited, in each case including review for compliance with federal tax laws related to tax-exemption of interest on the Bonds, including issuance of bond opinion letters.

Disclosure Counsel will be responsible for performing the requisite "due diligence" in connection with state and federal securities laws applicable to the Issuance of the Indebtedness, prepare the official statement or offering memorandum and any other disclosure documents relating to the Issuance of the Indebtedness required by law or regulation, and deliver its opinion to SANBAG. The firm will draft the dealer agreements or bond purchase agreement between SANBAG and the investment banks acting as dealers or bond purchasers.

On June 13, 2013, SANBAG's Executive Director approved the release of a Request for Proposals (RFP) 14005 for Bond Counsel Services and 14006 for Disclosure Counsel Services. The RFPs were posted on SANBAG's website, published in *The San Bernardino Sun* newspaper and RFP notifications were sent to approximately sixty-one vendors who specialize in these services. A pre-proposal meeting was conducted on June 20, 2013, and two firms were in attendance. One Addendum was issued in response to written questions received prior to the deadline specified in the RFP and those received during the pre-proposal meeting. On July 9, 2013, seven proposals were received by the date and time specified in the RFP for Bond Counsel Services. Eight proposals were received by the date and time specified in the RFP for Disclosure Counsel Services. A review was conducted for all of the proposals received by the deadline. All of the proposals were found to be responsive to the RFP.

An Evaluation Committee, consisting of the City Attorney from the City of Redlands and SANBAG's General Counsel, Assistant General Counsel and Chief Financial Officer, reviewed the proposals. The proposals were evaluated based on the following criteria, which was identified in the RFP:

- Qualifications, Related Experience and References
- Proposed Staffing and Project Organization
- Work plan
- Price

Four firms demonstrated significant experience in providing Bond Counsel Services and Disclosure Counsel Services to the public sector. The Evaluation Committee agreed to interview four firms which are listed below in alphabetical order:

- Kutak Rock LLP
- Fulbright & Jaworski LLP a member of Norton Rose Fulbright
- Nossaman LLP
- Orrick, Herrington & Sutcliffe LLP

On August 6, 2013, the Evaluation Committee will conduct an oral interview of the four firms selected. The interviews will allot fifty minutes and consist of an opening presentation followed by a thirty-minute questions and answer session. The Evaluation Committee will evaluate the four firms and based on their interview and proposal rankings, will select a firm for Bond Counsel Services, and a firm for Disclosure Counsel Services. The results of the Evaluation Committee will be disclosed in a supplemental report following the conclusion of the selection process, which occurs after publication of this agenda.

The contracts will be for a five (5) year term with two (2) one-year options to a law firm(s) in an amount to be disclosed in a supplemental report provided to the Committee after publication of this agenda.

***Financial Impact:*** This item is consistent with SANBAG's Fiscal Year 2013/2014 budget.

***Reviewed By:*** This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have reviewed this item as to form.

***Responsible Staff:*** Eileen Monaghan Teichert, General Counsel



- 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: 11

**Date:** August 14, 2013

**Subject:** Overview of PlanetBids, e-Procurement System

**Recommendation:\*** Receive and File a presentation of an overview of the PlanetBids e-Procurement System which is being implemented within the next month.

**Background:** The San Bernardino Associated Governments (SANBAG) over the last several years has been focused on revising, updating and improving its procurement policies and procedures. One of the features that staff has been exploring is the implementation of a web based e-procurement system. Staff explored several options, but found that Planet Bids met or exceeded SANBAG's goals and objectives. Staff identified several goals that needed to be met in order for a new procurement system to be viable. The goals were: it has to be a proven off the shelf system; needed to maximize vendor outreach; improve communication between procurement and vendors and suppliers; overall cost and time savings to both SANBAG and vendors; flexibility to add or remove elements as necessary; and lessen the administration function as well as reducing the amount of paper usage.

PlanetBids has been providing public agencies e-procurement systems since 1998. Located in Woodland Hills, California, PlanetBids is a certified California Small Business and Women Owned business and has over 70 public agency clients throughout California. A brief listing of their current clients are: Orange County Fire Authority, Cities of Fontana, Garden Grove, Irvine, Ontario, Pasadena,

\*

*Approved*  
*General Policy Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

Rancho Cucamonga, and Santa Monica. The Orange County Fire Authority and the Orange County Sanitation District, Southern California Association of Governments and San Diego Associated Governments are also current clients. Staff contacted several of these users as well as making a sight visit to the City of Rancho Cucamonga and received very positive reviews.

The benefits of moving to an automated web based procurement system include ease of notification to vendors when a procurement is released. Reduces administrative staff from having to print and mail notifications as well as maintaining a vendor database. Vendors can ensure that their information is current and accurate and can update their profile as necessary. It also allows SANBAG to access other public agencies databases to ensure maximum outreach. Other benefits include the vendors can submit their questions on line, automatic addendum notification and acknowledgements and has a vast reporting capability that SANBAG currently does not have.

SANBAG will begin implementation of Phase I in the next two weeks. The Vendor & Bid Management Module offers the following benefits: on-line vendor management & profile management, vendor notification of the release of the Information For Bid (IFB) and Request For Proposal (RFP) and issuance of Addenda via e-mail, capability of tracking vendor registration and notification, produces reports of who received the notifications and it greatly reduces administrative time in creating and mailing notices to firms.

The cost of this initial implementation is \$10,325 including the first year of service. Staff believes that the minimal investment will provide maximum benefits as detailed in this report.

**Financial Impact:** This item is consistent with SANBAG's Fiscal Year 2013/2014 budget.

**Reviewed By:** This item is not scheduled for review by any other policy committee or technical advisory committee. SANBAG General Counsel and Contract Administrator have approved this item as to form.

**Responsible Staff:** Jeffery Hill, Contract Administrator



- 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: 12

**Date:** August 14, 2013  
**Subject:** Legislative Update  
**Recommendation:\*** Receive State and Federal Legislative Update  
**Background:** State Update

The Legislature has returned from Summer Recess and is resuming policy committee hearings. Both Houses will have until September 13th to pass bills before the end of 2013 Legislative Session. The Governor will then have until October 13th to sign or veto legislation sent to his desk. A matrix of legislation being monitored by SANBAG is included as Attachment #1.

As we near the end of session, SANBAG staff has been working closely with regional partners on two major issues of importance to SANBAG – continuing efforts to clarify Buy America Requirements and expanded Design-Build (DB) authority.

Buy America

Moving Ahead for Progress in the 21st Century (MAP-21) broadened the application of Buy America to non-Federal Highway Administration (FHWA)

\*

*Approved*  
*General Policy Committee*

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.

GPC1308a-wvs

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308a1-wvs.docx>

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308a2-wvs.pdf>

funded utility relocations for projects reviewed under the National Environmental Policy Act (NEPA) and eligible for federal funding.

SANBAG has supported the intent of the Buy America policy to increase domestic jobs, however, the broadened application to include utility relocation contracts initially created serious project implementation issues.

Following MAP-21's passage, FHWA initially interpreted the new rules to apply immediately to all utility agreements on projects receiving federal funds starting October 1, 2012. These contracts now had to ensure that all iron and steel incorporated into the projects had to be domestically produced and certified as domestically produced. Since utilities and the companies that make the materials used in utility relocation have not been subject to Buy America historically, this caused major project delays and threatened the loss of state and federal funds.

The FHWA recently announced a six-month transition period in which Buy America compliance will not be required for non-federally funded utility relocations if items are certified as unavailable domestically or the time allowed for domestic purchases is insufficient.

Unfortunately, even with this recent FHWA guidance, SANBAG continues to experience resistance from utility providers and have struggled to execute time sensitive agreements. SANBAG's negotiation with utility providers regarding agreements for the relocation of utility facilities appears to continue to remain an issue for timely project delivery.

SANBAG continues to attempt to accommodate the uncertainty created by this policy change by working cooperatively with the utilities to develop solutions that avoid major delays. However, with statements by the utilities that full compliance with Buy America may not be possible in the time period given by FHWA, we are fearful that once the six-month policy expires, projects will certainly continue to encounter issues. On January 1, 2014, we could very well be back in the same situation dealing with substantial delays and increased costs for transportation projects. Failure to comply with these Buy America requirements after the end of the year could hinder SANBAG's ability to retain federal and state funds on affected projects.

#### Design-Build

Negotiations are underway to expand and extend current Design-Build (DB) authority initially authorized by SB 2X 4 (Chapter 2, Statutes of 2009-10 Second Extraordinary Session). The Orange County Transportation Commission (OCTA) has sponsored AB 401 (Tom Daly, D – Anaheim), which was initially drafted to

provide DB authority to OCTA for a project on Interstate 405. Once the bill moved to the Senate, Senate leadership and staff, Legislative Counsel, transportation agencies, and key stakeholders including the American Council of Engineering Companies (ACEC) and the Professional Engineers in California Government (PECG) began negotiations on expanding AB 401's authority for statewide use.

As was previously mentioned, the current DB pilot-program under SB2X 4 expires January 1, 2014 and was limited to 5 local street and road projects and 10 state highway projects. SB 2X 4 also required the approval of the California Transportation Commission for the projects.

AB 401 maintained the California Department of Transportation's (Caltrans) role for OCTA's project for construction inspection and safety responsibilities, while ensuring compliance with Article 22 of the Constitution (as added by Proposition 35 in 2000) by stating that these services can be carried out by public employees or by private contract.

The proposed amendments for AB 401, which would expand DB authority statewide, are currently as follows (as of the writing of this report):

- Extends DB authority 10 years to 2024.
- Project selection can be based on either low-bid or best value.
- Specifically permits local agency use of this authority on the state highway system.
- Limits Caltrans use of DB in this period to 10 projects.
- Extends authorities for local road projects as well.
- No limit for regional transportation agency on the number of projects or use of DB other than the sunset date.
- Uses the definition in Public Private Partnership (P3) law for regional agencies, which is expansive and includes SANBAG. Efforts are underway to ensure the language includes Congestion Management Agencies to accommodate concerns voice in the Bay Area.
- Construction inspection language is expected to be further clarified to be limited to Caltrans oversight for construction inspection, meaning that either a public employee or private entity can perform the inspection with Caltrans final approval and acceptance of the work.
- Continues Proposition 35 compliant language for components of projects on the State Highway System under Caltrans purview, as being performed by "department employees or consultants under contract with the department."

If the above amendments are incorporated into the bill as anticipated, the bill language will be consistent with SANBAG's 2013-2014 adopted State Legislative Platform under the provision, "Support measures that expand the use of design-build and P3s."

The use of the DB procurement method, outlined under AB 401, rather than the traditional design-bid-build method, will allow for an expedited project delivery schedule for selected projects by allowing design and construction activities to proceed concurrently rather than sequentially.

In addition, Public Private Partnership (P3) authority in SB 2X 4 currently expires in 2017. This agreement would allow regional agencies to pursue P3 projects after 2017 with the California Transportation Financing Authority, as authorized under AB 798 (Chapter 474, Statutes of 2009), for tolling authority while still utilizing DB authority under AB 401. Previously, DB authority associated with P3 projects was set to expire with that authority in 2017.

At the time this agenda item was written, additional amendments were not in print for AB 401. SANBAG staff anticipates continued discussions regarding and is hopeful that the negotiated items will in print soon.

#### Federal

In July, the House and Senate continued discussions on their respective FY 2014 Transportation Appropriations bills. Both bills (S. 1243 and H.R. 2610) fully fund MAP-21 authorized levels for highway and transit.

H.R. 2610 has been removed from the House floor calendar due to the lack of sufficient votes to pass the bill. The House is now in recess until September 9th, and upon their return, there will only be nine legislative days to debate the bill before the Federal Government's FY2013 fiscal year ends on September 30th. With the limited amount of time available before the September deadline, we are most likely to see another Continuing Resolution (CR).

The House bill would have provided \$44.1 billion in discretionary spending, a reduction of \$7.7 billion below the fiscal year 2013 enacted level and \$13.9 billion below the President's budget request. Should H.R. 2610 reach the President's desk, the Administration has threatened to veto it over the proposed spending cuts. Please see the statement from the White House included as Attachment #2.

S. 1243 currently allocates nearly \$10 billion more than the House bill for transportation and proposes to:

- Fund the next TIGER grant program at \$550 million;
- Include a new program to repair “Bridges in Critical Corridors” at \$500 million;
- Increase Amtrak funding; and
- Include provisions related to Federal Aviation Administration (FAA) air traffic control modernization.

The Senate further adopted two amendments relating to transportation:

1. Requires Department of Transportation (DOT) cyber-security funding to be contingent on specified reporting requirements; and
2. Requires the Federal Railroad Administration (FRA) to evaluate existing rules on the use of locomotive horns at grade crossings and suggest possible revisions.

Budget Committee Chairman, Senator Patty Murray (D-WA), announced that negotiations on amendments are ongoing and that the Senate will continue consideration of the bill following the August recess.

***Financial Impact:*** This item has no fiscal impact on the FY2013/2014 SANBAG Budget.

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

***Responsible Staff:*** Wendy Strack, Director of Legislative Affairs

**CA AB 14** **SANBAG Position: Support in Concept**

**AUTHOR:** Lowenthal B (D)  
**TITLE:** State Freight Plan  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/06/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Third Reading File  
**SUMMARY:** Requires the Transportation Agency to prepare a state freight plan with specified elements to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. Requires the agency to establish a freight advisory committee.  
**STATUS:** 07/02/2013 In SENATE. Read second time. To third reading.

**CA AB 21**

**AUTHOR:** Alejo (D)  
**TITLE:** Safe Drinking Water Small Community Grant Fund  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 02/14/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Authorizes the assessment of a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and the deposit of that money into the Safe Drinking Water State Small Community Emergency Grant Fund. Authorizes the expending of the money in the fund for grants for specified water projects that serve disadvantaged and severely disadvantaged communities.  
**STATUS:** 06/26/2013 From SENATE Committee on HEALTH: Do pass to Committee on APPROPRIATIONS. (9-0)

**CA AB 39**

**AUTHOR:** Skinner (D)  
**TITLE:** Energy: Conservation: Financial Assistance  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 06/24/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Extends the operation of the Energy Conservation Assistance Act of 1979 that requires the State Energy Resources Conservation and Development Commission to administer the State Energy Conservation Assistance Account, a continuously appropriated account to

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provide grants and loans to local governments and public institutions to maximize energy use savings.

07/02/2013

From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass to Committee on APPROPRIATIONS. (9-2)

**STATUS:**

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**CA AB 114**

**AUTHOR:** Salas (D)

**TITLE:** Proposition 39: Implementation: Workforce Development

**FISCAL**

**COMMITTEE:** yes

**URGENCY**  
**CLAUSE:** no

**INTRODUCED:**01/14/2013

**LAST AMEND:** 07/09/2013

**DISPOSITION:** Pending

**LOCATION:** Senate Appropriations Committee

**SUMMARY:**

Amends existing law that appropriates funds to the State Workforce Development Board to develop and implement a competitive grant program for eligible community-based and other training workforce organizations prepared disadvantaged youth or veterans for employment. Requires the Board to require a grant recipient to report to the Board specified information, and to review and assess the program in achieving the training and workforce development goals, identify problems and barriers, and provide solutions.

**STATUS:**

07/09/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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**CA AB 164**

**AUTHOR:** Wieckowski (D)

**TITLE:** Infrastructure Financing

**FISCAL**

**COMMITTEE:** no

**URGENCY**  
**CLAUSE:** no

**INTRODUCED:**01/23/2013

**LAST AMEND:** 06/05/2013

**DISPOSITION:** To Governor

**LOCATION:** Enrolled

**SUMMARY:**

Requires a lease agreement between a governmental agency undertaking an infrastructure project and a private entity to include performance bonds as security to ensure the completion of the construction of the facility and payment bonds to secure the payment of claims of laborers, mechanics, and materials suppliers employed on the work under contract.

**STATUS:**

07/01/2013 Enrolled.

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**CA AB 179**

**AUTHOR:** Bocanegra (D)

**TITLE:** Electronic Transit Fare Collection Systems

**FISCAL**

**COMMITTEE:** yes

**URGENCY**  
**CLAUSE:** no

**INTRODUCED:**01/24/2013

**LAST AMEND:** 06/19/2013

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**DISPOSITION:** Pending  
**LOCATION:** Senate Second Reading File  
**SUMMARY:** Makes provisions of existing law regarding the prohibition of a transportation agency selling or providing personally identifiable information from an electronic toll collection system or use of toll facility using such system applicable to an agency that employs an electronic transit fare system. Allows a person's consent to share that information with a third party to be written or oral. Exempts photographic or video footage from the definition of such information, unless it was used for assessing a fare.  
**STATUS:** 07/11/2013 From SENATE Committee on APPROPRIATIONS: To second reading without further hearing pursuant to Senate Rule 28.8.

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**CA AB 195**

**AUTHOR:** Hall (D)  
**TITLE:** Counties: Construction Projects: Design-Build  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/28/2013  
**LAST AMEND:** 05/20/2013  
**DISPOSITION:** To Governor  
**LOCATION:** To enrollment  
**SUMMARY:** Extends provisions of existing law that authorizes counties to use alternative procedures, known as design-build, for bidding on specified types of construction projects in the county in excess of a specified amount, in accordance with specified procedures, and provides that the procedures include a requirement for contracts awarded after a certain date that a county board of supervisors pay a fee into the State Public Works Enforcement Fund.  
**STATUS:** 07/08/2013 In SENATE. Read third time. Passed SENATE. To enrollment. (33-0)

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**CA AB 205**

**AUTHOR:** Pan (D)  
**TITLE:** Public Employees' Retirement: Pension Fund  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/30/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Third Reading File  
**SUMMARY:** Extends the authorization to prioritize investment in an in-state infrastructure project to the board of retirement or the board of investments of a retirement system established pursuant to the County Employees Retirement Law of 1937.  
**STATUS:** 06/12/2013 In SENATE. Read second time. To third reading.

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**CA AB 229**

**AUTHOR:** Perez J (D)  
**TITLE:** Infrastructure and Revitalization Financing Districts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/04/2013

**LAST AMEND:** 06/11/2013**DISPOSITION:** Pending**LOCATION:** Senate Third Reading File

**SUMMARY:** Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases.

**STATUS:** 06/25/2013 In SENATE. Read second time. To third reading.**Priority:** High**CA AB 243****AUTHOR:** Dickinson (D)**TITLE:** Local Government: Infrastructure Financing Districts**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/06/2013**LAST AMEND:** 06/18/2013**DISPOSITION:** Pending**LOCATION:** Senate Third Reading File

**SUMMARY:** Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases if special conditions are met. Authorizes a district to fund various projects, including watershed land used for the collection and treatment of water for urban uses, flood management, open space, habitat restoration and development purposes.

**STATUS:** 07/02/2013 In SENATE. Read second time. To third reading.**CA AB 250****AUTHOR:** Holden (D)**TITLE:** State Innovation Initiatives**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/06/2013**LAST AMEND:** 06/26/2013**DISPOSITION:** Pending**COMMITTEE:** Senate Appropriations Committee**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)

**SUMMARY:** Creates the State Innovation Hub Program, which requires the Governor's Office of Business and Economic Development to designate Innovation Hubs. Authorizes the office to use vacant or underused state-owned or leased property that is controlled by the Department of General Services. Authorizes specified state property, when authorized by law, to be used as matching funds to meet federal funding requirements. Requires the office to issue a request for proposals. Relates to iHub partnerships.

**STATUS:** 06/26/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**CA AB 266**

**AUTHOR:** Blumenfield (D)  
**TITLE:** Vehicles: High-Occupancy Vehicle Lanes  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/07/2013  
**LAST AMEND:** 07/10/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Extends the operation of existing law that authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles to include certain low-emission vehicles or until the Secretary of State receives a specified notice, whichever comes first. Authorizes until a specified date or a specified condition, the Department to issue a valid identifier to a vehicle that meets the state's transitional zero-emission vehicle standard.  
**STATUS:** 07/10/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**CA AB 268****SANBAG Position: Support in Concept**

**AUTHOR:** Holden (D)  
**TITLE:** Transit: Metro Gold Line Extension  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/07/2013  
**LAST AMEND:** 04/16/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Rules Committee  
**SUMMARY:** States the intent of the Legislature to enact legislation that would enable the Metro Gold Line extension to be completed at the terminus of Ontario Airport with intermediate stops in San Dimas, La Verne, Pomona, Claremont, and Montclair, and for regional cooperation to continue.  
**STATUS:** 04/18/2013 Re-referred to ASSEMBLY Committee on RULES.

**CA AB 380**

**AUTHOR:** Dickinson (D)  
**TITLE:** California Environmental Quality Act: Notice  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/14/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Environmental Quality Committee  
**SUMMARY:** Amends the California Environmental Quality Act. Requires that notices regarding environmental impact reports filed by lead agencies need to be filed with the Office of Planning and Research and the county clerk and posted by the clerk for public review.

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**STATUS:** Provides notice requirements for projects that are determined to be exempted from the Act.  
06/13/2013 To SENATE Committee on ENVIRONMENTAL QUALITY.

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**CA AB 392**

**AUTHOR:** Jones-Sawyer (D)  
**TITLE:** State Mandates: Prorated Claims  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/15/2013  
**LAST AMEND:** 06/05/2013  
**DISPOSITION:** To Governor  
**LOCATION:** Enrolled

**SUMMARY:** Amends existing law requiring the Controller to prorate mandated claims, including school claims, if the amount appropriated for reimbursement is not sufficient to pay all of the claims approved by the Controller, and requiring the controller to report to the Department of Finance when it is necessary to prorate claims. Deletes that reporting requirement. Requires the Controller to determine the most cost-effective allocation method if a specified amount is appropriated. Makes a conforming statutory change.

**STATUS:** 07/10/2013 Enrolled.

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**CA AB 401**

**AUTHOR:** Daly (D)  
**TITLE:** Public Contracts: Design-Build: Highway Route 405  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/15/2013  
**LAST AMEND:** 05/20/2013  
**DISPOSITION:** Pending

**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:** Authorizes the Orange County Transportation Authority to utilizes the design-build procurement for the Interstate Highway 405 Improvement Project based on the best value or lowest responsible bid. Requires the Department of Transportation to provide inspection services. Requires the reimbursement of the Department of Industrial Relations for performing prevailing wage monitoring and enforcement of a public works project by the transportation entity that awarded the contract.

**STATUS:** 07/09/2013 In SENATE Committee on TRANSPORTATION AND HOUSING:  
Not heard.

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**CA AB 405**

**AUTHOR:** Gatto (D)  
**TITLE:** High-Occupancy Vehicle Lanes: County of Los Angeles  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no

**INTRODUCED:**02/15/2013**LAST AMEND:** 06/27/2013**DISPOSITION:** Pending**COMMITTEE:** Senate Appropriations Committee**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)**SUMMARY:**

Prohibits the establishment of any high-occupancy land on specified state highway routes in the County of Los Angeles, unless the lane is established as such land only during the hours of heavy commuter traffic. Requires any such lane to be modified to conform to those requirements. Authorizes the Department of Transportation to reinstate 24-hour high-occupancy vehicle lanes on the specified portions of these routes if the department makes a specified determination. Requires a related report.

06/27/2013 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.

**STATUS:**

06/27/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**CA AB 431****SANBAG Position: Oppose****AUTHOR:** Mullin (D)**TITLE:** Transportation: Sustainable Communities: Funding**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:**02/15/2013**LAST AMEND:** 04/15/2013**DISPOSITION:** Pending**LOCATION:** Assembly Transportation Committee**SUMMARY:**

Authorizes a transportation planning agency that is designated as a metropolitan planning organization to impose a transactions and use tax at a rate that is no more than a specified percentage, if certain requirements are met. Require a related ordinance to contain a specified expenditure plan to be spent on each of three categories of transportation, affordable housing, and parks and open space, with remaining net revenues to be spent to attain sustainable communities strategy.

**STATUS:**

04/15/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

**CA AB 466****SANBAG Position: Support****AUTHOR:** Quirk-Silva (D)**TITLE:** Federal Transportation Funds**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:**02/19/2013**LAST AMEND:** 03/14/2013**DISPOSITION:** Pending**LOCATION:** Senate Third Reading File**SUMMARY:**

Requires the Department of Transportation to allocate federal transportation funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area.

**STATUS:**

07/02/2013 In SENATE. Read second time. To third reading.

**CA AB 481**

**AUTHOR:** Lowenthal B (D)  
**TITLE:** High-Speed Rail.  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/19/2013  
**LAST AMEND:** 06/12/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Unfinished Business - Concurrence in Senate Amendments  
**SUMMARY:** Enacts exceptions and authorizations relative to real property obtained for high-speed rail purposes by the High-Speed Rail Authority. Enacts new provisions governing acquisition or disposal of right-of-way property by the authority. Requires payments for leases, sales or other conveyances of property controlled by the authority to be deposited in the High-Speed Rail Property Fund created by the bill. Provide that the funds shall be available to the authority upon appropriation for specified purposes.  
**STATUS:** 07/08/2013 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To ASSEMBLY for concurrence. (21-9)

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**CA AB 493**

**AUTHOR:** Daly (D)  
**TITLE:** Toll Facilities  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/20/2013  
**LAST AMEND:** 04/17/2013  
**DISPOSITION:** To Governor  
**LOCATION:** Enrolled  
**SUMMARY:** Authorizes operators of toll facilities on federal-aid highways to fully implement technologies or business practices that provide for the interoperability of electronic toll collection programs on and after the date specified in the Moving Ahead for Progress in the 21st Century Act. Limits the information that may be disclosed through participation in an interoperability program.  
**STATUS:** 07/10/2013 Enrolled.

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**CA AB 528**

**AUTHOR:** Lowenthal B (D)  
**TITLE:** State Rail Plan and High-Speed Rail Authority  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/20/2013  
**LAST AMEND:** 06/04/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Third Reading File  
**SUMMARY:** Revises certain items required to be in the elements of the State Rail Plan and the business

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plan. Eliminates the current timeframe for the plan. Provides for the submission of the rail plan to specified transportation agencies, the Legislature, and the Governor. Requires the rail plan to be updated periodically. Relates to the submission of the High-Speed Rail Authority business plan. Repeals provisions regarding identifying certain AMTRAK related decrepit intercity rail passenger stations.

**STATUS:** 06/25/2013 In SENATE. Read second time. To third reading.

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**CA AB 564**

**AUTHOR:** Mullin (D)  
**TITLE:** Community Redevelopment: Successor Agencies

**FISCAL**  
**COMMITTEE:** yes

**URGENCY**  
**CLAUSE:** no

**INTRODUCED:** 02/20/2013

**LAST AMEND:** 03/12/2013

**DISPOSITION:** Pending

**COMMITTEE:** Senate Appropriations Committee

**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)

**SUMMARY:** Amends existing law that dissolved redevelopment agencies and community development agencies and provides for the designation of successor agencies. Prohibits the Department of Finance from taking any future action to modify the enforceable obligations described in existing law following the effective date of the approval of those obligations after review by an oversight board and the department, and from taking action to modify the transfer of property, if the transfer is in an approved transfer plan.

**STATUS:** 06/26/2013 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS. (7-0)

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**CA AB 662**

**AUTHOR:** Atkins (D)  
**TITLE:** Local Government: Infrastructure Financing Districts

**FISCAL**  
**COMMITTEE:** yes

**URGENCY**  
**CLAUSE:** no

**INTRODUCED:** 02/21/2013

**LAST AMEND:** 06/11/2013

**DISPOSITION:** Pending

**LOCATION:** Senate Appropriations Committee

**SUMMARY:** Deletes a prohibition on the inclusion of redevelopment project areas in infrastructure financing districts. Relates to the dissolution of redevelopment and community development agencies and designation of successor agencies. Authorizes a successor agency to enter into contracts, make land use decisions, and administer certain projects if the project will not commit new tax funds or affect the flow of tax increment to taxing agencies. Relates to obligation payments. Regards highway improvement contracts.

**STATUS:** 06/11/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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**CA AB 701**

**AUTHOR:** Perez J (D)  
**TITLE:** California Infrastructure and Economic Development Bank

**FISCAL**  
**COMMITTEE:** yes

**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/21/2013  
**LAST AMEND:** 06/03/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Third Reading File  
 Relates to the Infrastructure and Economic Development Bank and board of directors. Adds a Member of the Assembly, or a designee of the member, and a Member of the Senate, or designee of the member, as advisory members of the board. Requires the bank to serve as the primary state agency for purposes of developing an application for any federal infrastructure bank or financing authority. Incorporates additional changes made by the Governor's Reorganization Plan.

**SUMMARY:**

**STATUS:** 06/25/2013 In SENATE. Read second time. To third reading.

**CA AB 749** **SANBAG Position: Work With Author**

**AUTHOR:** Gorell (R)  
**TITLE:** Public-Private Partnerships  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/21/2013  
**LAST AMEND:** 04/11/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
 Amends existing law that authorizes the State Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users tolls and user fees and calls those arrangements public-private partnerships. States the intent of the Legislature for a project developed under these provisions to have specified characteristics.

**SUMMARY:**

**STATUS:** 04/29/2013 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

**CA AB 797**

**AUTHOR:** Gordon (D)  
**TITLE:** Transit Districts: Contracts  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:**02/21/2013  
**LAST AMEND:** 04/15/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Third Reading File  
 Authorizes the Santa Clara County Valley Transportation Authority and the San Mateo County Transit District to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within their jurisdictions. Requires the Authority or the district to reimburse the Department of Industrial Relations for costs of performing wage monitoring and enforcement on projects using such contracting methods. Requires those funds to be for enforcement of prevailing wage requirements.

**SUMMARY:**

**STATUS:** 06/25/2013 In SENATE. Read second time. To third reading.

**CA AB 863****SANBAG Position: Work With Author**

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**AUTHOR:** Torres (D)  
**TITLE:** Transit Projects: Environmental Review Process  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee  
**SUMMARY:** Authorizes the Department of Transportation to assume responsibilities for federal review and clearance under the National Environmental Policy Act for a transit project that is subject to the act. Provides that the state consents to the jurisdiction of the federal courts in that regard, and provides that the department may not assert immunity from suit under the U.S. Constitution with regard to actions brought relative to those responsibilities under federal law.  
**STATUS:** 03/04/2013 To ASSEMBLY Committees on TRANSPORTATION and NATURAL RESOURCES.

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**CA AB 906**

**AUTHOR:** Pan (D)  
**TITLE:** Personal Services Contracts  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 07/03/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Public Employment and Retirement Committee  
**SUMMARY:** Relates to the State Civil Service Act and personal services contracts. Authorizes state agencies to use personal services contracts when the services are of irregular, unpredictable, or occasional duration and are necessary to carry out instructional activities related to peace officer standards and training. Limits the term of certain contracts. Prohibits a contracting agency from executing certain contracts until the State Personnel Board has contacted all organizations that represent affected employees.  
**STATUS:** 07/08/2013 In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Heard, remains in Committee.

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**CA AB 1046**

**AUTHOR:** Gordon (D)  
**TITLE:** Department of Transportation: Innovative Delivery  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:**02/22/2013  
**LAST AMEND:** 03/21/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Authorizes the Department of Transportation's District 4 director to direct existing district resources to the Innovative Delivery Team Demonstration Program. Authorizes department staff to perform reimbursed work for projects on and off the state highway system within the boundaries of the County of Santa Clara pursuant to the master

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agreement and accompanying work programs.

**STATUS:** 07/09/2013 From SENATE Committee on TRANSPORTATION AND HOUSING:  
Do pass to Committee on APPROPRIATIONS. (10-0)

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**CA AB 1070**

**AUTHOR:** Frazier (D)  
**TITLE:** California Transportation Financing Authority  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 04/03/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Relates to the Transportation Financing Authority Act and the Transportation Financing Authority. Provides for the roles of the authority and an issuer of bonds under the act if the project sponsor, rather than the authority, is the issuer of bonds.  
**STATUS:** 07/03/2013 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS. (7-0)

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**CA AB 1080**

**AUTHOR:** Alejo (D)  
**TITLE:** Community Revitalization & Investment Authorities  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 07/02/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Second Reading File  
**SUMMARY:** Authorizes certain public entities of a community revitalization and investment area to form a community revitalization plan within a community revitalization and investment authority to carry out the Community Redevelopment Law in a specified manner. Requires the authority to adopt a community revitalization plan for a community revitalization and investment area and authorizes the authority to include in that plan a provision for the receipt of tax increment funds.  
**STATUS:** 07/09/2013 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass as amended to Committee on APPROPRIATIONS. (8-2)

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**CA AB 1081**

**AUTHOR:** Medina (D)  
**TITLE:** Economic Development: Goods-Movement Infrastructure  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 07/09/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee

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**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** Amends existing law that requires the Governor to submit to the Legislature a proposed infrastructure plan containing certain information concerning infrastructure needed by specified entities and a proposal for funding the needed infrastructure. Requires the plan to include additional information related to infrastructure identified by state and federal transportation authorities, recommendations for private sector financing, and strategies to address state goods movement needs.  
**STATUS:** 07/09/2013 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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**CA AB 1140**

**AUTHOR:** Daly (D)  
**TITLE:** Public Works: Prevailing Wages  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Appropriations Committee  
**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)  
**SUMMARY:** States that if the Director of Industrial Relations determines, within a semiannual period, that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works. Authorizes any contractor, awarding body, or representative affected by a change in rates to file with the director a verified petition to review the determination of that rate. Requires the initiation of an investigation or hearing to make a final determination.  
**STATUS:** 06/26/2013 From SENATE Committee on LABOR AND INDUSTRIAL RELATIONS: Do pass to Committee on APPROPRIATIONS. (3-1)

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**CA AB 1194**

**AUTHOR:** Ammiano (D)  
**TITLE:** Safe Routes to School Program  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:** Requires a specified percent of Safe Routes to School Program to be used for noninfrastructure activities to encourage walking and bicycling to school. Authorizes the transfer of the responsibility for selecting projects and awarding grants from the Department of Transportation to the State Transportation Commission.  
**STATUS:** 07/02/2013 In SENATE Committee on TRANSPORTATION AND HOUSING: Not heard.

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**CA AB 1290**

**SANBAG Position: Work With Author**

**AUTHOR:** Perez J (D)  
**TITLE:** Transportation Planning  
**FISCAL** yes

**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:**02/22/2013**LAST AMEND:** 07/02/2013**DISPOSITION:** Pending**COMMITTEE:** Senate Appropriations Committee**HEARING:** 08/12/2013 10:00 am, Burton Hearing Room (4203)

Provides for 2 additional voting members of the State Transportation Commission to be appointed by the Legislature. Provides for the Secretary of the Transportation Agency, the Chairperson of the State Air Resources Board, and the Director of Housing and Community Development to serve as ex officio members without a vote. Requires each appointing authority to make sure the transportation community is represented on the board with future appointments.

**SUMMARY:**

**STATUS:** 07/09/2013 From SENATE Committee on TRANSPORTATION AND HOUSING:  
Do pass to Committee on APPROPRIATIONS. (7-3)

**CA ACA 1****AUTHOR:** Donnelly (R)**TITLE:** Administrative Regulations: Legislative Approval**FISCAL**  
**COMMITTEE:** yes**URGENCY** no**CLAUSE:****INTRODUCED:**12/03/2012**DISPOSITION:** Pending**LOCATION:** Assembly Accountability and Administrative Review Committee

Requires an administrative agency to submit all regulations to the Legislature for approval.

**SUMMARY:** Authorizes the Legislature, by means of a concurrent resolution, to approve a regulation adopted by an administrative agency of the state.

**STATUS:** 05/01/2013 In ASSEMBLY Committee on ACCOUNTABILITY AND  
ADMINISTRATIVE REVIEW: Failed passage.

**CA ACA 3****AUTHOR:** Campos (D)**TITLE:** Local Government Finance: Public Safety Services**FISCAL**  
**COMMITTEE:** no**URGENCY** no**CLAUSE:****INTRODUCED:**01/22/2013**DISPOSITION:** Pending**LOCATION:** Assembly Local Government Committee

Authorizes the imposition, extension, or increase of a special tax for funding fire, emergency response, police, or sheriff services, upon the approval of 55% of the voters voting. Creates an additional exception to the 1% limit for a rate imposed by a city, county, or special district to service bonded indebtedness incurred to fund certain fire, emergency response, police, or sheriff buildings or facilities, and equipment that is approved by 55% of the voters of the city, county, or special district.

**SUMMARY:**

**STATUS:** 04/04/2013 To ASSEMBLY Committees on LOCAL GOVERNMENT and  
APPROPRIATIONS.

**Priority:** High

**CA ACA 8**

**AUTHOR:** Blumenfield (D)  
**TITLE:** Local Government Financing: Voter Approval  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/13/2013  
**LAST AMEND:** 04/04/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Governance and Finance Committee  
**SUMMARY:** Proposes an amendment to the Constitution to create an additional exception to the 1% limit for an ad valorem tax rate imposed by a city, county, city and county, or special district, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district.  
**STATUS:** 06/27/2013 To SENATE Committees on GOVERNANCE AND FINANCE and ELECTIONS AND CONSTITUTIONAL AMENDMENTS.

**CA SB 1**

**AUTHOR:** Steinberg (D)  
**TITLE:** Sustainable Communities Investment Authority  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/02/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee  
**HEARING:** 08/14/2013 1:30 pm, Room 447  
**SUMMARY:** Authorizes certain public entities of a Sustainable Communities Investment Area to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law. Provides for tax increment funding receipt under certain economic development and planning criteria. Establishes prequalification requirements for receipt of funding. Requires monitoring and enforcement of prevailing wage requirements within the area.  
**STATUS:** 07/03/2013 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on LOCAL GOVERNMENT. (5-2)

**CA SB 11**

**AUTHOR:** Pavley (D)  
**TITLE:** Alternative Fuel: Vehicle Technologies: Funding Program  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** yes  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/28/2013  
**DISPOSITION:** Pending

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**COMMITTEE:** Assembly Natural Resources Committee  
**HEARING:** 08/12/2013 1:30 pm, Room 447  
**SUMMARY:** Provides the State Air Resources Board has no authority regarding publicly available hydrogen fueling stations. Requires funding for such stations. Provides loan and grant preferences. Requires hydrogen fueling network loans and grants. Relates to the smog abatement fee, the state tire fee, and vehicle registration charge in a specified county. Expands the state air quality standards program to fund a broader range of projects.  
**STATUS:** 07/01/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on NATURAL RESOURCES. (10-3)

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**CA SB 33**

**AUTHOR:** Wolk (D)  
**TITLE:** Infrastructure Financing Districts: Voter Approval  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 03/06/2013  
**DISPOSITION:** Pending  
**FILE:** 20  
**LOCATION:** Assembly Second Reading File  
**SUMMARY:** Revises provisions governing infrastructure financing districts. Eliminates the requirement of voter approval for creation of the district and for bond issuance, and authorizes the legislative body to create the district subject to specified procedures. Authorizes the creation of such district subject to specified procedures. Authorizes a district to finance specified actions and project. Prohibits the district from providing financial assistance to a vehicle dealer or big box retailer.  
**STATUS:** 07/03/2013 From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (11-5)

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**CA SB 64**

**AUTHOR:** Corbett (D)  
**TITLE:** Global Warming Solutions: Clean Technology Investment  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/10/2013  
**LAST AMEND:** 06/14/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Natural Resources Committee  
**HEARING:** 08/12/2013 1:30 pm, Room 447  
**SUMMARY:** Creates the Clean Technology Investment Account within the Greenhouse Gas Reduction Fund. Requires appropriations of moneys in the fund or other funds to the account in the Budget Act. Makes such funds available for grants to nonprofit public benefit corporations and regional technology alliances to design and implement program that accelerate the development, demonstration, and deployment of technologies that would reduce greenhouse gas emissions and foster job creation in the state.  
**STATUS:** 06/24/2013 Re-referred to ASSEMBLY Committee on NATURAL RESOURCES.

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**CA SB 110**

**AUTHOR:** DeSaulnier (D)  
**TITLE:** Oakland Bay Bridge Safety Review Task Force

**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** yes  
**INTRODUCED:** 01/14/2013  
**LAST AMEND:** 07/03/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
Establishes the East Span, San Francisco-Oakland Bay Bridge Safety Review Task Force to assess the seismic structural performance of the East Span of the bridge by conducting a series of specified reviews. Provides an appropriation for the task force. Requires the Bay Area Toll Authority to reimburse the State Highway Account for all funds expended for purposes of the task force. Provides that the records of the task force are subject to public disclosure. Provides for indemnification of task force members.  
**SUMMARY:**  
07/03/2013 In ASSEMBLY. Read second time and amended. Re-referred to  
**STATUS:** Committee on APPROPRIATIONS.

**CA SB 133**

**AUTHOR:** DeSaulnier (D)  
**TITLE:** Redevelopment  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/28/2013  
**LAST AMEND:** 06/10/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee  
**HEARING:** 08/14/2013 1:30 pm, Room 447  
Amends the Community Redevelopment Law. Requires a redevelopment agency to include additional information relating to any major audit violations, any corrections of those violations, and planning and general administrative expenses of the Low and Moderate Income Housing Fund. Authorizes quality control reviews by the Controller and the publishing of those reviews. Requires audits of such agencies to ensure compliance with the law. Relates to funding for housing construction and/or rehabilitation.  
**SUMMARY:**  
07/03/2013 From ASSEMBLY Committee on HOUSING AND COMMUNITY  
**STATUS:** DEVELOPMENT: Do pass to Committee on LOCAL GOVERNMENT. (5-2)

**CA SB 142**

**AUTHOR:** DeSaulnier (D)  
**TITLE:** Public Transit  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/30/2013  
**LAST AMEND:** 05/07/2013  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee  
**HEARING:** 08/14/2013 1:30 pm, Room 447  
Repeals existing law providing for creation of one or more special benefit districts within a transit or rapid transit district regarding issuance of bonds to be repaid through special assessments levied on property within the special benefit district. Amends district areas.  
**SUMMARY:**

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Enacts provisions authorizing a transit district, municipal operator, other other public agency operating or contracting for the operation of transit, commuter rail, or intercity rail service to create one or more special districts.

**STATUS:** 07/01/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on LOCAL GOVERNMENT. (11-3)

**CA SB 176**

**AUTHOR:** Galgiani (D)  
**TITLE:** Administrative Procedures

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/06/2013

**LAST AMEND:** 06/18/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Accountability and Administrative Review Committee

**SUMMARY:** Requires the Office of Administrative Law to allow electronic submission to the office by a state agency of notices required to be published and information required to be submitted pursuant to specified provisions of existing law. Expands the public discussion required described in existing law to require a state agency proposing to adopt regulations, prior to publication of a notice of proposed adoption, amendment, or repeal, to involve parties that would be subject to the regulations in such discussions.

06/18/2013 From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW with author's amendments.

**STATUS:** 06/18/2013 In ASSEMBLY. Read second time and amended. Re-referred to Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.

**CA SB 286**

**AUTHOR:** Yee (D)  
**TITLE:** Vehicles: High-Occupancy Vehicle Lanes

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/14/2013

**LAST AMEND:** 06/24/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Second Reading File

**SUMMARY:** Extends the operation of existing law that authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles, which lanes may also be used by certain low-emission or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane. Permits the department to issue a valid identifier to a vehicle that meets the state's transitional zero emission standard. Repeals and deletes related provisions.

**STATUS:** 07/03/2013 From ASSEMBLY Committee on APPROPRIATIONS: Do pass as amended. (16-1)

**CA SB 328**

**AUTHOR:** Knight (R)  
**TITLE:** Counties: Public Works Contracts

**FISCAL** yes

**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:**02/19/2013**LAST AMEND:** 04/09/2013**DISPOSITION:** Pending**FILE:** 81**LOCATION:** Assembly Second Reading File**SUMMARY:**

Authorizes a county to utilize construction manager at-risk construction contracts for the erection, construction, alteration, repair, or improvement of any building owned or leased by the county. Provides that a construction manager at-risk contract may be awarded using the lowest responsible bidder or the best value method. Requires subcontractors not listed as partners, general partners, or association members be awarded certain work by the construction manager at-risk.

**STATUS:** 07/03/2013 From ASSEMBLY Committee on APPROPRIATIONS: Do pass as amended. To Consent Calendar. (17-0)

**CA SB 425****AUTHOR:** DeSaulnier (D)**TITLE:** Public Works: the Public Works Peer Review Act of 2013**FISCAL****COMMITTEE:** yes**URGENCY** no**CLAUSE:****INTRODUCED:**02/21/2013**LAST AMEND:** 05/07/2013**DISPOSITION:** Pending**LOCATION:** Assembly Appropriations Committee**SUMMARY:**

Allows a public agency, principally tasked with administering, planning, developing, and operating a public works project, to establish a specified peer review group. Requires the administering agency, if a peer group is established, to draft a charter, published on the agency's Internet Web site, related to the duties of the peer review group.

**STATUS:** 07/03/2013 From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Do pass to Committee on APPROPRIATIONS. (10-0)

**CA SB 436****AUTHOR:** Jackson (D)**TITLE:** California Environmental Quality Act: Notice**FISCAL****COMMITTEE:** yes**URGENCY** no**CLAUSE:****INTRODUCED:**02/21/2013**LAST AMEND:** 04/03/2013**DISPOSITION:** Pending**FILE:** 32**LOCATION:** Assembly Second Reading File**SUMMARY:**

Relates to the California Environmental Quality Act. Requires a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. Revises the meeting notice requirements to requires the notice be given to a list of specified parties including the State Clearinghouse and project applicants.

**STATUS:** 07/03/2013 From ASSEMBLY Committee on APPROPRIATIONS: Do pass. (12-5)

**CA SB 454**

**AUTHOR:** Corbett (D)

**TITLE:** Public Resources: Electric Vehicle Charging Stations

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/21/2013

**LAST AMEND:** 05/24/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Appropriations Committee

**SUMMARY:** Creates the Electric Vehicle Charging Stations Open Access Act. Prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station. Prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station. Requires the total actual charges for the use of a station to be disclosed at the point of sale. Requires a provider of certain equipment or a station to disclose certain information.

**STATUS:** 07/01/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (11-2)

**CA SB 513**

**AUTHOR:** Hancock (D)

**TITLE:** Diversion Programs: Sealed Records

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/21/2013

**LAST AMEND:** 04/01/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Second Reading File

**SUMMARY:** Provides that in any case where a person is arrested and successfully completes a diversion program administered by a prosecuting attorney in lieu of filing an accusatory pleading, the person may petition the Superior Court that would have had jurisdiction over the matter for an order to seal the records of the arresting agency and related court files and records, and the court may issue that order if the court finds that doing so will be in furtherance of justice.

**STATUS:** 07/03/2013 From ASSEMBLY Committee on APPROPRIATIONS: Do pass as amended. (12-5)

**CA SB 557**

**AUTHOR:** Hill (D)

**TITLE:** High-Speed Rail

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/22/2013

**LAST AMEND:** 05/02/2013

**DISPOSITION:** Pending

**LOCATION:** Assembly Appropriations Committee

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**SUMMARY:** Relates to existing law that appropriates specified funds from the High Speed Passenger Train Bond Fund and from federal funds for high-speed rail and connecting rail projects. Adds detail to provisions governing the expenditure of certain of those appropriated funds. Specifies that of the moneys appropriated for early high-speed rail improvement projects in the Budget Act of 2012, a specified amount shall be allocated solely for purposes of specified memoranda of understanding.

**STATUS:** 07/01/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS. (15-0)

**CA SB 628**

**AUTHOR:** Beall (D)  
**TITLE:** Infrastructure Financing: Transit Priority Projects  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 06/17/2013  
**DISPOSITION:** Pending  
**FILE:** 14  
**LOCATION:** Assembly Second Reading File  
**SUMMARY:** Eliminates the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit priority project. Requires a specified percentage of the revenue for increasing, improving, and preserving the supply of lower and moderate-income housing. Requires a low-income housing replacement ordinance.  
**STATUS:** 07/03/2013 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass as amended. (4-2)

**CA SB 731**

**SANBAG Position: Work With Author**

**AUTHOR:** Steinberg (D)  
**TITLE:** Environment: California Environmental Quality Act  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/22/2013  
**LAST AMEND:** 05/24/2013  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Second Reading File  
**SUMMARY:** Relates to the state environmental quality act. Provides that aesthetic impacts of a residential, mixed-use residential, or employment center project within a transit priority area shall not be considered significant impacts on the environment. Requires guidelines for thresholds of significance and the transportation and parking impacts to be made available to the public. Requires preparation of environmental impact reports. Extends tolling agreements for judicial actions and mitigation measures.  
**STATUS:** 07/01/2013 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass as amended to Committee on LOCAL GOVERNMENT. (6-1)

**CA SB 751**

**AUTHOR:** Yee (D)  
**TITLE:** Meetings: Publication of Action Taken  
**FISCAL** yes

**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:**02/22/2013**LAST AMEND:** 06/17/2013**DISPOSITION:** Pending**FILE:** 70**LOCATION:** Assembly Second Reading File

**SUMMARY:** Amends the Ralph M. Brown Act that requires all meetings of the legislative body of a local agency to be open and public and prohibits that body from taking action by secret ballot, whether preliminary or final. Requires that the legislative body of a local agency to publicly report any action taken and the vote or abstention of that action of each member present for the action.

**STATUS:** 07/03/2013 From ASSEMBLY Committee on APPROPRIATIONS: Do pass. To Consent Calendar. (17-0)

**CA SB 788****AUTHOR:** Senate Transportation and Housing Committee**TITLE:** Transportation**FISCAL**  
**COMMITTEE:** yes**URGENCY** no**CLAUSE:****INTRODUCED:**02/22/2013**LAST AMEND:** 06/10/2013**DISPOSITION:** Pending**COMMITTEE:** Assembly Natural Resources Committee**HEARING:** 08/12/2013 1:30 pm, Room 447

**SUMMARY:** Defines the term highway for these exemption purposes under the CEQA. Relates to the prepayment of retail sales tax on aircraft jet fuel. Authorizes relinquishment of certain highways. Modifies bikeway provisions. Revises the definition of logging dolly, logging vehicle, station wagon, and schoolbus accident. Relates to Olympic and veterans' associations license plates. Revises provisions governing commercial driver's licensing.

**STATUS:** 06/17/2013 From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on NATURAL RESOURCES. (15-0)

**CA SB 811****AUTHOR:** Lara (D)**TITLE:** State Highway Route 710**FISCAL**  
**COMMITTEE:** yes**URGENCY** no**CLAUSE:****INTRODUCED:**02/22/2013**LAST AMEND:** 06/24/2013**DISPOSITION:** Pending**COMMITTEE:** Assembly Transportation Committee**HEARING:** 08/12/2013 1:30 pm, Room 4202

**SUMMARY:** Imposes various requirements on the Department of Transportation with respect to the I-710 expansion project in the County of Los Angeles. Requires the lead agency to consider, within the environmental review process, alternatives on air quality, public health, and mobility impacts the project will have on neighboring communities, including Community Alternative 7. Requires the EIR to contain information on investments in mitigation for those communities and the Los Angeles River. Requires a public hearing.

**STATUS:** 07/01/2013 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

**CA SCA 3**

**AUTHOR:** Leno (D)  
**TITLE:** Public Information  
**FISCAL**  
**COMMITTEE:** yes  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 06/20/2013  
**DISPOSITION:** Pending  
**LOCATION:** ASSEMBLY

**SUMMARY:** Proposes an amendment to the Constitution to require each local agency to comply with the State Public Records Act and the Brown Act and with any statutory enactment amended either act, enacting a successor act, or amending any successor act which contains findings demonstrating that the statutory enactment furthers the purposes of the people's right of access to information concerning the conduct of the people's business. Regards the subvention of funds.

**STATUS:** 07/03/2013 In SENATE. Read third time. Adopted by SENATE. \*\*\*\*\*To ASSEMBLY. (37-0)

**Priority:** High

**CA SCA 4**

**AUTHOR:** Liu (D)  
**TITLE:** Local Government Transportation Project: Voter Approval  
**FISCAL**  
**COMMITTEE:** no  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:** 12/03/2012  
**LAST AMEND:** 05/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee

**SUMMARY:** Proposes an amendment to the Constitution to provide the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of a related proposition that includes certain requirements. Prohibits the local government from expending any revenues derived from a special transportation tax approved by the voters at any time prior to the completion of a identified capital project funded by specified revenues.

**STATUS:** 07/09/2013 In SENATE Committee on TRANSPORTATION AND HOUSING: Not heard.

**CA SCA 8**

**AUTHOR:** Corbett (D)  
**TITLE:** Transportation Projects: Special Taxes: Voter Approval  
**FISCAL**  
**COMMITTEE:** no  
**URGENCY**  
**CLAUSE:** no  
**INTRODUCED:** 12/14/2012  
**LAST AMEND:** 05/21/2013

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**DISPOSITION:** Pending  
**LOCATION:** Senate Transportation and Housing Committee  
**SUMMARY:** Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition includes certain requirements.  
**STATUS:** 07/09/2013 In SENATE Committee on TRANSPORTATION AND HOUSING:  
Not heard.

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**CA SCA 9**

**AUTHOR:** Corbett (D)  
**TITLE:** Local Government: Economic Development: Special Taxes  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/18/2012  
**LAST AMEND:** 05/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:** Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects requires the approval of a specified percentage of its voters voting on the proposition, if the proposition contains specified requirements.  
**STATUS:** 06/27/2013 Re-referred to SENATE Committee on APPROPRIATIONS.

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**CA SCA 11**

**AUTHOR:** Hancock (D)  
**TITLE:** Local Government: Special Taxes: Voter Approval  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 01/25/2013  
**LAST AMEND:** 05/21/2013  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:** Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements.  
**STATUS:** 06/27/2013 Re-referred to SENATE Committee on APPROPRIATIONS.

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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

July 22, 2013  
(House Rules)

**STATEMENT OF ADMINISTRATION POLICY**  
**H.R. 2610 — Transportation, Housing and Urban Development, and Related Agencies**  
**Appropriations Act, 2014**  
(Rep. Rogers, R-KY)

The Administration strongly opposes House passage of H.R. 2610, making appropriations for the Departments of Transportation, Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes. The bill severely undermines critical investments in economic and community development programs that drive local innovation, while also significantly reducing resources for public improvements, air traffic control infrastructure, affordable housing, as well as public services for low- to moderate-income families. If the President were presented with H.R. 2610, his senior advisors would recommend that he veto the bill.

In addition, enacting H.R. 2610, while adhering to the overall spending limits in the House Budget's topline discretionary level for fiscal year (FY) 2014, would hurt our economy and require draconian cuts to middle-class priorities. These cuts could result in hundreds of thousands of low-income children losing access to Head Start programs, tens of thousands of children with disabilities losing Federal funding for their special education teachers and aides, thousands of Federal agents who can't enforce drug laws, combat violent crime or apprehend fugitives, and thousands of scientists without medical grants, which would slow research that could lead to new treatments and cures for diseases like cancer and Alzheimer's, and hurt America's economic competitiveness.

More than three months have passed since the deadline for action and the Congress has yet to appoint conferees and agree on a budget resolution. Prior to consideration of appropriations bills the Congress should complete an appropriate framework for all the appropriations bills that supports our recovery and enables sufficient investments in education, infrastructure, innovation and national security for our economy to compete in the future. As such, the President's senior advisors would recommend that he veto H.R. 2610 and any other legislation that implements the House Republican Budget framework.

The Administration would like to take this opportunity to share additional views regarding the Committee's version of the bill.

Department of Transportation (DOT)

*Transportation Investment Generating Economic Recovery (TIGER) Grants.* The Administration strongly opposes the elimination of funding for TIGER Grants. This competitive grant program is critical in helping communities around the country leverage their own resources to complete critical transportation projects. This program has been oversubscribed since its inception because TIGER Grants fund multimodal projects that are meritorious but can be difficult to fund within the current stove-piped financing structures. Further, the \$237 million rescission of FY 2013 funding included

in the Committee bill would dramatically disrupt DOT's execution of the ongoing TIGER grant-making process, and could necessitate the withdrawal of awards to current grantees.

*Federal Aviation Administration (FAA) Operations.* The Administration appreciates the Committee's efforts to prioritize FAA Operations funding. However, the Administration urges the Congress to fund FAA Operations at the level of the request of \$9.7 billion, which allows the agency to hire in order to keep pace with attrition in its aviation safety and controller workforce.

*FAA Facilities, Equipment, and NextGen.* The Administration strongly opposes the \$623 million reduction below the FY 2014 Budget request for the facilities and equipment account in the Committee bill. The funding level in the bill is roughly equal to the FY 2000 appropriated level. This reduction would significantly slow, if not terminate, several aspects of FAA's maintenance of current facilities, equipment, and the modernization of the Nation's air traffic control system through NextGen. The Committee bill specifically identifies reductions to critical infrastructure programs, such as back-up electrical power systems, which are essential for maintaining reliable and safe control of airspace during commercial power outages like those experienced as a result of Hurricane Sandy, and would require a nearly \$400 million reduction to NextGen from the \$1 billion requested in the FY 2014 Budget.

*National Railroad Passenger Corporations (Amtrak).* The Administration strongly opposes the funding level included in the Committee bill for Amtrak. The \$350 million provided for Amtrak operations and \$600 million for Amtrak Capital and Debt service do not sufficiently fund these important activities. These reductions to Amtrak funding, which has long been underfunded, will cause significant delays in much needed capital investments and will result in deteriorated performance, especially in the Northeast Corridor, where ridership is at an all-time high.

*High Speed Rail.* The Administration objects to the prohibition on funding for the California High Speed Rail project. The California High Speed Rail project, which was approved by California voters as well as the California State Legislature, will spur job creation, decrease California's footprint distance, reduce the amount of energy used per person, and will reduce greenhouse gas emissions.

*Federal Transit Administration (FTA) Capital Investment (New Starts) Grants.* The Administration urges the Congress to provide the requested funding level of \$1.98 billion proposed in the FY 2014 Budget and to allow FTA to retain the \$151 million in unallocated and unobligated funds for New Starts. While the level in the Committee bill would provide funds for all existing grant agreements, it only provides funding for the new Small Starts projects recommended in the Budget, halting the pipeline for any new construction on larger New Starts or Core Capacity projects.

#### Department of Housing and Urban Development (HUD)

*Core Rental Assistance.* The Administration strongly opposes the \$3.0 billion reduction to HUD's core rental assistance programs: Housing Choice Vouchers; Project-Based Rental Assistance; and Public Housing. The bill provides \$33.8 billion, which is 8 percent below the FY 2014 Budget request. The Committee bill would support approximately 125,000 fewer housing vouchers for very low-income families, and would again require HUD to short-fund contracts with private housing owners and reduce payments to public housing authorities.

*Homeless Assistance Grants.* The Administration urges the Congress to provide the FY 2014 Budget request for Homeless Assistance Grants, which funds a variety of intervention programs that

serve homeless and at-risk individuals and families. The Administration opposes the funding level provided for Homeless Assistance Grants, which is \$293 million, or 12 percent, below the FY 2014 Budget request. At this level, HUD would not be able to renew all existing grants that provide housing and shelter for the homeless, which would impact more than 86,000 homeless and formerly homeless households, including many veterans.

*Choice Neighborhoods.* The Administration strongly objects to the \$120 million rescission included in the bill for the Choice Neighborhoods program, and urges the Congress to provide the \$400 million requested in the FY 2014 Budget. Without this funding, public housing authorities and other local entities will have limited resources to support the revitalization of distressed HUD-assisted housing and to build ladders of opportunity for low-income families by improving economic development, creating jobs, and helping residents access educational opportunities in the surrounding neighborhoods.

*Community Development Block Grants (CDBG) and Related Programs.* The Administration strongly opposes the \$1.7 billion funding level provided for the CDBG program, which would have significant impacts on State and local resources for public improvements, infrastructure, affordable housing, and public services for low to moderate income families. The Administration also strongly opposes the lack of funding for Integrated Planning and Investment Grants and the new Neighborhood Stabilization Initiative. The Administration urges the Congress to support these programs at the requested levels to invest in regional and local planning efforts and to support neighborhoods still feeling the effects of the foreclosure crisis. In addition, the Administration objects to the level of funding for the HOME Investment Partnerships Program, which is \$250 million below the Budget request. The Administration urges the Congress to support this program at the requested level in order to increase the supply of affordable housing.

*Housing Counseling.* The Administration opposes the reductions included in the Committee bill for counseling programs in HUD and the Neighborhood Reinvestment Corporation of \$39 million, or 30 percent, below the Administration's request. While the housing market has improved, there are still many households facing the aftermath of the financial crisis and counseling is an important resource in helping households find affordable and stable housing.

*Housing Opportunities for People Living with AIDS (HOPWA).* The Administration strongly opposes the \$29 million reduction to HUD's program to provide housing for people living with HIV/AIDS. The bill provides \$303 million, which is 9 percent below the FY 2014 Budget request. In the face of the ongoing domestic HIV epidemic, this cut would result in nearly 5,000 people losing housing services, severely affecting the health of homeless and marginally housed people living with HIV/AIDS and increasing treatment costs.

#### Civilian Pay Raise

The Administration urges the Congress to support the proposed 1.0 percent pay increase for Federal civilian employees. As the President stated in his FY 2014 Budget, a permanent pay freeze is neither sustainable nor desirable.

The Administration looks forward to working with the Congress as the FY 2014 appropriations process moves forward.

\* \* \* \* \*



- 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: 13

**Date:** August 14, 2013

**Subject:** Draft State and Federal Legislative Platforms

**Recommendation:\*** Receive and comment on proposed revisions and approve distribution for stakeholder feedback.

**Background:** SANBAG's Legislative Platforms serve as the foundation for understanding the perspective of the Board of Directors on key issues that are anticipated to be considered during the course of each legislative session. The proposed updates to the legislative platforms will guide staff's analysis and recommendations on pending legislative and regulatory items in the upcoming session.

In July, the Board of Directors adopted the following schedule to ensure that the Platforms are revised and updated in time for the second half of the legislative sessions:

August 14 Present Draft Revised Platforms to the General Policy Committee for review and comment. Request General Policy Committee approval for distribution for stakeholder feedback.

August 14 - Distribute Draft Platforms to stakeholders for feedback.  
 September 13

\*

*Approved*  
 General Policy Committee

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

COG	X	CTC	X	CTA	X	SAFE	X	CMA	X
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Check all that apply.  
 GPC1308b-wvs

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308b1-wvs.doc>

<http://portal.sanbag.ca.gov/mgmt/committee/gpc/gpc2013/gpc1308/AgendaItems/GPC1308b2-wvs.doc>

October 9 Present Proposed Final Platforms to the General Policy Committee.

November 6 Present Proposed Final Platforms to the Board of Directors.

Staff has worked internally to prepare the attached revised draft State and Federal Legislative Platforms. After making any changes or modifications requested by the Committee, staff will distribute the draft documents to additional stakeholders for input. As part of this update, SANBAG plans to outreach to Local, State and Federal Elected Officials; the City/County Technical Advisory Committee (TAC); and the Public and Specialized Transportation Advisory and Coordination Council (PASTACC). This process will allow for feedback on existing platform items and for consideration of any new proposed additions to the platforms. Following this outreach, proposed Final Platforms will be presented to the General Policy Committee and Board of Directors for consideration.

A summary of the major changes in each document is also provided below. Items that were formatting changes or reflect a combination of previously separate bullets are not highlighted, only content changes are highlighted for review.

#### State Legislative Platform Updates

The “key issues” section was added to the platform to highlight the major initiatives that are anticipated to be considered in the legislative session. This section highlights California Environmental Quality Act (CEQA) modernization, Cap and Trade funding distributions, and innovative project delivery mechanisms. The Board of Directors has previously acted on CEQA reform principles proposed by the CEQA Working Group on April 11, 2013 and those principles have been summarized and are now included in the draft state legislative platform. Also at the April Board of Directors Meeting, the Cap and Trade principles were adopted in conjunction with the Transportation Coalition for Livable Communities. Those principles are also now included in the draft platform. One additional item was added to address proposals to utilize cap and trade funding for a single or limited set of projects. This will cover advocacy related to keeping the funding available for a broader set of projects and funding recipients. Lastly, the key issues section uses existing innovative project delivery principles and proposes a few updates including advocacy for additional flexibility, simplification of approval and reporting processes, and references to additional delivery mechanisms and project types.

In the “State/Local Fiscal Issues” section, clarifications were included related to advocacy for the protection of existing funding sources, opposition to diversions or additional mandates or requirements for existing funds, implementation of the

Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) funding and policy structures, and updated language related to maintaining funding and policy structures present the Southern California region. The platform now includes a separate “Council of Governments” (COG) section to capture advocacy positions that related to SANBAG’s COG function including affordable housing and transit-oriented development as well as economic development.

In the “Goods Movement” section, language was added to reflect the development of the state freight plan presently occurring and its relationship to the national freight plan as well as other minor updates. Staff also proposed consolidating previously separate sections into the “Energy, Air Quality, & the Environment” section with minor modifications related to streamlining and ensuring public transit fleet requirements are both technologically and economically feasible.

In the “Highways & Roads” section, the current language related to the delegation of National Environmental Protection Act (NEPA) delegated authority to the California Department of Transportation (Caltrans) was revised to further monitor the use of the authority to ensure that the benefits are achieved on both state and local projects. In addition, with the formation of the new State Transportation Agency in July 2013 and the recent efforts by Caltrans to require local funding for state service, language was added to increase transparency and accountability.

The “Transit & Commuter Rail” section was updated to reflect implementation efforts related to AB 32 (Chapter 488, Statutes of 2006) and SB 375 (Chapter 728, Statutes of 2008) and the need to protect existing funds from diversion and guard against additional operating requirements without proper funding. In addition, high-speed rail language was modified to advocate for a SANBAG role in any proposed Inland Empire route selection and connectivity projects.

Lastly, a “General” section was added to cover Measure I related advocacy, protecting SANBAG’s ability to operate effectively, and to monitor changes in state law governing communications related to new technologies and record retention requirements.

#### Federal Legislative Platform Updates

In the “Funding” section, language has been proposed to be added to cover both federal investments in transit capital and operations and the need to consider long-term investments in maintenance. Items were also included related to MAP-21 implementation to ensure that traditional roles and responsibilities are maintained and that the environmental and process streamlining provisions included in the bill are implemented in a timely manner. A “Council of Governments” section was also added to the document, similar to the state platform.

In the “Goods Movement” section, clarifying language was added related to project selection authority and protection of funding through a designated trust fund. An item was also added to reflect the development of the nation’s primary freight network and the need to consider parallel corridors in Southern California rather than centerlane miles.

The “Project Delivery & Innovation” section was updated to reflect support for additional streamlining measures that can reduce project delivery times without sacrificing necessary oversight and environmental protections. An item was also included related to flexibility for the administration of high occupancy vehicle lanes.

In the consolidated “Energy, Air Quality & the Environment” section, similar clarifications on the NEPA delegation authority were included as well as items related to ensuring that federal review and process requirements are streamlined to reduce project delays, protect the environment, and are accompanied by appropriate implementation funding.

Lastly, the “Transit & Commuter Rail” section adds language to support priority funding for the early implementation of Positive Train Control and the need for compatible technologies across jurisdictions. Items are also included related to new and small starts projects as appropriate and commuter tax benefits.

The updated 2013-2014 draft State Legislative Platform is included as Attachment #1 and the updated 2013-2014 draft Federal Legislative Platform is included as Attachment #2.

***Financial Impact:*** This item has no fiscal impact on the FY2013/2014 SANBAG Budget.

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

***Responsible Staff:*** Wendy Strack, Director of Legislative Affairs

## **Draft SANBAG 2014 State Legislative Platform**

The annual legislative platform serves as the basis to proactively engage in policy and legislative initiatives that will enable the San Bernardino Associated Governments (SANBAG) to deliver projects and programs that meet the needs of our region. This document also guides staff recommendations to the SANBAG Board of Directors on state legislative, regulatory, and administrative matters that are anticipated to be addressed in the coming legislative session.

SANBAG will collaborate with regional and statewide stakeholder groups to advance the legislative program including, but not limited to, the Southern California Consensus Group, Mobility 21, California Association of Councils of Governments, in addition to the Self-Help Counties Coalition, the California Transit Association, the Southern California Regional Rail Authority, ~~Southern California National Freight Gateway Collaboration,~~ and the High Desert Corridor Joint Powers Authority.

### **Key Issues**

In the coming legislative session, SANBAG anticipates that a number of key issues may be considered including initiatives related to California Environmental Quality Act (CEQA) modernization, Cap and Trade funding distributions, and innovative project delivery mechanisms.

#### *CEQA Modernization*

- a) Support revisions that expedite project delivery while maintaining critical environmental protections.
- b) Continue to support public disclosure and accountability provisions providing the important public input component of project review.
- c) Support a review of existing state and federal environmental and planning laws to reduce unnecessary and duplicative provisions.
- d) Oppose additional review and process requirements that delay projects and increase costs while achieving little to no additional environmental benefits.
- e) Oppose provisions that allow the CEQA process to be used to achieve non-environmental goals or to slow or delay projects that otherwise meet adopted environmental standards and include required mitigation measures.

#### *Cap and Trade*

- a) Auction revenue from fuels should implement the AB 32 regulatory program and Sustainable Communities Strategies as required under SB 375 to reduce greenhouse gas (GHG) emissions from transportation.
- b) Favor cost-effective and integrated transportation and land use strategies.
- c) Project funding determinations should be done primarily at regional level reflecting each region's transportation funding structures under statewide criteria for evaluating GHG impacts. Criteria for project selection should be uniform statewide and developed by the State of California. Regions shall administer competitive funding processes and select projects based on these criteria.
- d) Allow flexibility at the regional and local level to develop most cost effective projects.
- e) Assist local governments in meeting regional GHG reduction goals.
- f) Create a performance-based approach to maximize regional flexibility with improved modeling and verification systems to ensure effective results.
- g) Promote innovation, collaboration, economic development and sustainability.

- h) Support co-benefits such as air quality, public health, resource protection, equity, affordable housing, agriculture, and safety.
- h)j) Ensure that the distribution of funds arising from transportation sources fund a broad array of projects that are geographically balanced rather than focus exclusively on a single or limited set of specified projects.

### Innovative Project Delivery

SANBAG will advocate that innovative financing opportunities remain available for county transportation commissions to leverage local dollars, accelerate construction and job creation, and provide mobility options for the traveling public.

- a) Support the consideration of public-private partnerships (P3s) in the development of transportation improvements.
- b) Work to ensure that existing innovative project delivery methods such as design-build, construction manager/general contractor, and other tools are available and effective for a broad variety of projects including highways, transit, and local streets and roads.
- c) Support measures that expand the use of design-build and P3s, with expanded flexibility and reduced multi-level approval and reporting requirements for projects that are largely locally funded or locally controlled.
- d) Advocate for reforms to ensure projects are delivered faster, with increased flexibility and more better coordination.
- e) Support legislation and/or administrative reforms to enhance ~~Caltrans~~ project delivery, including contracting out of ~~appropriate activities~~ to the private sector, as appropriate.
- f) Oppose efforts to impose additional mandates, hurdles, and requirements, beyond those already in existence, on lead agencies using alternative project delivery mechanisms.

### I. Funding State/Local Fiscal Issues

- a) SANBAG will advocate for stable State funding, indexed for population growth, for transportation projects in San Bernardino County.
- b) ~~Request that the State honor all of its previous commitments without imposing~~ Oppose unfunded mandates on local governments.
- c) Support priority state funding for projects supported by voter-approved transportation local sales tax measures.
- d) Support efforts to maintain and protect transportation and transit funding as approved under the gas tax swap and as protected under Proposition 22. Oppose the diversion of transportation revenues for non-transportation purposes.
- e) Oppose efforts to link existing transportation funding sources to the achievement of AB 32 objectives. Such priorities should be funded with new or enhanced funding sources rather than the reprioritization of existing, already oversubscribed sources.
- f) Support budget and California Transportation Commission allocations to fully fund projects for San Bernardino County included in the State Transportation Improvement Program, State Highway Operation and Protection Program, bond programs, and the Measure I Expenditure Plan.
- g) Support the implementation of Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) in an equitable manner at established funding levels with respect for the roles and responsibilities in existence in each region guiding project selection and discretion in allocation decisions.
- h) Support ~~continued retention of regional~~ decision making, project selection, and funding authority at the county transportation commission level governing the use of all ~~current-related~~ funding sources.

- i) Oppose legislative or regulatory actions that rely on regional transportation agencies to sponsor ballot measures to raise revenue for transportation or planning purposes.
- j) ~~Oppose legislative or regulatory actions that require the payment of interest on State General Obligation (GO) bonds out of the State Highway Account.~~
- k) ~~Support legislation to provide funding for innovative, intelligent/advanced transportation, goods movement, demand management, active transportation, and air quality programs which relieve congestion, improve air quality, and enhance economic development.~~
- k) ~~Support continuance of the statutory 1.5 percent of revenue cap on~~ Oppose an unreasonable increase in the administrative fees levied by the Board of Equalization for the collection and administration of county transportation sales tax measures and seek relief if necessary.
- l) Support state policies that assure timely allocation of transportation revenue and allow for regions to advance projects with local funds as needed, including allocations of new funds available to the STIP and SHOPP major rehabilitation projects as soon as they are available.
- m) Support legislation that will incentivize counties without a voter approved tax measure for transportation to become "self-help" counties and recognizes/rewards the investment in the state's transportation system made by self-help counties.

## **II. Council of Governments**

- a) Support local control of the Ontario International Airport in recognition of the benefits of its goods movement and passenger impacts travel to San Bernardino County and the Inland Empire.
- b) Support efforts for Council of Government development and funding.
- c) Monitor legislation related to incentives for the development of affordable housing and transit-oriented developments
- d) Support legislation that incentivizes the attraction, retention, and growth of businesses and employment in San Bernardino County.

## **III. Goods Movement**

- a) Support the development of the state freight plan, which recognizes the unique needs of San Bernardino County and its significant role in freight movement. The plan should not only recognize the economic benefits of the freight industry but should also include proposals to mitigate the associated congestion, air quality and community impacts and a recognition of the regions parallel transportation systems through a corridor based approach.
- b) Support legislation that reduces freight-related impacts to San Bernardino County, including a particular focus on disparate impacts to disadvantaged communities, (e.g. grade separations and clean fuel or Tier IV locomotives).
- c) Ensure that goods movement project selection and prioritization authority is maintained at the local level.
- d) Monitor any state container fee legislation to ensure that San Bernardino County goods movement projects are funded and that San Pedro Bay Ports are not placed at a competitive disadvantage that would harm the overall Southern California economy.
- e) Oppose legislation that allows triple trailers in urbanized areas of San Bernardino County because of safety concerns, with the exception of border cities and/or bump stations, or dedicated truck lanes (e.g. Barstow/Needles).
- f) Support legislation to reduce road damage from heavy trucks by reduced axle loading rather than an exclusive focus on gross vehicle weight.
- g) Support recognition of the importance of inland ports to overall goods movement systems as part of any investment plan.

## **IV. Energy, Air Quality & the Environment Alternative Fuels**

- a) Support incentives to transition to alternative fuels and electric vehicles (EVs), including tax

- benefits and other incentives, ~~that will clean our air and reduce our dependency on foreign oil.~~
- b) Support cost effective and technologically feasible conversion and replacement of public transit fleets to alternative fuels and EVs.
  - c) Support programs to provide refueling/recharging infrastructure for alternative fuel or electric vehicles.
  - d) Support Property Assessed Clean Energy (PACE) program financing.
  - e) Support utility planning and upgrades to electrical infrastructure in support of fleet conversion and possible rail electrification programs.
  - f) Monitor regional proposals aimed at Cap and Trade and its focus on infrastructure impacts.
  - g) Continue to support the independence of the Mobile Source Air Pollution Reduction Review Committee, and the protection of AB 2766 funding.
  - h) Oppose legislative action that would reduce SANBAG's discretion in allocating Congestion Mitigation and Air Quality (CMAQ) funds.
  - i) Support partnership with the South Coast Air Quality Management District, and the Mojave Desert Air Quality Management District, and advocate to protect the health of residents in San Bernardino County.
  - j) Support legislation to streamline the environmental review and project development process to avoid potentially duplicative and unnecessary steps, while maintaining critical environmental protections.

## **V. Highways & Roads**

- a) Support current program funding for Freeway Service Patrol, ride-sharing and call boxes, consistent with the level of growth and utilization.
- b) Support equitable funding and resources for San Bernardino County freeway landscaping and maintenance.
- c) ~~Support continued delegation to Caltrans of~~ Monitor the use of National Environmental Policy Act oversight authority delegated to the California Department of Transportation to ensure that local and state projects are receiving equal benefits and reduced project review times.
- d) Participate in studies of market-based pricing measures to relieve traffic congestion, improve air quality and/or fund transportation alternatives
- e) Encourage the new State Transportation Agency to develop a mechanism for reporting on the performance of the new agency and the quality of the state and local project delivery programs and services, particularly in light of new requirements to locally fund state services such as oversight, project initiation documents, and other items.

## **VI. Transit & Commuter Rail**

- a) Advocate that transit operations continue to have a strong state funding role ~~be funded~~ as a vital service that improves mobility and helps meet federal and state mandates.
- b) Oppose additional requirements for increased service levels unless they are agreed to by the transit operator or appropriately funded.
- c) Advocate for a safe, appropriately funded, and growing bus and rail system in Southern California with equitable distribution of funds and flexibility in the administration of the programs to meet the needs of each region.
- d) Support state funding for Positive Train Control.
- e) Support legislation and programs that facilitate (or remove obstacles to) transit oriented development near rail and bus rapid transit stations.
- f) Advocate for high speed, and higher speed, rail investment in San Bernardino County and connectivity with local and regional transit.

- g) Support increased funding for higher speed commuter rail and improved transit connectivity as feeder services for High Speed Rail (HSR).
- h) Assure a SANBAG role in the planning for HSR and advocate for the full evaluation of all viable I-215/HSR routes that serve San Bernardino County before a final alternative is chosen.
- i) Advocate priority for the L.A.-San Diego via the Inland Empire HSR route.
- j) Advocate to secure regional funding for the completion of all connectivity projects complementary to the development of HSR.
- k) Support incentives for ridesharing and/or reimbursement for transit passes.
- l) Increase state funding recognizing Support funding to allow local agencies to properly fund Metrolink's service in our region, reflect the high ridership from inland counties.
- m) Support appropriate funding levels from state sources to support transit operations that help to achieve AB 32 and SB 375 goals. The state should also recognize that, absent a new source of state funding, agencies will be unable to fully fund the level of service required to meet those goals in the future.

## VII. General

- a) Oppose legislation that could threaten the timely delivery of projects in the Measure I Expenditure Plan or interferes with the authority to administer any Measure I programs and services.
- b) Oppose legislative and regulatory efforts to reduce SANBAG's ability to efficiently and effectively contract for goods and services, conduct business for the good of the organization, and limit or transfer risk or liability.
- c) Monitor changes to the Brown Act that relate to the use of new technologies for communication with the public and with members of the Board of Directors, as well as changes to legislation related to public records and information requests.

## Draft SANBAG 2014 Federal Legislative Platform

The annual legislative platform serves as the basis to proactively engage in policy and legislative initiatives that will enable the San Bernardino Associated Governments (SANBAG) to deliver projects and programs that meet the needs of our region. This document also guides staff recommendations to the SANBAG Board of Directors on federal legislative, regulatory, and administrative matters that are anticipated to be addressed.

SANBAG will continue to partner with public and private sector entities to support common objectives in Washington including fostering the unity of the Southern California Consensus Group and collaborating with the Coalition for America's Gateways and Trade Corridors (CAGTC), Mobility 21 on a national freight system, and the High Desert Corridor Joint Powers Authority.

### **I. Funding**

- a) Seek the highest level of federal transportation dollars to California and San Bernardino County for SANBAG projects and programs including, but not limited to: interstate highways; transit capital and operations in order to help to meet federal environmental goals; intercity commuter, and higher speed rail; goods movement; intelligent transportation systems and new technologies that maximize existing infrastructure; safety, maintenance, and operations funding for all modes; and regional airport ground access and development needs.
- b) Support Early action on extending and expanding the federal Surface Transportation bill, Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21).
- c) Support regional consensus building efforts for potential new funding strategies for transportation, including strategies modeled on California State Local Partnership Program (SLPP).
- d) Oppose efforts to eliminate or erode contract authority for the Highway Trust Fund and support efforts to maintain the principle that transportation-based revenue should be reserved only for transportation purposes.
- e) Support the Transportation Infrastructure Finance and Innovation Act (TIFIA) program which provides Federal credit assistance in the form of direct Treasury loans, loan guarantees, and lines of credit to finance highway, rail, and green energy projects of national and regional significance.
- f) Support Build America Bonds and America Fast Forward programs to help states and localities pursue needed capital for infrastructure.
- g) Advocate for the protection of current transportation revenues, additional flexibility for existing revenues, and an accelerated national investment in infrastructure.
- h) Support the implementation of MAP-21 at established funding levels with respect for the roles and responsibilities in existence in each region for project selection and discretion in allocation decisions.
- i) Ensure that the streamlining provisions of MAP-21 are implemented in a timely manner and in a manner that provides the maximum benefits to project delivery schedules.

### **II. Council of Governments**

- a) Support efforts for Council of Government development and funding.
- b) SANBAG will work with the Congressional delegation and local stakeholders to aggressively advocate for legislation, budget actions or proposals that transfer Ontario International Airport to local control in recognition of the benefits of its goods movement and passenger travel to San Bernardino County and the State of California.

- c) Support legislation and administrative actions that enable the implementation of the Property Assessed Clean Energy (PACE) program in San Bernardino County.
- d) Support initiatives that incentivize the attraction, retention, and growth of businesses and employment in San Bernardino County.

### **III. Goods Movement**

- a) SANBAG will advocate for federal investment in goods movement infrastructure, and policies that properly recognize Southern California and San Bernardino County's role as the nation's premier containerized freight gateway.
- b) Support targeted funding for goods movement projects of national significance that are beyond the funding capacity of local and state transportation programs and budgets (e.g. dedicated exclusive clean truck lanes).
- c) Advocate that any federal goods movement program is funded at a level that is commensurate with national needs and ensure that such funds are protected from diversion for other uses through the designation of a trust fund.
- d) Ensure that revenues generated by any fee that is levied on freight be specifically designated to fund projects that mitigate congestion, air quality, and community impacts directly associated with the movement of freight, and a clear causal relationship should exist between the freight system on which fees are levied and the impacts to be mitigated.
- e) Ensure that revenue collected on freight be administered in partnership with local and regional elected officials and entities impacted by freight movement. SANBAG should be included in any governance structure dealing with revenue collected from freight moved through San Bernardino County.
- f) Support development of a national/regional freight movement plan with clearly defined ports and corridors and inland improvement needs to provide for timely, reliable freight transport, timely implementation of freight-related strategies needed for attainment of federal health-based air quality standards and mitigation of freight-related impacts in communities.
- g) Ensure that federal goods movement legislation imposes no unfunded mandates for administration or oversight regarding new revenue mechanisms and to retain control over project implementation at the local level.
- h) Oppose legislation that allows triple trailers in urbanized areas of San Bernardino County because of safety concerns with the exception of border cities and/or bump stations, or dedicated truck lanes (e.g. Barstow/Needles).
- i) Support legislation to reduce road damage from heavy trucks by reduced axle loading rather than an exclusive focus on gross vehicle weight.
- j) Participate in national dialogue on freight policy and its focus on improving the performance of the freight network and advocate for improving Southern California's freight strategy.
- k) As part of defining the national freight network, seek recognition of the unique network of parallel corridors in Southern California and recognize the entire corridor as part of the national network rather than focusing on centerlane miles of individual facilities.
- l) Support recognition of the importance of inland ports to overall goods movement systems as part of any investment plan.

### **IV. Project Delivery & Innovation**

- a) Advocate for reforms that will accelerate project procurement, promote flexibility and innovation in financing, and respect local control.
- b) Support the expanded use of design-build project delivery for federally funded highway and surface transportation projects.

- c) Support the streamlining of federal reporting/monitoring requirements to reduce project delivery times without eliminating critical oversight mechanisms.
- d) Support authority for regional transportation entities to implementing pricing measures on federal-aid highways if desired for that region.
- e) Support local options to privatize various aspects of transportation that would maximize available federal funding (e.g. P3s).
- f) Support measures that would provide regional flexibility in meeting the operational requirements for high occupancy vehicle lanes.
- g) Advocate for the implementation and further inclusion of recommendations for project streamlining initiatives as included in the Orange County Transportation Authority's Breaking Down Barriers report.

## **V. Energy, Air Quality, & the Environment**

- a) Advocate that any federal revenue generated from taxes or fees on energy products used for transportation are utilized for transportation purposes.
- b) Support utility planning and upgrades of electrical infrastructure to support fleet conversion and possible rail electrification programs.
- c) Monitor national Cap and Trade policies as they relate to infrastructure impacts.
- d) ~~Support continued delegation to Caltrans of~~ Monitor the use of National Environmental Policy Act (NEPA) oversight authority delegated to the California Department of Transportation to ensure that local and state projects are receiving equal benefits and reduced project review times.
- e) Protect funding sources for congestion relief and pollution reduction related to the transportation sector.
- f) Support efforts to secure funds to facilitate the conversion of public sector fleets to alternative fuels to meet local, state and federal fleet conversion mandates, and provide for the replacement of aging alternative fuel fleets.
- g) Support tax benefits and/or incentives for private sector transportation demand management programs and alternative fuel programs.
- h) Ensure that federal goods movement legislation considers and underscores federal responsibilities for facilitation of international trade and interstate commerce, and regulation of interstate commerce in ways consistent with attainment of federal air quality standards and NEPA.
- i) Support efforts to increase the amount and proportion of Congestion Mitigation and Air Quality (CMAQ) funds received by the State of California and ensure that the funds flow to county transportation commissions such as SANBAG and the for the appropriate South Coast and Mojave Desert Air Basin areas.
- j) Support streamlined environmental revisions that remove duplication of state and federal processes when state regulations and environmental protections exceed federal requirements.
- k) Participate in the development of livability and sustainability programs for the citizens of San Bernardino County.
- l) Oppose additional review and process requirements that delay projects and increase costs while achieving little to no additional environmental benefits.
- m) Monitor federal regulatory efforts to ensure that any new environmental requirements placed on local agencies are accompanied by the funding necessary for implementation.

## **VI. Transit & Commuter Rail**

- a) Advocate for policies that keep our rail systems safe and increase federal investment in commuter rail services.
- b) Support federal funding of Positive Train Control (PTC) and rail safety programs.
- c) Support priority funding for early implementation of PTC technologies and ensure that various technologies are compatible across the nation.
- d) Advocate that the appropriate local or regional entity, such as SANBAG, be partners in ongoing federal policy discussions to alter the liability cap for commuter rail accidents.
- e) Support legislation to change and/or exempt level boarding access requirements for existing commuter rail systems.
- f) Support policies that recognize the importance and fund commuter rail and transit connectivity to High Speed Rail (HSR).
- g) Support the inclusion of San Bernardino County projects in the New and Small Starts programs.
- h) Work to secure the greatest commuter tax benefits possible to incentivize the use of transit options.



- 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: 14

**Date:** August 14, 2013  
**Subject:** Countywide Transportation Plan Update  
**Recommendation:\*** Receive update on Countywide Transportation Plan

**Background:** In December 2012 the Board approved the development of the Countywide Transportation Plan (CTP). The plan will be comprehensive and multi-modal in nature and will facilitate providing input for San Bernardino County into the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Staff presented the scope and draft goals to Caltrans, the Transportation Technical Advisory Committee and the Planning and Development Technical Forum to solicit input on the scope and the draft CTP goals. The goals that will guide the development of the CTP include:

- Consolidate and integrate countywide transportation planning efforts for input into the Regional Transportation Plan/Sustainable Communities Strategy.
- Improve safety and mobility for all modes of travel in San Bernardino County by residents, businesses, employees, students and visitors.
- Deliver transportation projects and services in a manner that promotes the County's economic competitiveness, affordable housing, environmental quality, overall sustainability, and access by the full spectrum of system users.

\*

COG		CTC	X	CTA		SAFE		CMA	
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Check all that apply.  
 GPC1308a-tb

*Approved*  
*General Policy Committee*

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_

- Promote the stewardship of the public resources entrusted to SANBAG and other transportation agencies in the County through analysis and application of cost-effective approaches to delivering transportation projects and programs.
- Promote the funding of transportation needs through a collaborative process with local, state, federal, and private stakeholders.

Staff will be addressing some of the following questions in its analysis and will be seeking direction from the Board on these questions and others. This should be considered a preliminary list, organized by selected issue categories. Many of these are challenging questions that the SANBAG advisory committees and policy committees will need to wrestle with as the development of the CTP proceeds. Staff's role is to provide meaningful information upon which the Board can base its judgments and provide direction. Any suggestions from the committee on modification or addition to these questions would be welcomed.

#### **Transportation Funding and Revenue**

- The SCAG RTP/SCS is required to be "financially constrained." The RTP/SCS includes a core revenue forecast of existing local, state and federal sources along with new or innovative funding sources that are viewed to be reasonably available over the time horizon of the Plan. SANBAG's financial assumptions typically include only the core revenue forecast, and the CTP will need to identify projects that can be funded assuming this forecast. Guidance will be needed from the SANBAG Board regarding the extent to which new or innovative funding scenarios should be assumed and analyzed.
- If sufficient revenue is not available to fund the identified capital and operating needs, what options should be entertained: Elimination of projects? Assumptions of additional state/federal revenue? Expectation of a supplemental sales tax measure? SCAG innovative funding sources, such as mileage-based fees?
- How should ongoing operation and maintenance costs of the facilities be factored into the overall needs equation?
- How should funding from new development be structured in the future? Should the Development Mitigation Nexus Study be modified?

#### **Active Transportation**

- The SCAG RTP/SCS designates \$6 billion through 2035 for active transportation improvements. SANBAG's share of that amount on a population basis is over \$600 million. This equates to an annual investment of \$18 million currently, growing to about \$32 million in 2035. While SANBAG and jurisdictions are investing substantially in

cycling/pedestrian facilities, it may not yet be at the level prescribed by the RTP/SCS. This raises questions such as:

- Should the CTP examine options for directing additional Measure I resources to active transportation?
- What can reasonably be expected as the county's share of grant funding for active transportation? How much additional grant funding can be expected over what city/county agencies have historically received?
- How can other resources be leveraged to pull more funding into active transportation?
- What benefits can be derived from the above investments? Are the investments justified?
- How can we leverage the partnership with the health communities to accelerate implementation of the active transportation network?

#### **Goods/Freight Movement**

- Although SANBAG and the jurisdictions are making progress on multiple rail/highway grade separations, a substantial share of the grade separations contained in the Alameda Corridor East plan remain to be completed. What should be the priority on constructing additional grade separations? What funding can be assumed, given that there are no known sources for additional grade separation funding beyond what is committed to current projects?
- Substantial progress has also been made on interchanges, but known revenue sources are insufficient to complete all the interchanges on the priority list. What is our interchange program strategy going forward?
- Should the SR-60 SCAG dedicated truck lanes be built? What are the benefits and impacts of building or not building that facility? Are there other options to accommodate freight mobility? What should SANBAG's role be? How could such a facility be funded?
- How can SANBAG facilitate the more rapid conversion to cleaner truck technology and work with regional partners to accelerate the overall cleanup of the freight system?

#### **Mobility (Inter-county and Intra-County)**

- What levels of mobility should be maintained on transportation facilities in San Bernardino County? The current level of service goal on CMP roadways is E. Should that be modified?
- What should be assumed in the next RTP/SCS regarding express lanes and the High Desert Corridor, based on what will be known about their financial feasibility over the next two years?
- How can technology be used to our advantage in reducing transportation demand and reducing the cost of delivering services?

- What type of transportation services can be envisioned to maintain transit and highway mobility for more rural communities at reasonable cost?

#### **Transit and Rail**

- How should priorities be determined for investment in express bus/bus rapid transit recognizing the need for modal connectivity and building of the network in logical phases?
- To what extent will there be a shortfall in revenue for transit/rail operations, and how might those shortfalls be addressed?
- What should be the future of the San Bernardino Metrolink line in terms of both land use in station areas and increased passenger-carrying capacity? How can we better leverage this asset?

#### **Alternatives, Evaluation Criteria, and Sensitivity Testing**

- What range of transportation alternatives should be examined in the CTP? (e.g. transit focused vs. highway focused; pessimistic vs. optimistic scenarios for forecast revenue, etc.)
- To what extent can transit/land use strategies be expected to reduce travel/congestion and improve air quality in San Bernardino County? What transit/land use strategies would be most effective in doing so for San Bernardino County?
- What future trends might impact the county's need for transportation, and how should they be evaluated as part of the CTP process? (e.g. escalation in gas prices, changes in technology that will affect commuting habits, etc.)
- What will be the basis of deciding which transportation scenario should be submitted to SCAG for the RTP/SCS?

SCAG did a very good job at pulling together many elements of transportation and the Sustainable Communities Strategy for the 2012 RTP/SCS. SANBAG will continue to collaborate with SCAG on the development of the 2016 RTP/SCS. However, the San Bernardino County CTP is needed so that we can think through many of these issues from the perspective of this county and be better prepared to put forward projects and strategies that are consistent with the vision of our county while also recognizing the regional perspective.

SANBAG will continue to work with project stakeholders to obtain input throughout the CTP process and define projects, programs and plans to satisfy future needs and evaluate them from a financial, quantitative and qualitative perspective. The evaluation will lead to development of a recommended long-range transportation plan for San Bernardino County. As deliverables are developed, they will be presented to the appropriate SANBAG committees and Board.

**Schedule**

The development of the CTP will extend beyond FY 2013/2014. To guide the development of the CTP, the following milestones are expected to occur during FY 2013/2014:

<u>Milestone</u>	<u>Target Completion Date</u>
Complete Draft Existing Setting	Fall 2013
Present Draft Existing Setting to Committee	Fall 2013
Finalize Existing Setting Documentation	December 2013
Revalidate SBTAM to 2012 Conditions	December 2013
Complete Draft 2040 Growth Forecasts	March 2014
Define Baseline 2040 Transportation Setting	Spring 2014
Develop 2040 Transportation Alternatives	Summer 2014

***Financial Impact:*** This item has no impact to the FY 2013/2014 SANBAG Budget.

***Reviewed By:*** The information in this item was presented to the Transportation Technical Advisory Committee on August 5, 2013 and will be presented to the Planning and Development Technical Forum on August 28, 2013.

***Responsible Staff:*** Tim Byrne, Chief of Planning



- 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: 15

**Date:** August 14, 2013

**Subject:** Amendment No. 2 to Contract No. C12175 with the California Highway Patrol (CHP) adding funds for Devore Interchange Project Construction Freeway Service Patrol (CFSP) services.

**Recommendation:**\* That the Committee recommend the Board, acting as the San Bernardino County Transportation Commission:

1). Approve Amendment No. 2 to Cooperative Agreement No. C12175 with the CHP to provide additional funds in the amount of \$193,130 for supervision and daily oversight of the Freeway Service Patrol Program over a two-year period for the Devore Interchange Project.

2). Approve Budget Amendment to Task 704, Freeway Service Patrol Program, for fiscal year 13/14 to add Measure I Cajon Pass Bond funds in the amount of \$128,831 for a total budget of \$2,160,506 as specified in the Financial Impact section.

**Background:** FSP consists of a fleet of tow trucks roaming the freeways for the purpose of assisting motorists with their disabled vehicles during peak periods of congestion. Since the program's inception in January 2006, the FSP Program has demonstrated many benefits by reducing the amount of time a motorist is in unsafe conditions, as well as reducing traffic delays, vehicular emissions, and secondary accidents.

\*

*Approved*  
*General Policy Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

COG		CTC	X	CTA		SAFE	X	CMA	X
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Check all that apply.

GPC1308a-jh

[http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C12175\\_02.doc](http://portal.sanbag.ca.gov/mgmt/APOR-Mgmt/Shared%20Documents/C12175_02.doc)

In addition to normal FSP services, FSP provides support in construction zones as a transportation congestion mitigation strategy outside of normal FSP hours and locations. Construction FSP is utilized to relieve traffic congestion as a result of construction and to assist in the reduction of accidents and secondary accidents. Hours of support vary with traffic flows and project needs such as: freeway closures, elimination of freeway shoulders, and periodic night and weekend work.

In December 2011, the Board approved Contract C12175 with the CHP that provided for CHP officer supervision and operational oversight of the FSP Program and its tow truck drivers for a not-to-exceed amount of one hundred and fifty thousand dollars (\$150,000) for the three years of the contract. In July 2012, the Board approved Amendment No. 1 that provided the funds necessary to add one-half of a full time CHP Officer, and reduced overtime funds by \$30,000. This gave the program more supervision in the field which has been a positive for the program.

Amendment No. 2 would increase the CHP overtime agreement to provide funds for the upcoming Devore Interchange project which is scheduled to begin construction in late 2013. Since FSP does not currently operate in that area and planned non-FSP hours are scheduled, the project shall pay for utilization of FSP and the FSP CHP supervision in busy times of construction.

***Financial Impact:*** The current budget for Task 704 (Freeway Service Patrol Program) totals \$2,031,009 in State FSP, DMV/SAFE and CMAQ funds. This action will increase the total budget for Task 704 by \$128,831 in state funds for a total fiscal year 2013/2014 budget of \$2,159,840.

***Reviewed By:*** SANBAG General Counsel and Contract Administrator have reviewed this item and draft of the Contract amendment.

***Responsible Staff:*** Duane A. Baker, Director of Management Services

## CONTRACT SUMMARY SHEET

Contract No. C 12175 Amendment No. 2

By and Between

San Bernardino Associated Governments and California Highway Patrol

Contract Description FSP CHP Officer's Overtime and 1/2 of a full time officer position

<b>Board of Director's Meeting Date:</b> 9/4/13	
<b>Overview of BOD Action:</b> approve amendment No. 2 for \$193,130 for the supervision and daily overzsign of the FSP along the Devore Interchange Project for a two year period.	
<b>Is this a Sole-Source procurement?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

CONTRACT OVERVIEW					
Original Contract Amount	\$	150,000	Original Contingency Amount	\$	
Revised Contract Amount <i>Inclusive of prior amendments</i>	\$	361,008.52	Revised Contingency Amount <i>Inclusive of prior amendments</i>	\$	
Current Amendment Amount	\$	193,130	Contingency Amendment	\$	
<b>TOTAL CONTRACT VALUE</b>	\$	<b>554,138.52</b>	<b>TOTAL CONTINGENCY VALUE</b>	\$	<b>0</b>
<b>TOTAL BUDGET AUTHORITY (contract value + contingency)</b>				\$	<b>554,138.52</b>

Contract Start Date 7/1/12	Current Contract Expiration Date 6/30/15	Revised Contract Expiration Date
Has the contract term been amended? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please explain.		

FINANCIAL INFORMATION					
<input type="checkbox"/> Budget authority for this contract currently exists in Task No. <u>0704</u> .					
<input checked="" type="checkbox"/> A Budget Amendment is required.					
How are we funding current FY? DMV/SAFE funds and STATE FSP funds.					
<input type="checkbox"/> Federal Funds	<input checked="" type="checkbox"/> State Funds	<input checked="" type="checkbox"/> Local Funds	<input type="checkbox"/> TDA Funds	<input checked="" type="checkbox"/> Measure I Funds	
<i>Provide Brief Overview of the Overall Funding for the duration of the Contract:</i>					
The contract will continue to be paid for by DMV/SAFE and STATE FSP funds. Amendment #2 which increases the contract will be paid for the by the Devore Project funds: Measure I Cajon Pass Bond funds.					
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable					

CONTRACT MANAGEMENT INFORMATION	
<b>Check all applicable boxes:</b>	
<input type="checkbox"/> Retention? If yes, indicate % _____.	
<input type="checkbox"/> Disadvantaged Business Enterprise (DBE) Goal _____ %	

JENNY HERRERA		7/29/13
Project Manager (Print Name)	Signature	Date
DUANE BAKER		7-31-13
Task Manager (Print Name)	Signature	Date
Andrea Zureick		7/31/13
Dir. of Fund Admin. & Programming (Print Name)	Signature	Date
Jeffery Hill		7/31/13
Contract Administrator (Print Name)	Signature	Date
W. SWARSKI		8/1/13
Chief Financial Officer (Print Name)	Signature	Date

**AMENDMENT NO. 2 TO  
AGREEMENT NO. C12175  
BETWEEN  
SAN BERNARDINO ASSOCIATED GOVERNMENTS  
AND  
THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
FOR FREEWAY SERVICE PATROL  
CHP AGREEMENT NO. 12R061002**

**THIS AMENDMENT NO. 2** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the California Highway Patrol, Business Services Section, hereinafter called CHP, and San Bernardino Associated Governments, acting in its capacity as the San Bernardino County Transportation Commission, hereinafter called SANBAG.

**RECITALS**

**WHEREAS**, in December, 2011, the SANBAG Board of Directors approved CHP Agreement No. 12R061002 (SANBAG Contract No. C12175), in the amount of \$150,000 for the period from July 1, 2012, through June 30, 2015, between SANBAG and CHP, under which SANBAG reimburses CHP for overtime supervision and operational oversight of the Freeway Service Patrol (FSP) program in San Bernardino County; and

**WHEREAS**, on July 11, 2012, the SANBAG Board of Directors approved Amendment No. 1 to Contract No. C12175 increasing the contract amount by \$211,008.52 to provide additional funds for an extra one-half of one full-time CHP officer needed to certify and train new FSP drivers, and to address additional FSP assists; and

**WHEREAS**, SANBAG's I-15 Devore Interchange Project is scheduled to commence construction in \_\_\_\_, 2013, is outside of the FSP Program area, but requires Construction FSP services to mitigate traffic congestion as a result of construction and to assist in the reduction of accidents and secondary accidents; and

**WHEREAS**, additional CHP services are needed to provide FSP Supervision and dispatch duties for the Construction FSP Program for the remainder of this contract; and

**WHEREAS**, SANBAG desires to increase the contract amount with CHP in order to continue running an efficient Construction FSP Program for the motoring public and CHP agrees to increase the maximum expenditures for Fiscal Year 2013/2014 by \$128,831.00, and Fiscal Year 2014/2015 by \$64,299.00 for the provision of such services.

**NOW THEREFORE**, it is mutually understood and agreed by SANBAG and CHP that Agreement No. 12R061002 is hereby amended in the following particulars only:

1. Amend paragraph F of **ARTICLE 2. TERMS AND CONDITIONS**, and replace it in its entirety with the following new paragraph F:

**"F.** SANBAG agrees to reimburse the CHP for **actual costs** incurred while performing overtime FSP related duties, in accordance with the following schedule:

For regular FSP Program:

Approximately 544 hours of available officer overtime during fiscal year 2012/2013, reimbursed at an estimated rate of \$73.43 per hour for an annual estimated amount of \$40,000.00.

Approximately 544 hours of available officer overtime during fiscal year 2013/2014, reimbursed at an estimated rate of \$73.43 per hour for an annual estimated amount of \$40,000.00.

Approximately 544 hours of available officer overtime during fiscal year 2014/2015, reimbursed at an estimated rate of \$73.43 per hour for an annual estimated amount of \$40,000.00.

For SANBAG/Devore Construction Project FSP:

Approximately 1,328 hours of available officer overtime during fiscal year 2013/2014, reimbursed at an estimated rate of \$75.00 per hour for an annual estimated amount of \$99,600.00.

Approximately 694 hours of available dispatcher overtime during fiscal year 2013/2014,

reimbursed at an estimated rate of \$42.12 per hour for an annual estimated amount of \$29,231.00.

Approximately 663 hours of available officer overtime during fiscal year 2014/2015, reimbursed at an estimated rate of \$75.00 per hour for an annual estimated amount of \$49,725.

Approximately 346 hours of available dispatcher overtime during fiscal year 2014/2015, reimbursed at an estimated rate of \$42.12 per hour for an annual estimated amount of \$14,574.00.

SANBAG agrees to reimburse the CHP for one half of a full time officer position for the remainder of the contract at estimated annual amounts of \$78,750.66 for Fiscal Year 2012/2013, \$80,325.67 for Fiscal Year 2013/2014, and \$81,932.19 for Fiscal Year 2014/15.

Amounts payable to the CHP by SANBAG for costs incurred pursuant to this Agreement may be utilized over several fiscal years, and need not be utilized in a single fiscal year by the CHP, so long as the total amount payable under this Agreement is not exceeded.

It is understood by both parties that rate increases in salary and benefits are governed by collective bargaining agreements and/or statute and that no advance written notification is necessary prior to implementing the increased rates. In the event CHP is granted a rate increase, SANBAG agrees to reimburse CHP at the new hourly rate, but in no event shall the total amount exceed the maximum contract amount of \$554,138.52.”

2. The balance of said Agreement remains unchanged.
3. The Agreement, as previously amended, is incorporated into this Amendment.

-----SIGNATURES ON FOLLOWING PAGE-----

**SANBAG, acting in its  
capacity as the San Bernardino  
County Transportation  
Commission**

**DEPARTMENT OF CALIFORNIA  
HIGHWAY PATROL**

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W. E. Jahn  
SANBAG Board President

---

T. L. Anderson, Assistant Chief  
Administrative Services Division

---

Date

---

Date

**APPROVED AS TO FORM:**

---

Eileen Monaghan Teichert  
SANBAG General Counsel

---

Date

**CONCURRENCE:**

---

Jeffery Hill  
Contract Administrator

---

Date

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
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> 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

# ***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