

ADMINISTRATION & FINANCE COMMITTEE

Thursday, November 16, 2017

12:00 PM

VTA Conference Room B-106

3331 North First Street

San Jose, CA

AGENDA

CALL TO ORDER

1. ROLL CALL

2. PUBLIC PRESENTATIONS:

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

3. ORDERS OF THE DAY

CONSENT AGENDA

- 4. ACTION ITEM** - Approve the Regular Meeting Minutes of September 21, 2017.
- 5. ACTION ITEM** - Approve the Regular Meeting Minutes of October 19, 2017.
- 6. ACTION ITEM** -Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with FBD Vanguard Construction, Inc., the lowest responsive and responsible bidder, in an amount of \$15,538,238.42 for the construction of the SR 237 Express Lanes Phase 2 Project (Project).

7. ACTION ITEM -Recommend that the VTA Board of Directors adopt a Program Budget of \$24,000,000 for the Silicon Valley Express Lanes Fund, to allow loan proceeds and any related interest earnings to pay project costs and loan costs of the Express Lanes Phase 2 Project.

(Requires 2/3 approval of the VTA Board of Directors)

8. ACTION ITEM -Recommend that the VTA Board of Directors authorize the General Manager to execute a sole source contract with VenTek Transit, Inc. for a not-to-exceed amount of \$760,000 for hardware modifications, software engineering, and field installation necessary for all VTA Ticket Vending Machines (TVM) to dispense Clipper® cards.
9. ACTION ITEM -Review and accept the Fiscal Year 2018 Statement of Revenues and Expenses for the period ending September 30, 2017.
10. INFORMATION ITEM -Receive the Monthly Investment Report September 2017.
11. INFORMATION ITEM -Review the Legislative Update.

REGULAR AGENDA


12. ACTION ITEM -Recommend that the VTA Board of Directors adopt a resolution authorizing the refunding of certain maturities of the 2011 Bonds, approving the transaction documents (on file with the Board Secretary), and authorizing the General Manager and Chief Financial Officer to individually take all actions necessary to issue the 1976 Tax, Sales Tax Revenue Refunding Bonds, 2017 Series B (the “2017 Bonds”) and pay issuance costs.
13. ACTION ITEM -Recommend that the VTA Board of Directors authorize the General Manager to enter into one or more agreements with the City of Santa Clara and/or Republic Properties Corporation and its affiliate Republic Metropolitan (Republic) in connection with the development of the City and VTA-owned parking lot at the Santa Clara Caltrain Station. The agreements include a potential Cooperative Agreement with the City and an Exclusive Negotiations Agreement (ENA) with Republic for the purpose of negotiating a sole-source Joint Development Agreement (JDA) / Disposition and Development Agreement (DDA) and any other related agreements.
14. ACTION ITEM -Recommend that the VTA Board of Directors approve for permanent disposition the Great Mall Transit Center in Milpitas, California and declare it as “surplus property” in accordance with applicable law. Authorize the General Manager to offer the property for sale pursuant to applicable law, with the terms and conditions of any proposed action to be presented to the Board for review and consideration before finalization.

15. ACTION ITEM -Recommend that the VTA Board of Directors authorize the General Manager to execute contract amendments with Mark Thomas & Company to perform early development tasks to support the Project Approval/Environmental Documentation (PA/ED) phase in an amount not to exceed \$1,500,000 for the I-280/Winchester Boulevard Interchange Improvements Project (Project).
16. ACTION ITEM -Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with Proterra Inc. ("Proterra") of Burlingame, California, in the amount of \$4,679,730.62 for the purchase of five 40-foot zero emission electric buses (with all related equipment, support, and associated charging systems), and which also includes the purchase of the following options to be exercised with future Board approval as funding becomes available for future fleet replacement requirements:
 - (i) up to two automatic conductive en route chargers in the amount of \$762,565.00 (plus Producers Price Index (PPI)); and
 - (ii) up to 25 additional buses in the amount of \$23,398,653.13 (plus PPI).

The execution of the contract would be subject to compliance with the Federal Transit Administration (FTA) pre-award requirements and the satisfactory clearance of any protests.
17. ACTION ITEM -Recommend that the VTA Board of Directors authorize the General Manager to execute a three year contract with Medical Transportation Management, Inc. (MTM) in the amount of \$3,243,000 to provide Paratransit Eligibility Certification Services.
18. ACTION ITEM -Recommend that the VTA Board of Directors adopt a policy for a Commuter Shuttle Program, which requires commuter shuttle operators to adhere to a set of rules and regulations, as amended from time to time by the General Manager, in order to access VTA-owned real property and/or VTA-controlled areas, including VTA facilities.

OTHER ITEMS

19. Items of Concern and Referral to Administration.
20. Review Committee Work Plan. (Srinath)
21. Committee Staff Report. (Srinath)
22. Chairperson's Report. (Hendricks)
23. Determine Consent Agenda for the December 7, 2017, Board of Directors Meeting.
24. **ANNOUNCEMENTS**
25. **ADJOURN**

In accordance with the Americans with Disabilities Act (ADA) and Title VI of the Civil Rights Act of 1964, VTA will make reasonable arrangements to ensure meaningful access to its meetings for persons who have disabilities and for persons with limited English proficiency who need translation and interpretation services. Individuals requiring ADA accommodations should notify the Board Secretary's Office at least 48-hours prior to the meeting. Individuals requiring language assistance should notify the Board Secretary's Office at least 72-hours prior to the meeting. The Board Secretary may be contacted at ☎ (408) 321-5680 or ✉ board.secretary@vta.org or ☎ (408) 321-2330 (TTY only). VTA's home page is www.vta.org or visit us on  www.facebook.com/scvta. ☎ (408) 321-2300: 中文 / Español / 日本語 / 한국어 / tiếng Việt / Tagalog.

Disclosure of Campaign Contributions to Board Members (Government Code Section 84308) In accordance with Government Code Section 84308, no VTA Board Member shall accept, solicit, or direct a contribution of more than \$250 from any party, or his or her agent, or from any participant, or his or her agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency. Any Board Member who has received a contribution within the preceding 12 months in an amount of more than \$250 from a party or from any agent or participant shall disclose that fact on the record of the proceeding and shall not make, participate in making, or in any way attempt to use his or her official position to influence the decision. A party to a proceeding before VTA shall disclose on the record of the proceeding any contribution in an amount of more than \$250 made within the preceding 12 months by the party, or his or her agent, to any Board Member. No party, or his or her agent, shall make a contribution of more than \$250 to any Board Member during the proceeding and for three months following the date a final decision is rendered by the agency in the proceeding. The foregoing statements are limited in their entirety by the provisions of Section 84308 and parties are urged to consult with their own legal counsel regarding the requirements of the law.

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

**NOTE: THE BOARD OF DIRECTORS MAY ACCEPT, REJECT OR MODIFY
ANY ACTION RECOMMENDED ON THIS AGENDA.**



ADMINISTRATION & FINANCE COMMITTEE

Thursday, September 21, 2017

MINUTES

CALL TO ORDER

The Regular Meeting of the Administration and Finance Committee (A&F) was called to order at 12:06 p.m. by Chairperson Hendricks in Conference Room B-106, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status
Jeannie Bruins	Member	Present
Larry Carr	Vice Chairperson	Present
Dev Davis	Alternate Member	Absent
Daniel Harney	Alternate Member	Absent
Glenn Hendricks	Chairperson	Present
Sam Liccardo	Member	Present
John McAlister	Alternate Member	Absent

*Alternates do not serve unless participating as a Member.

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

Raj Srinath, Chief Financial Officer and Staff Liaison, noted staff's request to defer **Agenda Item #6: Bus Shelter Procurement**.

M/S/C (Liccardo/Carr) to accept the Orders of the Day.

RESULT:	ACCEPTED - Orders of the Day
MOVER:	Sam Liccardo, Member
SECONDER:	Larry Carr, Vice Chairperson
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

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

CONSENT AGENDA

Public Comment

Roland Lebrun, Interested Citizen, commented on **Agenda Item #6**: Award of Bus Shelter Procurement Contract, expressing concern for passenger safety while waiting.

4. Regular Meeting Minutes of August 17, 2017

M/S/C (Liccardo/Carr) to approve the Regular Meeting Minutes of August 17, 2017.

5. Toshiba Air Conditioner Unit Parts

M/S/C (Liccardo/Carr) to recommend that the VTA Board of Directors authorize the General Manager to execute a two year firm fixed price contract with Toshiba International Corporation in the amount of \$847,743 to procure various parts to be used in the Toshiba Heating, Ventilation and Air Conditioner (HVAC) units for VTA's light rail vehicles.

6. (Deferred)

Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with Brasco International, Inc., the selected vendor, in the amount of \$1,516,600 for the fabrication and delivery of up to 141 new bus shelters and 216 matching bus stop benches. The term of this agreement is for two years.

7. Legislative Update

M/S/C (Liccardo/Carr) to receive Legislative update.

8. Disadvantaged Business Enterprise Contract Availability and Utilization Study (Disparity Study)

M/S/C (Liccardo/Carr) to receive a status update on Disadvantaged Business Enterprise Contract Availability and Utilization Study (Disparity Study).

9. Monthly Investment Report - July 2017

M/S/C (Liccardo/Carr) to receive the Monthly Investment Report for July 2017.

RESULT:	APPROVED [UNANIMOUS] - Consent Agenda Items #4-5; 7-9
MOVER:	Sam Liccardo, Member
SECONDER:	Larry Carr, Vice Chairperson
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

REGULAR AGENDA

10. Paratransit Fleet Procurement

Aaron Vogel, Regional Transportation Service Manager, provided an overview of the staff report. A brief discussion ensued about the how useful life of the vehicles are determined and disposal of vehicles at the end of its useful life.

M/S/C (Bruins/Liccardo) to recommend that the VTA Board of Directors authorize the General Manager to procure up to 64 Class D Braun Entervan minivans in the amount up to \$3,096,104 for Paratransit services using the State of California purchasing contract for Paratransit vehicles and associated equipment and services.

RESULT:	APPROVED [UNANIMOUS] - Agenda Item #10
MOVER:	Jeannie Bruins, Member
SECONDER:	Sam Liccardo, Member
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

11. VTA's BART Extension – Berryessa Extension Project C742 Berryessa Station Campus Area and Roadways Project Contract Change Order

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program, and James Chai, Transportation Engineering Manager for SVRT, provided a brief overview of the staff report. A brief discussion ensued about cost responsibilities and the contractor's positive performance in terms of meeting its Disadvantaged Business Enterprise (DBE) goal.

M/S/C (Bruins/Liccardo) to recommend that the VTA Board of Directors authorize the General Manager to amend the base Berryessa Stations Campus Area and Roadways (C742) Contract (15002F) with Graniterock Company (GRC) in the amount up to \$3,000,000 resulting in a new total authorized contract amount of \$33,273,671.

RESULT:	APPROVED [UNANIMOUS] - Agenda Item #11
MOVER:	Jeannie Bruins, Member
SECONDER:	Sam Liccardo, Member
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

12. BART Silicon Valley Rapid Transit Program: Program Management Services Contract No. S03099A Amendment with MM/Bechtel, a Joint Venture

Mr. Ratcliffe provided a brief overview of the report.

M/S/C (Bruins/Liccardo) to recommend that the VTA Board of Directors authorize the General Manager to execute a contract amendment with MM/Bechtel, a Joint Venture, for project management services supporting the Silicon Valley Rapid Transit Program in the amount of \$24,125,000 and increasing the total agreement value to \$235,300,000.

RESULT:	APPROVED [UNANIMOUS] - Agenda Item #12
MOVER:	Jeannie Bruins, Member
SECONDER:	Sam Liccardo, Member
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

13. BART Silicon Valley Rapid Transit Program: Construction Management Services Contract No. S12015F Amendment with PGH Wong Engineering, Inc.

Mr. Ratcliffe provided an overview of the report.

Public Comment

Mr. Lebrun expressed concern with PGH Wong Engineering, Inc.'s performance on BART Warm Springs Project.

M/S/C (Liccardo/Bruins) to recommend that the VTA Board of Directors authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong), for construction management services supporting the Silicon Valley Berryessa Extension (SVBX) Project in the amount of \$18,475,000; and increasing the total agreement value to \$65,600,000.

RESULT:	APPROVED [UNANIMOUS] - Agenda Item #13
MOVER:	Sam Liccardo, Member
SECONDER:	Jeannie Bruins, Member
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

14. Program Management Services for VTA's BART Silicon Valley Phase II Extension

Carolyn Gonot, Director of Engineering & Transportation Program Delivery, and Krishna Davey, SVRT Project Controls Manager, provided an overview.

Public Comment

Laura Reeves, EPC Consultants, made the following comments: 1) a formal protest was delivered to VTA on the basis that HNTB/WSP had access to VTA staff and non-public information regarding the project during a workshop; and 2) requested that the Request for Proposals (RFP) be reissued excluding firms who had an unfair advantage.

Mr. Lebrun made the following comments: 1) the Phase II extension project is not fully funded; 2) MM/Bechtel did not bid and is the program management firm for Phase I; and 3) Parsons Brinckerhoff has a worrisome track record.

Staff noted VTA is in the process of evaluating the protest and will provide a response. Staff affirmed the item will not move to the VTA Board of Directors (Board) for consideration until the issue has been resolved.

M/S/C (Liccardo/Bruins) to recommend that the VTA Board of Directors authorize the General Manager to execute a contract with HNTB/WSP Parsons Brinkerhoff (HNTB+PB), a Joint Venture in the amount of \$88,289,000 for a four year period ending in December 2021 to provide Program Management services for VTA's BART Silicon Valley Phase II Extension.

RESULT:	APPROVED [UNANIMOUS] - Agenda Item #14
MOVER:	Sam Liccardo, Member
SECONDER:	Jeannie Bruins, Member
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

15. Aldea Services Contract Amendment for VTA's BART Silicon Valley Phase II Tunneling Comparative Analysis Risk Assessment

Ms. Gonot and Mr. Davey provided an overview of the staff report.

Public Comment

Mr. Lebrun expressed concern about Aldea's cost overruns.

M/S/C (Liccardo/Bruins) to recommend that the VTA Board of Directors authorize the General Manager to execute a task ordered contract amendment to the Aldea Services, Inc. for an amount not to exceed \$422,540 for a total agreement amount not to exceed \$985,156.44. This amendment would finalize the risk register, with high-level mitigation measures, that was developed for Phase II Tunneling Comparative Analysis Risk Assessment, and continue support in the risk assessment of underground structures in preparation for entry into the Federal Transit Administration's New Starts Capital Investment Grant Program's Engineering Phase. This amendment would extend Aldea's contract through December 2018.

RESULT:	APPROVED [UNANIMOUS] - Agenda Item #15
MOVER:	Sam Liccardo, Member
SECONDER:	Jeannie Bruins, Member
AYES:	Bruins, Carr, Hendricks, Liccardo
NOES:	None

OTHER ITEMS

16. Items of Concern and Referral to Administration

Member Bruins requested staff to indicate the DBE goal and current DBE performance of the contractor in the staff reports, whenever applicable.

17. Committee Work Plan

Mr. Srinath noted the Work Plan was included in the Agenda Packet.

18. Committee Staff Report

There was no Committee Staff Report.

19. Chairperson's Report

There was no Chairperson's Report.

20. Determine Consent Agenda for the October 5, 2017 Board of Directors Meeting

CONSENT:

Agenda Item #5. Recommend that the VTA Board of Directors authorize the General Manager to execute a two year firm fixed price contract with Toshiba International Corporation in the amount of \$847,473 to procure various parts to be used in the Toshiba Heating, Ventilation and Air Conditioner (HVAC) units for VTA's light rail vehicles.

Agenda Item #7. Review the Legislative Update Matrix.

Agenda Item #8. Receive a status update on Disadvantaged Business Enterprise Contract Availability and Utilization Study (Disparity Study).

Agenda Item #9. Receive the monthly Investment report for July 2017.

Agenda Item #10. Recommend that the VTA Board of Directors authorize the General Manager to procure up to 64 Class D Braun Entervan minivans in the amount up to \$3,096,104 for Paratransit services using the State of California purchasing contract for Paratransit vehicles and associated equipment and services.

Agenda Item #11. Recommend that the VTA Board of Directors authorize the General Manager to amend the base Berryessa Stations Campus Area and Roadways (C742) Contract (15002F) with Graniterock Company (GRC) in the amount up to \$3,000,000 resulting in a new total authorized contract amount of \$33,273,671.

Agenda Item #15. Recommend that the VTA Board of Directors authorize the General Manager to execute a task ordered contract amendment with Aldea Services, Inc. for an amount not to exceed \$422,540 for a total agreement amount not to exceed \$985,156.44. This amendment would finalize the risk register, with high-level mitigation measures, that was developed for the Phase II Tunneling Comparative Analysis Risk Assessment, and continue support in the risk assessment of underground structures in preparation for entry into the Federal Transit Administration's New Starts Capital Investment Grant Program's Engineering Phase. This amendment would extend Aldea's contract through December 2018.

REGULAR:

Agenda Item #12. Recommend that the VTA Board of Directors authorize the General Manager to submit execute a contract amendment with MM/Bechtel, a Joint Venture, for project management services supporting the Silicon Valley Rapid Transit Program in the amount of \$24,125,000 and increasing the total agreement value to \$235,300,000.

Agenda Item #13. Recommend that the VTA Board of Directors authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong), for construction management services supporting the Silicon Valley Berryessa Extension (SVBX) Project in the amount of \$18,475,000; and increasing the total agreement value to \$65,600,000.

Agenda Item #14. Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with HNTB/WSP Parsons Brinkerhoff (HNTB+PB), a Joint Venture, in the amount of \$88,289,000 for a four year period ending in December 2021 to provide Program Management services for VTA's BART Silicon Valley Phase II Extension.

21. Announcements

Nuria I. Fernandez, Chief Executive Officer and General Manager, announced VTA turned over several of the retired Community Buses to the Homeless Veterans Emergency Housing Facility to provide a mobility solution when Bus Line 45 is discontinued as part of the Next Network.

22. Adjournment

On order of Chairperson Hendricks and there being no objection, the meeting adjourned at 1:03 p.m.

Respectfully submitted,

Thalia Young, Board Assistant
VTA Office of the Board Secretary



ADMINISTRATION & FINANCE COMMITTEE

Thursday, October 19, 2017

MINUTES

CALL TO ORDER

The Regular Meeting of the Administration and Finance Committee (A&F) was called to order at 12:04 p.m. by Chairperson Hendricks in Conference Room B-106, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status
Jeannie Bruins	Member	Absent
Larry Carr	Vice Chairperson	Absent
Dev Davis	Alternate Member	NA
Daniel Harney	Alternate Member	Absent
Glenn Hendricks	Chairperson	Present
Sam Liccardo	Member	Present
John McAlister	Alternate Member	Absent

*Alternates do not serve unless participating as a Member.

A quorum was not present and a Committee of the Whole was declared.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

There were no Orders of the Day.

CONSENT AGENDA

4. Regular Meeting Minutes of September 21, 2017

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole deferred approval of the Regular Meeting Minutes of September 21, 2017.

5. Approval of Bus Shelter Advertising Contract

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole forwarded the item without a recommendation that the VTA Board of Directors authorize the General Manager to execute a contract and related amendments:

- (1) With Clear Channel Outdoor to manage the advertising program on VTA bus shelters for a four-year term beginning on January 1, 2018 and ending on December 31, 2021, with an option for VTA to extend the contract for one additional five-year period; and
- (2) Where applicable, with local agencies to maintain the placement of advertising bus shelters within their jurisdiction, and where available, to distribute a share of net advertising revenue to such local agencies.

6. VTA Permit Fee Schedule

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole forwarded the item without a recommendation that the VTA Board of Directors adopt a resolution amending the VTA Permit Fee Schedule to update fees to be collected for Construction Access Permits and Restricted Access Permits, based upon the update of VTA allocated rates for Fiscal Year 2018.

7. Quarterly Purchasing Report July 1 through September 30, 2017

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole reviewed the Quarterly Purchasing Report for July 1 through September 30, 2017.

8. Annual Transit Operations Insurance Renewal Report for FY 2017-2018

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole received the Transit Operations Insurance Program Renewal Report for Fiscal Year 2017-2018.

9. Fiscal Year 2017 Statement of Revenues and Expenses for the Period Ending June 30, 2017

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole reviewed and accepted the Fiscal Year 2017 Statement of Revenues and Expenses for the period ending June 30, 2017..

10. Monthly Investment Report - August 2017

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole received the Monthly Investment Report for August 2017.

11. Legislative Update Matrix

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole received the Legislative update.

REGULAR AGENDA

12. Award of Bus Shelter Procurement Contract

Ken Ronsse, Deputy Director, Rail & Facilities, provided an overview of the staff report.

Discussion ensued about the following: 1) real time information at bus shelters; 2) bus shelter designs for weather protection, revenue opportunities, and electrical needs; and 3) funding.

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole forwarded the item without a recommendation that the VTA Board of Directors authorize the General Manager to execute a contract with Brasco International, Inc., the selected vendor, in the amount of \$1,516,600 for the fabrication and delivery of up to 141 new bus shelters and 216 matching bus stop benches. The term of this agreement is for two years.

13. US 101/Zanker Road Interchange Project - PA/ED Services Contract with AECOM

Gene Gonzalo, Engineering Group Manager of the Capital Program, provided an overview of the staff report and clarified the concept, design process and funding source for the 101/Zanker Road Interchange Project, as requested by the Committee.

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole forwarded the item without a recommendation that the VTA Board of Directors authorize the General Manager to execute a contract amendment with AECOM to perform Project Approval/Environmental Documentation (PA/ED) services in an amount up to \$1,090,000, increasing the not-to-exceed total contract value to \$1,620,902 for the US 101/Zanker Road Interchange Project.

14. Capitol Expressway Light Rail (CELR) Phase II Property Acquisition

Ron Golem, Deputy Director of Real Estate, provided an overview of the staff report.

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole forwarded the item without a recommendation that the VTA Board of Directors:

1. Authorize the General Manager to execute all documents required for VTA's acquisition (or possession and use) of the requisite right-of-way for the Capitol Expressway Light Rail Phase II Project ("Project"), where: (a) the purchase price equals the statutory offer of just compensation established for the property and the purchase price exceeds the authority of the General Manager under Section 5-3 of the Administrative Code; or (b) the purchase price is within 15% above the statutory offer of just compensation established for the property.
2. Authorize the General Manager to execute all documents necessary to convey or assign easement rights or fee title, as applicable to: (a) utility providers for replacement rights, along with requisite access rights, related to utility relocations; and (b) public agencies for the operation and maintenance of public infrastructure.

15. Contractor Selection for BART Phase II Corridor TOD Strategy Study

Mr. Golem provided an overview of the staff report.

Member Liccardo requested that VTA's consultants collaborate with the City of San Jose Planning Department. He noted the suggestion to share resources in order to maximize affordable housing.

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole forwarded the item without a recommendation that the VTA Board of Directors authorize the General Manager to negotiate and execute a contract with Perkins + Will to prepare a BART Phase II Corridor Transit-Oriented Development (TOD) Strategy Study, for a value not to exceed \$1,900,000. The contract term will be for 18 months from the date of execution.

16. Approval of Parking Program for Milpitas and Berryessa/North San Jose Transit Centers

Mr. Golem provided an overview of the staff report and provided a presentation entitled "VTA's BART Silicon Valley," highlighting: 1) Topics; 2) Milpitas Transit Center Parking Structure; 3) Berryessa/North San Jose Transit Center Parking Structure; 4) System Overview; 5) Parking Access and Revenue Collection System; 6) License Plate Recognition; 7) Payment Options; 8) Peer Agency Review; 9) Some Key Considerations for Transit Centers Parking; 10) Proposed Fees; 11) Recommended Parking Program Management; and 12) Next Steps.

Discussion ensued about the following: 1) data retention policy guidelines related to the license plate recognition, noting the importance of keeping the public's privacy; 2) public communication including signage on the parking garage; 3) parking operations and rates; 4) the ability to use excess parking capacity for other future needs; 5) long term goals, specifically making transit cheaper than driving; and 6) revenue estimates.

On order of Chairperson Hendricks and there being no objection, the Committee of the Whole forwarded the item without a recommendation that the VTA Board of Directors approve the proposed parking program for the two new Transit Centers at Milpitas and Berryessa/North San Jose, including rates and procedures for rate changes.

OTHER ITEMS

17. Items of Concern and Referral to Administration

There were no items of Concern and Referral.

18. Committee Work Plan

On order of Chairperson Hendricks and there being no objection, the Committee reviewed the Committee Work Plan.

19. Committee Staff Report

Raj Srinath, Chief Financial Officer, provided an update about the Metropolitan Transportation Commission's proposal on Means Based Fare, highlighting: 1) Requirements MTC staff is considering; 2) Revenue Loss Estimates and Regional Level

Comparison; and 3) risks. Mr. Srinath noted he would provide more information as it becomes available.

20. Chairperson's Report

There was no Chairperson's Report.

21. Determine Consent Agenda for the November 2, 2017 Board of Directors Meeting

CONSENT:

Agenda item #5. Recommend that the VTA Board of Directors authorize the General Manager to execute a contract and related amendments:

(1) With Clear Channel Outdoor to manage the advertising program on VTA bus shelters for a four-year term beginning on January 1, 2018 and ending on December 31, 2021, with an option for VTA to extend the contract for one additional five-year period; and

(2) Where applicable, with local agencies to maintain the placement of advertising bus shelters within their jurisdiction, and where available, to distribute a share of net advertising revenue to such local agencies.

Agenda item #6. Recommend that the VTA Board of Directors adopt a resolution amending the VTA Permit Fee Schedule to update fees to be collected for Construction Access Permits and Restricted Access Permits, based upon the update of VTA allocated rates for Fiscal Year 2018.

Agenda item #8. Receive the Transit Operations Insurance Program Renewal Report for Fiscal Year 2017-2018.

Agenda item #9. Review and accept the Fiscal Year 2017 Statement of Revenues and Expenses for the period ending June 30, 2017.

Agenda item #11. Receive Legislative update.

Agenda item #12. Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with Brasco International, Inc., the selected vendor, in the amount of \$1,516,600 for the fabrication and delivery of up to 141 new bus shelters and 216 matching bus stop benches. The term of this agreement is for two years. (*Deferred from the September 21, 2017, Administration and Finance Committee meeting.*)

Agenda item #13. Recommend that the VTA Board of Directors authorize the General Manager to execute a contract amendment with AECOM to perform Project Approval/Environmental Documentation (PA/ED) services in an amount up to \$1,090,000, increasing the not-to-exceed total contract value to \$1,620,902 for the US 101/Zanker Road Interchange Project.

Agenda item #14. Recommend that the VTA Board of Directors:

1. Authorize the General Manager to execute all documents required for VTA's acquisition (or possession and use) of the requisite right-of-way for the Capitol Expressway Light Rail Phase II Project ("Project"), where: (a) the purchase price equals the statutory offer of just compensation established for the property and the purchase price exceeds the authority of the General Manager under Section 5-3 of the Administrative Code; or (b) the purchase price is within 15% above the statutory offer of just compensation established for the property.
2. Authorize the General Manager to execute all documents necessary to convey or assign easement rights or fee title, as applicable to: (a) utility providers for replacement rights, along with requisite access rights, related to utility relocations; and (b) public agencies for the operation and maintenance of public infrastructure.

Agenda item #15. Recommend that the VTA Board of Directors authorize the General Manager to negotiate and execute a contract with Perkins + Will to prepare a BART Phase II Corridor Transit-Oriented Development (TOD) Strategy Study, for a value not to exceed \$1,900,000. The contract term will be for 18 months from the date of execution.

REGULAR:

Agenda item #16. Recommend that the VTA Board of Directors approve the proposed parking program for the two new Transit Centers at Milpitas and Berryessa/North San Jose, including rates and procedures for rate changes.

22. Announcements

There were no Announcements.

23. Adjournment

On order of Chairperson Hendricks and there being no objection, the meeting adjourned at 1:01 p.m.

Respectfully submitted,

Theadora Abraham, Board Assistant
VTA Office of the Board Secretary



Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director - Engr & Transp Program Dev., Carolyn M. Gonot

SUBJECT: SR 237 Express Lanes Phase 2 – Construction Contract Award to FBD Vanguard Construction, Inc.

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with FBD Vanguard Construction, Inc., the lowest responsive and responsible bidder, in an amount of \$15,538,238.42 for the construction of the SR 237 Express Lanes Phase 2 Project (Project).

BACKGROUND:

On December 11, 2008 Board Meeting, the Santa Clara Valley Transportation Authority (VTA) Board of Directors (Board) approved the Silicon Valley Express Lanes Program (Program). As part of the Program, a roadway pricing system to allow for the use of unused capacity in the High Occupancy Vehicle (HOV) lanes has been implemented to provide congestion relief through more effective use of existing roadways. Express lanes provide a new mobility option and a funding source for transportation improvements including public transit. The first phase of SR 237 Express Lanes, converting HOV lanes to express lanes operations on I-880 from Dixon Landing Road interchange to SR 237 interchange, and on SR 237 from I-880 to the North First Street interchange, has been in operation since March 20, 2012.

Implementation of roadway pricing in the form of express lanes is part of the regional transportation plan approved by the Metropolitan Transportation Commission.

The VTA Board of Directors has taken the following actions to fund the Project:

- On March 1, 2012, the Board approved the programming of \$50,000 in Local Program Reserve (LPR) Funds to the Project to assist with the scoping of this Project.
- On August 2, 2012, the Board approved the allocation of \$2.5 million in LPR funds for the project approval and environmental documentation (PA/ED) work.
- On November 1, 2012, the Board approved a cost-plus-fixed fee contract with Mark Thomas and Company, Inc. in an amount not to exceed \$1,350,000 to perform PA/ED work, and authorized the General Manager to negotiate and execute the necessary agreements with Caltrans and the Federal Highway Administration to complete the project.
- On August 19, 2013, VTA was granted \$1.6 million of Value Pricing Pilot Program (VPPP) funding by the Federal Highway Administration (FHWA).
- On November 2, 2013, the Board approved the allocation of \$4.45 million in LPR funds and \$ 14.5 million in 2000 Measure A Transit Improvement Program funds in exchange for State Transportation Improvement Program (STIP) funds for design and implementation of the SR 237, SR 85 and US 101 Express Lanes projects.
- On February 26, 2014, the Board approved a contract amendment to Mark Thomas and Company Inc. in an amount of \$1,750,000 for the final design phase to perform the plans, specifications, and estimates (PS&E) work and authorized a total new contract amount of \$3,100,000.
- On September 15, 2016, the Board authorized the General Manager to negotiate and execute the necessary agreements with the cities of Santa Clara and Sunnyvale to receive their voluntary contributions. At a result, VTA had entered into an agreement with the City of Sunnyvale to receive \$380,000 from their voluntary contribution. VTA is negotiating with the City of Santa Clara for its voluntary contributions. The Board also approved \$4 million in Vehicle Registration Fee matching funds for the Project's construction phase at this meeting.
- On September 7, 2017, the Board authorized the General Manager to execute contract amendments with Mark Thomas and Company, Inc. in an amount not to exceed \$410,000, increasing the not-to-exceed total contract value to \$3,728,769. This authorization covered the cost of the additional designer's services including the cost of designer support during construction.
- Also on September 7, 2017, the Board adopted a resolution that approved the Loan Agreement and authorized the General Manager to entry into a loan for a not to exceed principal amount of \$24,000,000 from Western Alliance Business Trust, a wholly owned affiliate of Western Alliance Bank ("Western Alliance"), to fund the construction costs of the Project.

DISCUSSION:

VTA completed the PA/ED phase for the SR 237 Express Lanes Phase 2 Project on June 10, 2015 as shown in Attachment A. The Final Roadway Design package was approved by Caltrans for construction advertisement. VTA issued an Invitation for Bid on September 1, 2017. VTA held a Pre-bid Conference on September 18, 2017. While there were 202 plan-holders, only three prospective proposers attended the pre-bid conference. Those attending were Rosendin Electric, Flatiron West, Inc., and Ghilotti Bros., Inc.

The Engineer's Estimate (EE) for this contract is \$9,709,640.

On October 5, 2017, VTA received bids from FBD Vanguard Construction, Inc. and Ghilotti Bros., Inc. for the following amounts:

- **FBD Vanguard Construction, Inc. (Low Bidder)**
Bid Amount: \$15,581,258.42 (due to a mathematical error in the Schedule of Quantity and Prices form submitted by this contractor, the correct bid amount should be \$15,538,238.42. This is \$5,828,598.42 or 60.03% above the Engineer's Estimate.
- **Ghilotti Bros., Inc. (High Bidder)**
Bid Amount: \$18,987,303.00 (\$9,277,663 or 95.55% above the Engineer's Estimate).

On October 9, 2017, VTA staff contacted local contractors to gain feedback on reasons for not submitting bids for this contract. Below is a summary of the responses.

Company	Reason Why Company Did Not Submit Bid
A. Teichert & Son Inc. dba Teichert Construction	Company is fully busy with projects until Spring 2018.
Flatiron West, Inc.	Company is busy bidding for other projects.
O.C. Jones & Sons, Inc.	Company is busy with other projects.
Bay Cities Paving & Grading, Inc.	Company is busy and could not bid as prime. This company bid as a sub to FBD Vanguard Construction, Inc.
DeSilva Gates Construction	Company is busy with projects until Spring 2018, and bidding for other bigger projects. VTA project does not have enough civil work for prime. Work is mostly for sub-contractors.

Receiving only two bid submissions for the Project is indicative of the saturated construction market in Silicon Valley and portrays the limited availability of specialty contractors.

VTA staff also contacted the Metropolitan Transportation Commission (MTC) for their recent bid results dated June 2, 2017 on a similar express lanes project on I-880. It is worth noting that this project is a much larger project compared to the SR 237 Express Lanes Phase 2 Project. In reviewing the bid results of the SR 237 Express Lanes Phase 2 Project and comparing it to the MTC Express Lanes Project, staff concluded the following:

1. There are contract bid items such as Traffic Control, Concrete Pile, Electrical Lighting and Toll Infrastructure in both bids that exhibited bid amounts that are significantly above the engineer's estimated costs.
2. The difference of \$5,592,850 (between the lowest bidder's costs and the Engineer's

Estimate) for the four contract bid items (in bullet point #1 above) are the primary contributors to the \$5,828,598.42 amount above the Engineer's Estimate.

VTA staff has completed the bid review process and determined that FBD Vanguard Construction, Inc. is the lowest responsible and responsive bidder.

The Disadvantage Business Enterprise (DBE) goal for this contract is 12%. VTA held an Ad-hoc Committee meeting on October 16, 2017 to review the submitted DBE goal by FBD Vanguard Construction, Inc. of 11.00% and determined that this contractor has demonstrated its good-faith efforts in reaching out and providing opportunities for DBE contractors available to work on this contract.

Given these factors, staff determination is that FBD Vanguard Construction, Inc.'s bid, which is \$5,828,598.42 above the Engineer's Estimate, is fair and reasonable. Attachment B shows the Contractor List for the proposed FBD Vanguard Construction, Inc. team.

This contract is estimated to take 580 calendar days to complete. Construction is scheduled to begin in January 2018 with an anticipated opening of the express lanes to traffic and start of revenue service in Fall 2019.

VTA staff recommends that the Board grant authority to the General Manager to execute a contract with FBD Vanguard Construction, Inc., the lowest responsive and responsible bidder, for \$15,538,238.42 to construct the Project.

ALTERNATIVES:

The Board of Directors may elect to not authorize the award of this contract and request staff to re-advertise the contract; however, doing this would delay the construction and completion of the SR 237 Express Lanes Phase 2 Project and result in the increase of capital interest payment to the lender, Western Alliance, due to the resulting delay to project opening and commencement of toll collection.

FISCAL IMPACT:

This action will authorize \$15,538,238.42 for the construction of the SR237 Express Lanes Phase 2 Project. Appropriation for the expenditures is included in the FY18 Adopted VTP Highway Improvement Program Fund Capital Budget. This contract is funded by the financing undertaken by VTA.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

Based on identifiable subcontracting opportunities, a DBE goal of 12.0% was established by the Office of Business Diversity Programs (OBDP) for this contract. The contractor, FBD Vanguard Construction, Inc., has demonstrated a good faith effort to attain the DBE goal and has committed to 11.0% DBE participation for this contract, which has been approved by OBDP.

Prepared by: Lam Trinh

Memo No. 6233

ATTACHMENTS:

- Attachment A - Project Location Map (PDF)

ATTACHMENT A

SR 237 Express Lanes Phase 2 Project

Contract: C17122F





Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Budget Appropriation Related to Financing of Phase 2 SR 237 Express Lanes

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors adopt a Program Budget of \$24,000,000 for the Silicon Valley Express Lanes Fund, to allow loan proceeds and any related interest earnings to pay project costs and loan costs of the Express Lanes Phase 2 Project.

(Requires 2/3 approval of the VTA Board of Directors)

BACKGROUND:

The requested action is purely administrative and does not increase authorized expenditure beyond previously approved amounts for the Express Lanes Phase 2 Project (the “Project”) and does not modify any cost or aspect of the \$24,000,000 loan from Western Alliance Bank. The VTA Board of Directors has previously approved funding sources to fully fund the Project, including a \$24 million bank loan approved at the September 2017 meeting.

The appropriation is necessary only to authorize the Silicon Valley Express Lanes Fund to pay capital costs of the Express Lanes Phase 2 Project which will be accounted for in Valley Transportation Plan (VTP) Highway Improvement Program Fund. The bank loan is required to be accounted for in the Silicon Valley Express Lanes Fund because that is where the toll revenues to repay the loan are accounted for. However, highway projects are developed and constructed in VTP Highway Improvement Program Fund. Thus, a budget appropriation is required to allow payment of costs between the Funds.

DISCUSSION:

In accordance with the FY 2018 and FY 2019 Adopted Budget Resolution No. 2017.06.22, Program Budget appropriations which are not expended during the fiscal year carry over to successive fiscal years until the programs are completed or otherwise terminated.

ALTERNATIVES:

Delayed approval would delay payment of costs of the project from loan proceeds.

FISCAL IMPACT:

This action will create a Silicon Valley Express Lanes Fund Program Budget of \$24,000,000 to allow loan proceeds and any related interest earnings to pay project costs and loan costs of the Express Lanes Phase 2 Project.

Prepared by: Michael Smith
Memo No. 6333



Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Retrofit Ticket Vending Machines (TVM) to Dispense Clipper® Cards

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors authorize the General Manager to execute a sole source contract with VenTek Transit, Inc. for a not-to-exceed amount of \$760,000 for hardware modifications, software engineering, and field installation necessary for all VTA Ticket Vending Machines (TVM) to dispense Clipper® cards.

BACKGROUND:

The Board approved changes to VTA's Fare Policy in June 2017 including a 2-hour VTA to VTA transfer on Clipper® only. The Title VI Fare Equity analysis in support of the fare policy review indicated that "VTA should continue to strive toward expanding the Clipper® retail network in order to increase access for low-income and minority populations." Despite best efforts by the Metropolitan Transportation Commission (MTC) and their contractors, there has been very limited success in expanding the Clipper retail network in Santa Clara County. VTA staff committed to the Board in June 2017 that VTA would implement a project to enable TVMs to dispense Clipper® cards to patrons thereby significantly expanding the number of locations to procure a Clipper® card in Santa Clara County.

DISCUSSION:

In order to address the lack of an adequate retail network as well as Title VI concerns regarding accessibility to Clipper® cards, VenTek will retrofit of all VTA TVMs to enable Clipper® card vending similar to Sonoma-Marín Area Rail Transit's design. Both VTA and Sonoma-Marín Area Rail Transit's (SMART) ticket vending machines were designed and built by VenTek, which is the only known vendor to be able to retrofit their TVMs. Currently, the 152 TVMs in

the field are able to load cash value and monthly passes onto Clipper® cards. The retrofit of all TVMs would significantly expand the number of locations patrons can procure Clipper® cards. The deployment schedule would first focus on low-income and minority areas such as in East San Jose.

ALTERNATIVES:

The Board could choose to not expand the number of locations where patrons can purchase Clipper cards in the County. This is not recommended as it will perpetuate the existing hardships faced by customers in obtaining a Clipper card.

FISCAL IMPACT:

This action will authorize a contract with VenTek Transit, Inc. for a not-to-exceed amount of \$760,000 for the retrofit of all TVMs in order to dispense Clipper® cards. Appropriation for these expenditures is included in the FY18 Adopted VTA Transit Fund Capital Budget.

SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:

Based on Sole Source procurement with specialized scope of work, no specific SBE goal has been established by the Office of Business Diversity Programs for this contract. Although there is no specific SBE goal requirement, contractor is a VTA certified small business and 100% SBE goal will counted toward SBE credit.

Prepared by: Ali Hudda
Memo No. 6322

ATTACHMENTS:

- TVM Modification - Sec 84308 Attachment (PDF)

ATTACHMENT A**Government Code Section 84308
Campaign Disclosure Prohibitions****Subject: Ticket Vending Machine (TVM) Modification**

FIRM NAME	NAME	PRINCIPAL ROLES	LOCATION
VenTek Transit, Inc.	Sonny Hogg	President	975 Transport Way Petaluma, CA 94954
VenTek Transit, Inc.	Bill Ellis	Vice President	975 Transport Way Petaluma, CA 94954



Date: October 26, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Fiscal Year 2018 Statement of Revenues and Expenses for the Period Ending September 30, 2017

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Review and accept the Fiscal Year 2018 Statement of Revenues and Expenses for the period ending September 30, 2017.

DISCUSSION:

This memorandum provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through September 30, 2017. The schedule has been designed to follow the same company-wide line item rollup as included in the adopted budget. The columns have been designed to provide an easy comparison of actual to budget activities for the current fiscal year including year-to-date dollar and percentage variances from budget. The current staff projections of Revenues and Expenses for Fiscal Year 2018 are also included.

The following are highlights of the current Statement of Revenues and Expenses:

Revenues

Fiscal year-to-date Total Revenues (line 14) are \$4.2M lower than budget estimates primarily due to delay in recording of revenues from 2016 Measure B. These funds are currently held in escrow until the outcome of pending litigation. The remainder of the variance is largely attributed to Sales Tax based accounts, including 1976 Half-Cent Sales Tax (line 3) and Measure A Sales Tax Operating Assistance (line 5).

Sales Tax Based Revenue, including 1976 Half-Cent Sales Tax (line 3) and Measure A Sales Tax Operating Assistance (line 5), accounted for a collective negative variance of \$1.1M. The revenue recorded through September is based on estimates. Final first quarter actual sales tax collections will be available in mid-December.

Expenses

Overall, Fiscal year-to-date Total Expenses (line 45) were \$5.5M under budget driven primarily by favorable variances in Security (line 17), Professional & Special Services (line 18), Other Services (line 19), Reimbursements (line 31), and Paratransit (line 33).

Security (line 17) shows a favorable variance of \$0.7M due to deferred security ramp-up and contract staff vacancies.

Professional & Special Services (line 18) and Other Services (line 19) reflect favorable variances of \$1.4M and \$0.7M, respectively due primarily to timing of planned activities.

Reimbursements (line 31) has a positive variance of \$1.1M due primarily to efforts related to the Light Rail Vehicle fleet mid-life overhaul.

Paratransit (line 33) shows a favorable balance of \$0.6M due to fewer rides provided than were assumed in the budget.

Projections

Current staff projections for the fiscal year remain unchanged from the Adopted Budget, reflecting a negative Operating Balance totaling \$20.5M (line 46).

SUMMARY:

Through the first three months of the year, revenues were \$4.2M below budgeted projections and expenses were \$5.5M below budget estimates, for an overall positive variance of revenues over expenses (line 46) of \$1.3M. Current staff projections for the fiscal year are equal to the budget estimate and reflect a negative Operating Balance of \$20.5M. Staff will continue to monitor expenditure levels and provide updated projections throughout the year.

FISCAL IMPACT:

There is no fiscal impact as a result of this action.

Prepared by: Carol Lawson, Fiscal Resources Manager
Memo No. 6228

ATTACHMENTS:

- FY18 1Q Rev Exp Attachment (PDF)

**SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
STATEMENT OF REVENUES AND EXPENSES**

**Fiscal Year 2018
through September 30, 2017**

(Dollars in Thousands)

Line	Category	Fiscal Year- to-Date Actual	Fiscal Year- to-Date Budget	Year-to- Date Variance	% Variance	FY 2018 Current Budget ¹	FY 2018 Projection ²
1	Fares-Transit	8,515	8,452	63	0.7%	35,742	35,742
2	Fares-Paratransit	506	580	(73)	-12.6%	2,328	2,328
3	Sales Tax Revenue	52,980	53,857	(877)	-1.6%	215,343	215,343
4	TDA	25,571	25,277	294	1.2%	101,211	101,211
5	Measure A Sales Tax-Oper. Asst.	11,002	11,175	(174)	-1.6%	44,684	44,684
6	2016 Measure B - Transit OPS	0	3,250	(3,250)	-100.0%	14,060	14,060
7	STA	2,523	2,575	(52)	-2.0%	10,300	10,300
8	Federal Operating Grants	976	958	18	1.9%	3,831	3,831
9	State Operating Grants	615	343	271	79.1%	1,373	1,373
10	Investment Earnings	579	896	(317)	-35.4%	3,584	3,584
11	Advertising Income	655	700	(45)	-6.4%	2,800	2,800
12	Measure A Repayment Obligation	1,066	1,213	(147)	-12.1%	15,596	15,596
13	Other Income	709	630	79	12.5%	4,173	4,173
14	Total Revenues	105,697	109,907	(4,210)	-3.8%	455,024	455,024
15	Labor Costs	79,533	79,061	(472)	-0.6%	329,982	329,982
16	Materials & Supplies	9,421	9,536	114	1.2%	38,191	38,191
17	Security	3,642	4,351	709	16.3%	17,409	17,409
18	Professional & Special Services	645	1,998	1,354	67.7%	8,645	8,645
19	Other Services	2,042	2,731	689	25.2%	10,718	10,718
20	Fuel	2,200	2,600	400	15.4%	10,556	10,556
21	Traction Power	1,306	1,572	266	16.9%	5,312	5,312
22	Tires	461	588	127	21.5%	2,387	2,387
23	Utilities	889	897	8	0.9%	3,593	3,593
24	Insurance	1,486	1,616	130	8.0%	6,467	6,467
25	Data Processing	1,253	1,294	41	3.2%	5,022	5,022
26	Office Expense	60	107	47	43.6%	425	425
27	Communications	451	405	(46)	-11.4%	1,620	1,620
28	Employee Related Expense	114	281	168	59.6%	1,124	1,124
29	Leases & Rents	187	178	(9)	-5.0%	904	904
30	Miscellaneous	151	249	98	39.3%	878	878
31	Reimbursements	(10,274)	(9,139)	1,135	12.4%	(36,555)	(36,555)
32	Subtotal Operating Expense	93,567	98,326	4,759	4.8%	406,679	406,679
33	Paratransit	5,555	6,165	610	9.9%	24,671	24,671
34	Caltrain	2,242	2,241	(1)	0.0%	8,967	8,967
35	Altamont Corridor Express	1,255	1,294	39	3.0%	5,177	5,177
36	Highway 17 Express	88	92	5	5.4%	370	370
37	Monterey-San Jose Express Service	9	9	(0)	0.0%	35	35
38	Contribution to Other Agencies	222	302	80	26.6%	1,082	1,082
39	Debt Service	1,450	1,493	43	2.9%	21,581	21,581
40	Subtotal Other Expense	10,821	11,597	776	6.7%	61,883	61,883
41	Operating & Other Expenses	104,388	109,923	5,535	5.0%	468,562	468,562
42	Transfer to Capital Reserve	0	0	0	N/A	5,000	5,000
43	Contingency	0	0	0	N/A	1,916	1,916
44	Total Expenses	104,388	109,923	5,535	5.0%	475,478	475,478
45	Operating Balance	1,309	(16)	1,325		(20,454)	(20,454)

Note: Totals and percentages may not be precise due to independent rounding.

¹ Reflects Adopted Budget approved by the Board on June 1, 2017

² Reflects current staff projection as of October 23, 2017

**SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
SOURCES AND USES OF FUNDS SUMMARY**

**Fiscal Year 2018
through September 30, 2017
(Dollar in Thousands)**

<u>Line</u>	<u>Description</u>	<u>FY18 Adopted Budget¹</u>	<u>FY18 Current Budget</u>	<u>FY18 Projected Actual²</u>
<u>Operating Balance</u>				
1	Total Operating Revenues	455,024	455,024	455,024
2	Total Operating Expenses	(475,478)	(475,478)	(475,478)
3	Operating Balance	(20,454)	(20,454)	(20,454)
<u>Operating Balance Transfers</u>				
4	Operating Balance	(20,454)	(20,454)	(20,454)
5	Transfer From/(To) Operating Reserve	20,454	20,454	20,454
6	Transfer From/(To) Sales Tax Stabilization Fund	0	0	0
7	Transfer From/(To) Debt Reduction Fund	0	0	0
8	Balance to Undesignated Reserves	0	0	0
<u>Operating Reserve</u>				
9	Beginning Operating Reserve	66,659	66,659	66,659
10	Transfer From/(To) Operating Balance	(20,454)	(20,454)	(20,454)
11	Ending Operating Reserves	46,205	46,205	46,205
12	Operating Reserve % ³	9.4%	9.4%	9.4%

Note: Totals may not be precise due to independent rounding.

¹ Adopted Budget approved by the Board on June 1, 2017

² Staff Projection as of October 23, 2017

³ Line 11 divided by subsequent fiscal year budgeted Operating Expenses



Date: November 6, 2017
 Current Meeting: November 16, 2017
 Board Meeting: N/A

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Monthly Investment Report - September 2017

FOR INFORMATION ONLY

BACKGROUND:

The investment activities of the Santa Clara Valley Transportation Authority are in compliance with the Investment of Non-Trust Held Funds Investment Policy, the VTA Retirees' Other Post-Employment Benefits Trust Investment Policy and the ATU, Local 265 Pension Plan's Investment Policy.

DISCUSSION:

Real gross domestic product (GDP) increased at an annual rate of 3.0 percent in the third quarter of 2017, according to the "advance" estimate released by the Bureau of Economic Analysis. The increase in real GDP in the third quarter reflected positive contributions from personal consumption expenditures, private inventory investment, nonresidential fixed investment, exports, and federal government spending. These increases were partly offset by negative contributions from residential fixed investment and state and local government spending.

Headline consumer prices, as measured by the consumer price index (CPI), rose 2.2% year over year as of September 2017. Core CPI, which excludes volatile food and energy prices increased at a rate of 1.7% year over year as of September 2017. The Federal Reserve continues to target an inflation rate of 2.00%.

The unemployment rate in the San Jose-Sunnyvale-Santa Clara MSA was 3.3% in September 2017, down from a revised 3.9% in August 2017, and below the year-ago estimate of 3.8%. This compares with an unadjusted unemployment rate of 4.7% for California and 4.1% for the nation during the same period.

Market Watch

The S&P 500 Index returned 2.06% in September 2017. Large cap stocks returned 2.13% and small cap stocks returned 6.24%. Within the large cap space, growth stocks underperformed value stocks, returning 1.30% and 2.96%, respectively. The top-performing sectors were energy, producer durables, and materials & processing. The worst-performing sectors were technology, utilities, and consumer staples.

The Barclays Aggregate index returned -0.48% in September 2017. For the current month treasuries returned -0.86%, government related securities returned -0.47% and investment grade corporate debt returned -0.17%. High yield and emerging market debt returned 0.90% and 0.06% respectively for the month.

In global markets, the United States 10 year government bond yield ended the month at 2.33%, up from 2.12% at the end of August. The European 10 year government bond yield ended the month at 0.46% and the Japanese 10 year government bond yield finished September at 0.07%.

VTA Enterprise Funds

VTA Enterprise Funds are invested in portfolios managed by Payden & Rygel, the State of California Local Agency Investment Fund (LAIF) and an interest bearing checking account. Investment performance for the Payden & Rygel managed accounts are included below.

The Payden & Rygel weighted average composite portfolio outperformed its policy benchmark in September by 0.09%. The current yield for the Payden long-term portfolio is 1.84%, the mid-term portfolio is 1.59%, and the short-term portfolio is 1.39%.

At month-end the current yield for funds invested in LAIF was 1.11% and the VTA's checking accounts was 0.40%.

Market performance for each Payden & Rygel account is summarized in the following table:

Investment Performance as of September 2017									
Asset Class	Fund Manager	Sep	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Long-Term Fixed Income	Payden & Rygel	-0.49%	0.42%	1.82%	-0.08%	1.86%	1.25%	3.24%	4.01%
<i>Barclays US Govt. Intermediate Index</i>		<i>-0.58%</i>	<i>0.35%</i>	<i>0.91%</i>	<i>-1.29%</i>	<i>1.36%</i>	<i>0.88%</i>	<i>3.03%</i>	<i>3.90%</i>
Mid-Term Fixed Income ¹	Payden & Rygel	-0.04%	0.37%	1.14%	0.93%	1.08%	0.89%	-	1.38%
<i>Merrill Lynch 1- 3 Year Treasury Index</i>		<i>-0.16%</i>	<i>0.24%</i>	<i>0.68%</i>	<i>0.24%</i>	<i>0.76%</i>	<i>0.63%</i>	<i>-</i>	<i>0.98%</i>
Short-Term Fixed Income ²	Payden & Rygel	0.10%	0.36%	1.00%	1.19%	0.82%	0.64%	1.05%	1.68%
<i>iMoneynet Money Market Index</i>		<i>0.08%</i>	<i>0.22%</i>	<i>0.56%</i>	<i>0.65%</i>	<i>0.28%</i>	<i>0.18%</i>	<i>0.52%</i>	<i>1.19%</i>
Composite Portfolio Returns		-0.11%	0.38%	1.25%	0.76%	1.23%	0.91%	2.13%	3.38%
<i>Policy Benchmark Returns</i>		<i>-0.20%</i>	<i>0.26%</i>	<i>0.70%</i>	<i>-0.02%</i>	<i>0.83%</i>	<i>0.59%</i>	<i>1.79%</i>	<i>3.19%</i>

¹ Implemented February 11, 2009

² Implemented February 14, 2003

VTA Retirees' Other Post-Employment Benefits (OPEB) Trust

The VTA Retirees' OPEB Trust Investment Policy requires the following asset allocation:

<u>Asset Allocation</u>	<u>Range</u>	<u>Target</u>	<u>Actual</u>
Domestic Fixed Income	15-30%	23%	21%
Domestic Large Cap Index	28-68%	51%	53%
Int'l Equity Emerging Market	0-10%	6%	7%
Private Real Estate	6-16%	11%	11%
Absolute Return	0-15%	8%	8%
Cash	0-03%	1%	0%

The Retirees' OPEB composite portfolio outperformed its policy benchmark by 0.16% in the current month. The current yield for the fixed income portfolio is 4.02%.

Market performance for each money manager is summarized in the following table:

Investment Performance as of September 2017									
Asset Class	Fund Manager	Sep	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Large Cap Index	State Street	2.06%	4.46%	14.20%	18.55%	10.79%	14.18%	7.44%	5.37%
<i>S&P 500 Index</i>		<i>2.06%</i>	<i>4.49%</i>	<i>14.25%</i>	<i>18.63%</i>	<i>10.83%</i>	<i>14.24%</i>	<i>7.44%</i>	<i>5.26%</i>
Fixed Income	Dodge & Cox	0.00%	1.23%	4.52%	3.15%	4.06%	3.62%	5.44%	5.96%
<i>Barclays US Aggregate Bond Index</i>		<i>-0.48%</i>	<i>0.85%</i>	<i>3.14%</i>	<i>0.07%</i>	<i>2.72%</i>	<i>2.07%</i>	<i>4.28%</i>	<i>5.16%</i>
Emerging Market	State Street EM⁽²⁾	-0.43%	7.88%	27.73%	21.59%				25.17%
<i>MCSI World Emerging Market</i>		<i>-0.40%</i>	<i>7.89%</i>	<i>27.78%</i>	<i>22.46%</i>				<i>26.08%</i>
US Core Real Estate	UBS⁴		1.48%	3.86%	5.38%				5.92%
<i>NCREIF NFI-ODCE</i>			<i>1.48%</i>	<i>5.03%</i>	<i>7.25%</i>				<i>7.46%</i>
Absolute Return	Lighthouse³	0.10%	1.10%	3.37%	4.36%				4.01%
<i>HFRI FoF Index</i>		<i>0.36%</i>	<i>2.24%</i>	<i>5.52%</i>	<i>6.43%</i>				<i>5.28%</i>
Absolute Return	Sky Bridge³	1.04%	2.41%	6.55%	9.15%				4.95%
<i>HFRI FoF Index</i>		<i>0.36%</i>	<i>2.24%</i>	<i>5.52%</i>	<i>6.43%</i>				<i>5.28%</i>
Composite Portfolio Returns		1.16%	3.36%	10.86%	12.73%	8.23%	10.07%	7.31%	6.87%
<i>Policy Benchmark Returns</i>		<i>1.00%</i>	<i>3.24%</i>	<i>10.63%</i>	<i>12.11%</i>	<i>8.03%</i>	<i>8.84%</i>	<i>6.52%</i>	<i>5.76%</i>

² Funded June 30, 2016

³ Funded January 28, 2016

⁴ Funded January 4, 2016

DODGE & COX - The Fixed Income portfolio manager outperformed its benchmark in September 2017 by 0.48%. The portfolio's shorter relative duration, overweight position to corporate bonds and strong corporate security selection all contributed to outperformance for the month.

A 7.00% rate of return assumption is used in the annual actuarial analysis for the Retirees' OPEB. The results of the actuarial analysis determine VTA's annual contribution rates. Any difference between actual investment returns and the 7.00% assumed annual return is recognized in the same year. The annual returns for the Retirees' OPEB portfolio have been equivalent to or exceeded the 7.00% assumed rate of return in 9 out of 14 years.

Historic Portfolio Performance for the last fourteen calendar years:

Year	Performance	Year	Performance	Year	Performance
2003	17.2%	2008	-20.9%	2013	18.9%
2004	7.6%	2009	22.2%	2014	10.8%
2005	3.9%	2010	12.5%	2015	1.1%
2006	11.7%	2011	4.0%	2016	9.3%
2007	6.1%	2012	12.4%		

SCVTA-ATU, Local 265 Pension Plan Assets

It is the policy of the SCVTA-ATU Board of Pensions to have a well-managed investment program that provides for the financial needs of the pension plan and allows the investments to be appropriately diversified and prudently invested to protect the safety of the principal while maintaining a reasonable return. Assets are invested within the following investment guidelines:

<u>Asset Allocation</u>	<u>Range</u>	<u>Target</u>	<u>Actual</u>
Domestic Fixed Income	15-30%	27%	26%
Domestic Large-Cap Value	10-20%	15%	16%
Domestic Large-Cap Index	5-15%	10%	10%
Domestic Small-Cap Value	5-15%	10%	10%
Int'l Equity Developed Markets	8-18%	13%	14%
Int'l Equity Emerging Markets	0-10%	5%	6%
US Core Real Estate	5-15%	10%	9%
Absolute Return	4-14%	9%	8%
Cash	0-05%	1%	1%

The SCVTA-ATU Pension Plan composite portfolio outperformed its policy benchmark in September 2017 by 0.19%. The current yield of the Dodge & Cox Fixed Income portfolio is 3.91%.

Market performance for each money manager is summarized in the following table:

Investment Performance as of September 2017									
Asset Class	Fund Manager	Sep	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Fixed Income	Dodge & Cox	-0.07%	1.24%	4.30%	2.80%	3.93%	3.50%	5.44%	6.19%
<i>Barclays US Aggregate Bond Index</i>		<i>-0.48%</i>	<i>0.85%</i>	<i>3.14%</i>	<i>0.07%</i>	<i>2.72%</i>	<i>2.07%</i>	<i>4.28%</i>	<i>4.80%</i>
Large-Cap Value Stocks	Boston Partners	3.14%	4.82%	12.09%	21.26%	9.05%	13.78%	7.98%	9.63%
<i>Russell 1000 Value Index</i>		<i>2.96%</i>	<i>3.12%</i>	<i>7.90%</i>	<i>15.11%</i>	<i>8.52%</i>	<i>13.20%</i>	<i>5.91%</i>	<i>7.02%</i>
Large-Cap Index	State Street	2.06%	4.46%	14.20%	18.55%	10.79%	14.18%	7.44%	7.00%
<i>S&P 500 Index</i>		<i>2.06%</i>	<i>4.49%</i>	<i>14.25%</i>	<i>18.63%</i>	<i>10.83%</i>	<i>14.24%</i>	<i>7.44%</i>	<i>6.91%</i>
Small-Cap Value Stocks	Wedge ⁵	6.84%	3.32%	4.03%	16.48%	12.29%	15.23%	7.68%	10.30%
<i>Russell 2000 Value Index</i>		<i>7.08%</i>	<i>5.10%</i>	<i>5.68%</i>	<i>20.54%</i>	<i>12.12%</i>	<i>13.26%</i>	<i>7.14%</i>	<i>9.86%</i>
Int'l Equity Dev. Markets Growth	MFS ⁶	2.04%	5.14%	26.25%	19.39%	9.10%	9.14%	-	4.77%
<i>MSCI AC World ex-US Growth Index</i>		<i>1.75%</i>	<i>6.32%</i>	<i>24.81%</i>	<i>17.67%</i>	<i>6.43%</i>	<i>7.87%</i>	<i>-</i>	<i>1.87%</i>
Emerging Market	State Street EM⁷	-0.43%	7.88%	27.73%	21.59%				25.17%
<i>MCSI World Emerging Market</i>		<i>-0.40%</i>	<i>7.89%</i>	<i>27.78%</i>	<i>22.46%</i>				<i>26.08%</i>
US Core Real Estate	UBS ⁸		1.48%	3.86%	5.38%	9.01%	9.60%	-	10.85%
<i>NCREIF NFI-ODCE</i>			<i>1.48%</i>	<i>5.03%</i>	<i>7.25%</i>	<i>10.70%</i>	<i>11.51%</i>	<i>-</i>	<i>12.83%</i>
Absolute Return	Lighthouse ⁹	0.10%	1.10%	3.37%	4.36%				4.01%
<i>HFRI FoF Index</i>		<i>0.36%</i>	<i>2.24%</i>	<i>5.52%</i>	<i>6.43%</i>				<i>5.28%</i>
Absolute Return	Sky Bridge ⁹	1.04%	2.41%	6.55%	9.15%				4.95%
<i>HFRI FoF Index</i>		<i>0.36%</i>	<i>2.24%</i>	<i>5.52%</i>	<i>6.43%</i>				<i>5.28%</i>
Composite Portfolio Returns ¹⁰		1.71%	3.22%	10.34%	12.33%	7.52%	9.09%	7.20%	8.29%
<i>Policy Benchmark Returns</i>		<i>1.52%</i>	<i>3.18%</i>	<i>9.57%</i>	<i>11.00%</i>	<i>7.05%</i>	<i>8.30%</i>	<i>5.40%</i>	<i>6.16%</i>

⁵ Funded April 1, 2009. Prior manager was Brandywine with the same benchmark.

⁶ Funded December 14, 2007. Prior managers were Putnam and Fidelity with MSCI EAFE as their benchmark.

⁷ Initially funded June 30, 2016

⁸ Initially funded July 1, 2010. UBS Realty Investors LLC with NCREIF NFI-ODCE as their benchmark. Report 45 days after quarter ended.

⁹ Funded January 28, 2016

¹⁰ Investment performances by prior managers are included in composite returns and historical policy benchmark returns.

DODGE & COX - The Fixed Income portfolio manager outperformed its benchmark in September 2017 by 0.41%. The portfolio's shorter relative duration, overweight position to corporate bonds and strong corporate security selection all contributed to outperformance for the month.

BOSTON PARTNERS - The Domestic Large Cap Value Equity manager outperformed its policy benchmark in September 2017 by 0.18%. Stock selection in the healthcare, technology and capital goods sectors all contributed to outperformance for the month.

WEDGE - The Domestic Small Cap Value Equity manager underperformed its policy benchmark in September 2017 by 0.24%. Stock selection in the energy, transportation and technology sectors all contributed to underperformance for the month.

MFS - The International Equity manager outperformed its policy benchmark in September 2017 by 0.29%. Stock selection within basic materials and retailing both contributed to outperformance for the month.

LIGHTHOUSE - The Absolute Return manager underperformed its policy benchmark in September 2017 by 0.26%. Quantitative and relative value strategies were positive contributors for the month.

SKYBRIDGE - The Absolute Return manager outperformed its policy benchmark by 0.68% in September 2017. Relative value credit, convertible arbitrage, credit sensitive MBS, structured credit and event driven strategies were positive contributors for the month.

A 7.00% rate of return assumption is used in the annual actuarial analysis for the ATU Pension Plan. The results of the actuarial analysis determine VTA's annual contribution rates. The annual returns for the ATU Pension Plan portfolio have been equivalent to or exceeded the 7.00% assumed rate of return 10 out of 14 years.

Historic Portfolio Performance (calendar year) for the last fourteen calendar years:

Year	Performance	Year	Performance	Year	Performance
2003	21.5%	2008	-19.7%	2013	16.5%
2004	12.2%	2009	25.7%	2014	7.2%
2005	7.2%	2010	14.0%	2015	0.5%
2006	14.5%	2011	1.7%	2016	9.2%
2007	5.8%	2012	14.5%		

ATU Spousal Medical Trust Fund, Dental, and Vision Plan

Asset allocation for the ATU Spousal Medical Trust Fund (including funds for dental and vision plans) is provided for in the SCVTA-ATU Pension Plan Investment Policy.

<u>Asset Allocation</u>	<u>Range</u>	<u>Target</u>	<u>Actual</u>
Domestic Fixed Income	30-50%	38%	32%
Domestic Large Cap Index	50-70%	60%	64%
Cash	0-5%	2%	4%

The ATU Spousal Medical Trust Fund composite portfolio outperformed its policy benchmark in the current month by 0.32%. The current yield for the fixed income portfolio is 3.91%

Market performance for each money manager is summarized in the following table:

Investment Performance as of September 2017									
Asset Class	Fund Manager	Sep	3 Mo	Y-T-D	1 Yr	3 Yr	5 Yr	10 Yr	I-T-D
Fixed Income	Dodge & Cox	0.03%	1.12%	3.86%	2.58%	3.23%	3.16%	5.13%	4.85%
<i>Barclays US Aggregate Bond Index</i>		<i>-0.48%</i>	<i>0.85%</i>	<i>3.14%</i>	<i>0.07%</i>	<i>2.72%</i>	<i>2.07%</i>	<i>4.28%</i>	<i>4.17%</i>
Large-Cap Index	State Street	2.06%	4.46%	14.20%	18.55%	10.79%	14.18%	7.44%	8.76%
<i>S&P 500 Index</i>		<i>2.06%</i>	<i>4.49%</i>	<i>14.25%</i>	<i>18.63%</i>	<i>10.83%</i>	<i>14.24%</i>	<i>7.44%</i>	<i>8.76%</i>
Composite Portfolio Returns		1.36%	3.31%	10.48%	12.61%	8.12%	10.19%	7.46%	7.83%
<i>Policy Benchmark Returns</i>		<i>1.04%</i>	<i>3.03%</i>	<i>9.70%</i>	<i>10.91%</i>	<i>7.67%</i>	<i>9.35%</i>	<i>6.46%</i>	<i>7.14%</i>

DODGE & COX - The Fixed Income portfolio manager outperformed its benchmark in September 2017 by 0.51%. The portfolio's shorter relative duration, overweight position to corporate bonds and strong corporate security selection all contributed to outperformance for the month.

Other Data

The valuation of VTA's securities is provided by Interactive Data Corporation (IDC), Merrill Lynch Securities Pricing Service and Bloomberg Generic Pricing Service. These firms are the leading providers of global securities data. They offer the largest information databases with current and historical prices on securities traded in all major markets.

This report complies with VTA's adopted investment policies. Based on budgeted revenues and expenditures as well as actual transfers to/from reserves, there are sufficient funds available to meet expenditure requirements for the six months ending March 31, 2018.

Prepared By: Sean Bill, Investment Program Manager
Memo No. 5858

VTA INVESTMENT COMPOSITE PORTFOLIO PERFORMANCE.

PER GENERAL LEDGER BALANCE - SETTLEMENT DATE FOR THE MONTH OF SEPTEMBER 2017

SUMMARY: SEPTEMBER 30, 2017

<u>Description</u>	(1) <u>Aug-17</u> <u>Book Value</u> <u>/Cost</u>	<u>Sep-17</u> <u>Book Value</u> <u>/Cost</u>	<u>Fiscal 18</u> <u>Year-to-Date</u> <u>Aug 2017</u> <u>Earnings - \$</u>	<u>Fiscal 18</u> <u>Year-to-Date</u> <u>Sept 17 Realized</u> <u>Earnings - \$</u>	<u>Change for the Month</u> <u>Realized</u> <u>Earnings - \$</u>
VTA FUNDS					
1 - Fixed Income - Long-Term Investment Pool	211,341,389	211,392,591	633,692	508,375	-125,317
2 - Fixed Income - Mid-Term Investment Pool	560,614,358	561,348,348	1,468,534	1,770,363	301,829
3 - Fixed Income - Short-Term Investment Pool	215,003,674	215,266,740	489,846	739,884	250,038
4 - VTA Bond Funds with Fiscal Agent (2)	73,155,365	75,155,365	55,676	89,281	33,605
5 - Funds with LAIF Investment Pool	55,000,000	51,000,000	76,878	115,317	38,439
6 - Funds with Union Bank-Congestion Management	11,858,353	9,976,318	2,272	3,262	990
7 - Funds with Union Bank-Measure B	1,878,643	1,875,894	359	525	166
8 - Funds with Union Bank Pooled DDA account	20,725,905	9,894,583	8,662	14,607	5,945
Total VTA Funds	1,149,577,687	1,135,909,839	2,735,919	3,241,614	505,695
RETIREEES' OPEB FUNDS					
1 - Retirees' OPEB -Fixed Income	61,735,289	62,080,846	387,591	749,949	362,358
2 - Retirees' OPEB -State Street - Index	51,302,619	51,302,619	0	4,141,419	4,141,419
3 - Retirees' OPEB -State Street - EM	16,000,000	16,000,000	0	0	0
4 - Retirees' OPEB -US Core Real Estate - UBS	30,000,000	30,000,000	0	0	0
5 - Retirees' OPEB -Sky Bridge Capital	11,000,000	11,000,000	0	0	0
6 - Retirees' OPEB -Lighthouse Partners	11,000,000	11,000,000	0	0	0
	181,037,908	181,383,465	387,591	4,891,368	4,503,777
ATU PENSION FUNDS					
1 - VTA/ATU Pension Fund -Fixed Income	141,954,314	142,328,146	824,394	1,337,507	513,113
2 - VTA/ATU Pension Fund -Stock Large Cap Value - BOSTON	70,207,052	70,593,129	823,518	1,209,558	386,040
3 - VTA/ATU Pension Fund -State Street - Index	14,782,135	14,782,135	0	0	0
4 - VTA/ATU Pension Fund -Stock Small Cap Value - WEDGE	43,998,066	44,508,129	323,171	833,326	510,155
5 - VTA/ATU Pension Fund -Int'l - Equity Growth - MFS	43,074,856	43,074,856	0	0	0
6 - VTA/ATU Pension Fund -Emerging Markets - State Street	24,000,000	24,000,000	0	0	0
7 - VTA/ATU Pension Fund -US Core Real Estate - UBS	25,000,000	25,000,000	8,402,142	8,402,142	0
8 - VTA/ATU Pension Fund -Sky Bridge Capital	22,000,000	22,000,000	0	0	0
9 -VTA/ATU Pension Fund -Lighthouse Partners	22,000,000	22,000,000	0	0	0
Total ATU Pension Funds	407,016,423	408,286,395	10,373,225	11,782,533	1,409,308
ATU SPOUSAL MEDICAL PLAN FUNDS					
1 - ATU Spousal Med Fund -Dodge & Cox - Index	5,927,234	5,927,234	0	0	0
2 - ATU Spousal Med Fund -State Street - Index	7,607,187	7,607,187	0	0	0
Total ATU Spousal Plan Funds	13,534,421	13,534,421	0	0	0
Total Investments	1,751,166,439	1,739,114,120	13,496,735	19,915,515	6,418,780

Legend:

(1) Total includes contributions / withdrawals made during current month.

(2) Bonds Reserves and/or Debt Service Funds

VTA INVESTMENT COMPOSITE PORTFOLIO PERFORMANCE

MONEY MANAGERS' TOTAL MARKET RETURN - TRADE DATE

FOR THE MONTH OF SEPTEMBER 2017

SUMMARY: September 30, 2017

<u>Description</u>	<u>Total Market Value</u>		<u>Sept Total Market Return</u>		<u>Total Market Return</u>	
	<u>(1)</u> <u>Prior</u> <u>Month</u>	<u>Current</u> <u>Month</u>	<u>\$Unrealized</u> <u>Gain/Loss</u>	<u>%Unrealized</u> <u>Gain/Loss</u>	<u>VTA</u> <u>Calendar</u> <u>YTD</u>	<u>Benchmark</u> <u>Calendar</u> <u>YTD</u>
1 - Fixed Income Long-Term Investment Pool	212,709,282	211,674,774	(1,034,508)	-0.49%	1.82%	0.91%
1 - Fixed Income Mid-Term Investment Pool	562,368,189	562,124,876	(243,313)	-0.04%	1.14%	0.68%
2 - Fixed Income Short-Term Investment Pool	215,680,232	215,891,579	211,347	0.10%	1.00%	0.56%
3 - VTA Bond Funds with Fiscal Agents	73,155,365	75,155,365				
4 - Funds with LAIF Investment Pool	55,000,000	51,000,000				
5 - Funds with Union Bank-Congestion Management	11,858,353	9,976,318				
6 - Funds with Union Bank-Measure B	1,878,643	1,875,894				
7 - Funds with Union Bank DDA account	20,725,905	9,894,583				
Total VTA Funds	1,153,375,969	1,137,593,389				
1 - Retirees' OPEB - Fixed Income	64,107,099	64,106,277	(822)	0.00%	4.52%	3.14%
2 - Retirees' OPEB - State Street - Index	160,264,763	163,618,980	3,354,217	2.06%	14.20%	14.25%
3 - Retirees' OPEB - State Street EM	21,274,361	21,182,397	(91,964)	-0.43%	27.73%	27.78%
3 - Retirees' OPEB - US Core Real Estate (2)	32,490,284	32,898,938				
5 - Retirees' OPEB - Sky Bridge (2)	11,743,284	11,800,759				
6 - Retirees' OPEB - Lighthouse (2)	11,782,170	11,827,752				
Total Retirees' OPEB Funds	301,661,961	305,435,103				
1 - VTA/ATU Pension Fund-Fixed Income	146,605,242	146,478,741	(126,501)	-0.07%	4.30%	3.14%
2 - VTA/ATU Pension Fund-Stock Large Cap Value	85,554,991	88,246,072	2,691,081	3.14%	12.09%	7.90%
3 - VTA/ATU Pension Fund-State Street - Index	57,062,432	58,240,673	1,178,241	2.06%	14.20%	14.25%
4 - VTA/ATU Pension Fund-Stock Small Cap Value	53,919,186	57,609,374	3,690,188	6.84%	4.03%	5.68%
5 - VTA/ATU Pension Fund- Int'l - Equity Growth	76,448,204	78,006,692	1,558,488	2.04%	26.25%	24.81%
6 - VTA/ATU Pension Fund- Emerging Markets S. Street	31,911,541	31,773,595	(137,946)	-0.43%	27.73%	27.78%
7 - VTA/ATU Pension Fund- US Core Real Estate (2)	51,282,705	51,905,558				
8 - VTA/ATU Pension Fund- Sky Bridge (2)	23,486,568	23,601,517				
9 - VTA/ATU Pension Fund- Lighthouse (2)	23,564,341	23,655,504				
Total Pension Fund	549,835,210	559,517,726				
1 - ATU Spousal Med Fund - Dodge & Cox - Index	9,051,337	9,054,503	3,166	0.03%	3.86%	3.14%
2 - ATU Spousal Med Fund-State Street - Index	17,335,702	17,693,655	357,953	2.06%	14.20%	14.25%
Total ATU Spousal Funds	26,387,039	26,748,158				
 Total Investments	 2,031,260,179	 2,029,294,376				

Legend:

- (1) Total includes contributions / withdrawals made during current month.
 (2) Performance reported quarterly.



Date: November 3, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Government & Public Relations, Jim Lawson

SUBJECT: Legislative Update Matrix

FOR INFORMATION ONLY

BACKGROUND:

The Final Legislative Update Matrix for 2017 describes the key bills that were considered by the California State Legislature during the first year of the 2017-2018 regular session. The matrix indicates the status of these measures and any VTA positions with regard to them. The purpose of this report is to provide a summary of important transportation issues addressed by lawmakers in Sacramento in the past year.

DISCUSSION:

The Legislature officially brought the first year of the 2017-2018 regular session to a close on September 15, after determining the fate of hundreds of bills. Those measures that did not make it to the Governor's desk by the deadline could be taken up again when the Legislature reconvenes on January 3. Governor Brown had until midnight on October 15 to act on the bills that made it out of the Legislature by the end of the session.

Transportation Funding: The Legislature and Governor took a number of historic actions to improve and maintain California's transportation infrastructure in 2017, starting with the passage of the landmark bill, SB 1 (Beall). Taken together, these funding measures represent billions of dollars in new investments in the state highway system, local streets and roads, and transit systems.

SB 1 (Beall): Transportation funding: Signed into law in April, SB 1 is the most comprehensive state transportation funding package to be enacted in the State of California in decades. SB 1 is estimated to generate \$5 billion per year in new transportation funding, and creates the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and local streets and roads.

The key annual investments that would be made with the new, ongoing revenues generated by SB 1 are estimated as follows:

- \$1.5 billion for maintenance and rehabilitation of the state highway system.
- \$400 million for state highway bridge and culvert maintenance and rehabilitation.
- \$1.5 billion for local street/road maintenance and rehabilitation.
- \$355 million for the State Transit Assistance Program (STA), a portion of which is required to be used by public transit agencies for state-of-good-repair expenditures.
- \$245 million for public transit capital improvement projects under the Transit and Intercity Rail Capital Program.
- \$40 million for improvements to the state's three intercity rail and five commuter rail services.
- \$300 million for mobility improvements along the state's major trade corridors.
- \$284 million for the State Transportation Improvement Program (STIP). In addition, the STIP would receive a one-time bump of \$825 million through the conversion of the variable portion of the gasoline excise tax to a fixed rate.
- \$250 million for a new, multimodal Solutions for Congested Corridors Program, under which the California Transportation Commission (CTC) would allocate funds on a competitive basis for projects related to implementing a balanced set of transportation, environmental and community access improvements along highly congested travel corridors pursuant to a corridor management plan.
- \$100 million for bicycle and pedestrian improvement projects under the Active Transportation Program.
- \$200 million to reward communities that have imposed local special taxes or uniform developer fees solely for transportation purposes.

According to estimates prepared by the Metropolitan Transportation Commission (MTC), Santa Clara County expects to receive the following annual amounts from those categories of expenditures with formula allocations:

- STA = \$12.2 million. Of this amount, \$3.6 million must be used for state-of-good repair activities.
- Local streets/roads = \$73.2 million (\$32.2 million for the county; \$41 million for the 15 cities).
- STIP County Share = \$34 million from the one-time backfill plus \$8.75 million per year.

SB 1 requires the repayment of \$706 million in prior-year loans made to the General Fund from various transportation accounts in equal installments over the next three fiscal years. The entire amount is required to be repaid no later than June 30, 2020. These one-time revenues would be allocated as follows:

- \$236 million to the Transit and Intercity Rail Capital Program.
- \$20 million for climate change adaptation planning grants to local and regional agencies.
- \$225 million for the State Highway Operation & Protection Program (SHOPP).
- \$225 million to cities and counties for local streets/roads.

SB 595 (Beall) Metropolitan Transportation Commission: toll bridge revenues (BART Inspector General: Santa Clara Valley Transportation Authority: high-occupancy toll lanes: Signed by the Governor on October 10, SB 595 (Beall) provides the Metropolitan Transportation Commission (MTC), acting as the Bay Area Toll Authority (BATA), with the statutory authority to pursue an increase in the base toll rate in an amount not to exceed \$3 for vehicles crossing the seven state-owned toll bridges in the region, to fund projects and programs that reduce congestion or make travel improvements in the toll bridge corridors. Over the next few months the MTC Commission will need to set the election date and determine several features of the potential ballot measure, including whether or not to phase in the toll increase, commonly referred to as “Regional Measure 3,” or to adjust the increase for inflation based on the California Consumer Price Index.

The approximately \$4.4 billion expenditure plan framework currently assumes a \$3 toll increase, though BATA is authorized to select a lesser amount and make a pro rata adjustment to the expenditure plan. For Santa Clara County, SB 595 would make significant contributions to the following projects:

- BART Silicon Valley Extension Project Phase 2 = \$375 million.
- Expansion of the San Jose Diridon Station Complex = \$100 million.
- Extension of VTA’s Light Rail System to Eastridge = \$130 million.

While not fixing a funding amount for express lanes projects in Santa Clara County, SB 595 includes these projects as eligible to compete for a portion of the \$300 million dedicated to funding the environmental review, design, and construction of express lanes to complete the Bay Area Express Lane Network. Further, Santa Clara County, in coordination with the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority, may conduct, administer and operate a value pricing system on U.S. 101 throughout San Mateo County.

SB 797 (Hill) Peninsula Corridor Joint Powers Board: transactions and use tax: SB 797 (Hill) addresses a critical need that has faced Caltrain since the beginning of public passenger rail service in the corridor, by creating a dedicated revenue source to support the railroad’s operations, maintenance and capital projects. The bill authorizes the Peninsula Corridor Joint Powers Board (JPB), through the adoption of a resolution by a two-thirds majority of the board, to submit to the voters of San Francisco, San Mateo and Santa Clara Counties a measure proposing a sales tax at a rate not to exceed 1/8 percent to pay for operating and capital

expenditures related to Caltrain. This bill exempts this sales tax from the 2 percent cap on the total amount of local sales taxes that can be imposed in a particular jurisdiction. A 1/8 percent sales tax imposed in the three counties would generate approximately \$100 million a year. SB 797 was signed into law on October 10.

After the JPB, and the boards of supervisors and specified transportation agencies in each county, approve the placement of a funding measure on the ballot, the sales tax would need to be approved by a two-thirds majority of the voters in the corridor.

AB 1613 (Mullin) San Mateo County Transit District: retail transactions and use tax: AB 1613 allows San Mateo County to exceed that 2% limit to impose a retail transactions and use tax set at a rate of no more than 0.5%, if approved by the board before January 1, 2026. The board of supervisors is charged with developing a program of projects for this tax increase, which could potentially fund a range of transportation and Caltrain improvements in San Mateo County. Governor Brown signed AB 1613 into law on September 11.

AB 109/AB 134 Greenhouse Gas Revenue Expenditure Plan: On September 16, Governor Brown signed into law a package of bills including AB 109 (Ting) and AB 134, which amend the 2017 Budget Act to include the 2017 Greenhouse Gas Revenue Expenditure Plan. While these bills did not increase the continuous appropriations to the cap-and-trade transportation programs, the expenditure plan makes a one-time \$1.5 billion investment in a variety of climate change activities. Under AB 134, \$900 million will be allocated to the Air Resources Board and of this amount, \$180 million will fund the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Program to reduce exposure to heavy-duty diesel truck emissions. \$50 million would also be distributed to the Bay Area Air Quality Management District to fund cleaner-than-required engines and equipment as part of the Carl Moyer Memorial Air Quality Standards Attainment Program.

State Transit Assistance Program: On July 21, Governor Brown signed AB 1113 (Bloom) to amend statutes governing the State Transit Assistance (STA) program and clarify (1) who is eligible to receive STA revenue-based funds; (2) what revenue sources may be used to determine a public transit operator's revenue-based share; (3) how an individual operator's revenue-based share is to be calculated; and (4) how RTPAs and MPOs, which serve as the direct recipients of STA population- and revenue-based funds, would sub allocate these dollars to public transit operators within their respective jurisdictions. Questions around these issues led to administrative changes made in 2016 by the State Controller's Office that implemented new calculation and allocation methodologies for the STA program and changed the way these funds are distributed to transit agencies.

Other bills signed by Governor Brown:

AB 544 (Bloom): This bill modifies the Clean Air Vehicle (CAV) Program, which enables certain low-emission vehicles to access carpool lanes with a single occupant, and creates a new program to take effect when the current CAV program sunsets in 2019. The extension of the CAV program aligns with federal law, which authorizes the inherently low emission vehicles (ILEVs) and transitional zero- emission vehicles (TZEVS) programs through September 30,

2025. White and green sticker vehicles would continue to have access to HOV lanes for approximately a four-year period, regardless of vehicle occupancy level.

SB 614 (Hertzberg) Public transportation agencies: administrative penalties: This bill fixes a quirk in state law and requires the administrative penalties for infractions or misdemeanors committed on transit facilities or vehicles to be deposited with the public transportation agency that issued the citation. Currently, this money goes into the county's general fund, discouraging public transportation agencies from establishing civil procedures for assessing citations.

AB 1218 (Obernolte) California Environmental Quality Act: exemption: bicycle transportation plans: Under CEQA, bicycle transportation plans for urbanized area restriping of streets and highways, bicycle parking and storage, signal timing and related pedestrian and bicycle safety improvements are exempt until January 1, 2018. This bill extends those exemptions until January 1, 2021.

AB 1069 (Low) Local government: taxicab transportation services: This bill addresses the main complaint of the taxi operators by reducing the number of jurisdictions in which these companies would be required to obtain business licenses and other permits. Under AB 1069, taxi companies would be licensed and regulated in the counties in which the company is physically located and, if it is a different locality, the jurisdiction in which the company conducts a majority of its business.

Governor Brown vetoed the following bills of interest to VTA and partner agencies:

AB 17 (Holden) Transit Pass Pilot Program: free or reduced-fare transit passes. This bill would have established a pilot program, upon an appropriation by the Legislature, to provide free or reduced fare programs for eligible students. The Governor vetoed this bill citing the number of existing reduced fare programs throughout the state.

SB 649 (Hueso) Wireless Telecommunications Facilities: This bill would have prevented cities from charging rents for the placement of cellular towers on city-owned property and instead would have limited jurisdictions to charging a minor administrative fee.

Prepared By: Aaron Quigley, Senior Policy Advisor
Memo No. 5889

LEGISLATIVE UPDATE MATRIX
2017 State Legislative Session
November 2017
2017 Regular Session Calendar

DAY	JANUARY
1	Statutes signed into law in 2016 take effect.
4	Legislature reconvenes.
10	Budget must be submitted by the Governor to the Legislature on or before this date.
20	Last day to submit bill requests to the Legislative Counsel's Office.

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

DAY	MARCH
	None.

DAY	APRIL
6	Spring Recess begins upon adjournment.
17	Legislature reconvenes from Spring Recess.
28	Last day for policy committees to hear and report fiscal bills introduced in their house of origin.

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

DAY	JUNE
2	Last day for bills to be passed out of their house of origin.
15	Budget must be passed by midnight.

DAY	JULY
14	Last day for policy committees to hear and report fiscal bills introduced in the other house.
21	Last day for policy committees to hear and report non-fiscal bills introduced in the other house. Summer Recess begins upon adjournment, provided that the Budget Bill has been enacted.

DAY	AUGUST
21	Legislature reconvenes from Summer Recess.

DAY	SEPTEMBER
1	Last day for fiscal committees to hear and report to the floor bills introduced in the other house.
8	Last day to amend bills on the Assembly and Senate floors.
15	Last day for each house to pass bills. Interim Recess begins at the end of this day's session.

DAY	OCTOBER
15	Last day for the Governor to sign or veto bills passed by the Legislature before September 15, and in his possession on or after September 15.

State Assembly Bills

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1 (Frazier) Transportation Funding	Creates the Road Maintenance and Rehabilitation Account to be funded from the following sources: (1) an increase in the gasoline excise tax of 12 cents per gallon, which would be indexed to inflation every three years; (2) a registration surcharge of \$38 per year imposed on all motor vehicles, which would be indexed to inflation every three years; (3) a registration surcharge of \$165 per year imposed on zero-emission vehicles starting with the second year of ownership, which would be indexed to inflation every three years; and (4) revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public. Distributes the revenues deposited into the Road Maintenance and Rehabilitation Account in the following manner: (1) \$200 million per year would be taken off the top for allocation to local jurisdictions that have sought and gained voter approval of a local transportation special tax, or that have imposed uniform developer or other fees solely for transportation improvements; (b) \$80 million per year would be taken off the top and distributed to the Active Transportation Program; (c) for FY 2018 through FY 2021, \$30 million per year would be taken off the top to be used to fund the implementation of advance environmental mitigation plans for future transportation projects; (4) \$2 million per year would be taken off the top and distributed to the California State University to conduct transportation research, and transportation-related workforce education, training and development; (5) \$3 million would be taken off the top and distributed to the University of California for institutes of transportation studies; (6) 50 percent of the amount remaining after the aforementioned set-asides would be allocated to Caltrans for maintenance of the state highway system, and for projects programmed in the State Highway Operation and Protection Program (SHOPP); and (6) 50 percent of the amount remaining after the aforementioned set-asides would be provided to cities and counties for their local roadway systems. Provides new funding for public transit through the following sources: (1) an increase in the diesel sales tax by a rate of 3.5 percent for the State Transit Assistance Program (STA); (2) an increase in the percentage of cap-and-trade auction proceeds continuously appropriated to the Transit and Intercity Rail Capital Program from 10 percent to 20 percent; and (3) an increase in the percentage of cap-and-trade auction proceeds continuously appropriated to the Low Carbon Transit Operations Program from 5 percent to 10 percent. Increases the diesel excise tax by 20 cents per gallon, which would be indexed to inflation every three years, and deposits these revenues into the Trade Corridors Improvement Fund for goods movement projects programmed by the California Transportation Commission (CTC). Requires revenues apportioned to California from the formula-based National Highway Freight Program to be deposited into the Trade Corridors Improvement Fund. Converts the variable gas tax to a fixed rate of 17.3 cents per gallon, which would be indexed to inflation every three years. Requires the repayment of approximately \$700 million in outstanding loans owed by the General Fund to various transportation accounts over a two-year period ending June 30, 2018. Distributes these one-time revenues in the following manner: (1) 50 percent to Caltrans for maintenance of the state highway system, and for SHOPP projects; and (2) 50 percent to cities and counties for their local roadway systems. Recaptures \$500 million of the annual amount of vehicle weight fee revenues for the State Highway Account over a five-year period ending June 30, 2022.	As Introduced	Assembly Transportation Committee	Support

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 5 (Gonzalez-Fletcher) Opportunity to Work Act	Enacts the Opportunity to Work Act. Requires an employer with 10 or more employees to offer additional hours of work to an existing employee who, in the employer's reasonable judgment, has the skills and experience to perform the additional work, before hiring any additional employees or subcontractors. Requires an employer to use a transparent and non-discriminatory process to distribute the additional hours of work among existing employees. Specifies that an employer shall not be required to offer an existing employee additional work hours if the employer would be required to compensate the employee with overtime pay under any law or collective bargaining agreement. Requires an employer to retain all of the following: (1) for any new hire of an employee or subcontractor, documentation that the employer offered additional hours of work to existing employees prior to hiring the new employee or subcontractor; (2) work schedules of all employees; and (3) any additional records or documents that the Division of Labor Standards Enforcement requires an employer to maintain to demonstrate compliance with this bill. Authorizes the Division of Labor Standards Enforcement to adopt rules and regulations to carry out the provisions of the bill. Allows an employee to file a complaint for a violation of the provisions of the bill with the Division of Labor Standards Enforcement or bring a civil action in a court of competent jurisdiction. Provides that it is unlawful for an employer or any other party to discriminate in any manner or take adverse action against any employee in retaliation for exercising his or her rights under the bill. To the extent required by federal law, authorizes all or any portion of the applicable requirements of the bill to be waived in a bona fide collective bargaining agreement provided that such waiver is explicitly set forth in the agreement in clear and unambiguous terms.	As Introduced	Assembly Appropriations Committee	
AB 6 (Obernolte) Financial Information System for California	Requires the Financial Information System for California (FISCAL), the state's integrated financial management system, to be modified to include information on an Internet Web site regarding the amount, type and description of each state expenditures.	6/19/17	Senate Rules Committee	
AB 12 (Cooley) State Agency Regulations	By January 1, 2020, requires each state agency to do all of the following: (1) review all provisions of the California Code of Regulations adopted by that agency; (2) identify any regulations that are duplicative, overlapping, inconsistent, or out of date; and (3) adopt, amend or repeal regulations to reconcile or eliminate any duplication, overlap, inconsistencies, or out-of-date provisions. By January 1, 2020, requires each state agency, if applicable, to notify a department, board or other unit within that agency of any existing regulation adopted by that department, board or other unit that the agency has determined may be duplicative, overlapping or inconsistent with a regulation adopted by another department, board or other unit within that agency. Requires the department, board or other unit to notify the agency of revisions to regulations that it proposes to make to address any duplication, overlap or inconsistencies.	As Introduced	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 17 (Holden) Transit Pass Pilot Program	Upon the appropriation of moneys from the Public Transportation Account by the Legislature, creates the Transit Pass Pilot Program to fund programs that provide free or reduced-fare public transit passes to any of the following: (1) pupils attending public middle schools or high schools that are eligible for funding under Title 1 of the federal Elementary and Secondary Education Act of 1965; (2) students attending a California community college who qualify for a waiver of student fees pursuant to the Education Code; or (3) a student who attends a campus of the California State University or the University of California, and who receives an award under the Cal Grant Program, the federal Pell Grant Program, or both. Requires Caltrans to administer this program, directly or through a 3rd party, including a transit agency. Provides that its requirements become effective only upon an appropriation that would trigger the creation of the program. Requires Caltrans to award grants to eligible participants to fund new pilot programs or the expansion of existing public transit student pass programs. Defines “eligible participants” to mean a public agency, including a transit operator, school district, community college district, the California State University, or the University of California. Requires Caltrans to develop guidelines that describe the application process and selection criteria for the awarding of the funding made available for the Transit Pass Pilot Program. Requires Caltrans to develop performance measures and reporting requirements to evaluate the effectiveness of the program. Specifies that the minimum amount that Caltrans shall award to a selected eligible participant is \$20,000, while the maximum amount is \$5 million. By January 1, 2020, requires Caltrans to submit a report to the Legislature on the outcomes of the Transit Pass Pilot Program, as well as on the status of public transit student pass programs statewide. Repeals the provisions of the bill on January 1, 2022.	9/1/17	Vetoed by the Governor	
AB 28 (Frazier) Federal Environmental Review Process	Reinstates the statutory authorization for Caltrans to participate in a federal program that allows states to assume the responsibilities of the Federal Highway Administration (FHWA) under the National Environmental Policy Act (NEPA). In addition, reinstates provisions that authorize Caltrans to consent to the jurisdiction of the federal courts with regard to the assumption of FHWA’s responsibilities under NEPA and that waive the state’s Eleventh Amendment protection against NEPA-related lawsuits brought in federal court. Repeals the provisions of the bill on January 1, 2020.	3/2/17	Signed into Law: Chapter #4	Support
AB 33 (Quirk) Electric Vehicle Service Equipment	By March 30, 2018, requires the California Public Utilities Commission (CPUC), in an existing proceeding, to consider authorizing electrical corporations to offer programs and investments that support customers who purchase used electric vehicles. If authorized by the CPUC, requires such programs and investments to be designed to: (1) accelerate widespread transportation electrification; (2) achieve ratepayer benefits; (3) reduce dependence on petroleum; (4) meet air quality standards; and (5) reduce greenhouse gas emissions. If authorized, requires the CPUC to review, modify and decide whether to approve each proposal to offer such programs and investments filed by an electrical corporation within one year of the date of filing of the completed proposal. Specifies that customers of an electrical corporation receiving access to an electric vehicle charging program approved by the CPUC to receive electrical service pursuant to a grid-integrated rate for charging their electric vehicles. Defines “grid-integrated rate” to mean an electrical service rate design that reflects dynamic electrical grid conditions.	6/22/17	Senate Energy, Utilities & Communications Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 65 (Patterson) High-Speed Rail Bond Debt Service	Prohibits money in the Transportation Debt Service Fund from being used to pay debt service for bonds issued pursuant to the Safe, Reliable high-Speed Passenger Train Bond Act for the 21 st Century (Proposition 1A).	As Introduced	Assembly Transportation Committee	
AB 66 (Patterson) California High-Speed Rail Authority: Reporting Requirements	Requires the business plan prepared by the California High-Speed Rail Authority to identify projected financing costs for each segment or combination of segments of the high-speed rail system for which financing is proposed by the authority. In the business plan and in other reports that High-Speed Rail Authority is required to prepare, specifies that the authority shall call out any significant changes in scope for segments of the high-speed rail system identified in the previous version of the report, and provide an explanation of adjustments in cost and schedule attributable to the changes.	As Introduced	Assembly Transportation Committee	
AB 77 (Fong) Regulations: Legislative Review	Requires the Office of Administrative Law to submit each major regulation to both the Assembly and Senate for review. Provides that a regulation shall not become effective if the Legislature enacts a statute to override it.	2/7/17	Assembly Appropriations Committee	
AB 87 (Ting) Autonomous Vehicles	Requires the Department of Motor Vehicles (DMV) to revoke the registration of an autonomous vehicle that is being operated on public streets or roads in violation of current state law. Authorizes a peace officer to cause the removal and seizure of an autonomous vehicle operating on public streets or roads with a registration that has been revoked by the DMV. Authorizes the DMV to impose a penalty of up to \$25,000 per day that an autonomous vehicle is operated on public streets roads in violation of current state law.	As Introduced	Assembly Transportation Committee	
AB 91 (Cervantes) HOV Lanes: Riverside County	Beginning July 1, 2018, prohibits a high-occupancy vehicle (HOV) lane from being established in Riverside County, unless the lane is established as an HOV lane only during the hours of heavy commuter traffic, as determined by Caltrans. Requires any existing HOV lane in Riverside County that is not a toll lane to be modified to operate as an HOV lane under those same conditions. Specifies that those two provisions of the bill would apply only if Caltrans, with the concurrence of the Riverside County Transportation Commission (RCTC) and the Southern California Association of Governments (SCAG), determines that compliance does not result in federal financial penalties, disqualification from future federal funding, or costs to local or regional governments to supply replacement transportation control measures in the federal Transportation Improvement Program (TIP). On or after May 1, 2019, authorizes Caltrans to reinstate 24-hour HOV lanes in Riverside County if the department determines that there is an adverse impact on safety, traffic conditions or the environment by limiting the use of HOV lanes during hours of heavy commuter traffic. Before reinstating 24-hour HOV lanes in Riverside County, requires Caltrans to notify the Legislature. Specifies that nothing in the bill is intended to prevent Caltrans or RCTC from developing and operating a high-occupancy toll (HOT) facility.	6/20/17	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 92 (Bonta) Public Contracts: Retention Proceeds	Extends the sunset date from January 1, 2018, to January 1, 2023, for provisions in current law that authorize the retention proceeds withheld from any payment by a public entity from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any other subcontractor to exceed 5 percent if: (1) a finding is made prior to contract bid that the project is substantially complex and requires a higher retention; and (2) this finding and the actual retention amount is included in the bid documents.	As Introduced	Signed into Law: Chapter #37	
AB 115 (Budget Committee) Transportation Budget Trailer Bill	Increases the number of projects for which Caltrans is authorized to use the Construction Manager/General Contractor (CMGC) method of procurement from 12 to 24. Of those 12 additional projects, requires two to be in Riverside County. Allows Caltrans to delegate the implementation of those two projects to the Riverside County Transportation Commission (RCTC), and authorizes RCTC to use CMGC contracting for them. Authorizes cities, counties and transit districts to use design-build contracting for up to six projects that involve local streets/roads construction or rehabilitation, bridge replacement or railroad grade separations. Requires these six projects to be selected by Caltrans. Requires three of these six projects to be reserved for and selected by RCTC. Clarifies that funds provided for the Local Partnership Program created by SB 1 (Beall): (1) are to be allocated to local and regional transportation agencies that have sought and received voter approval of taxes or that have imposed fees solely for transportation purposes; and (2) may be used for road maintenance and rehabilitation and other transportation improvement projects. Authorizes the use of Letters of No Prejudice (LONPs) for projects programmed under the Active Transportation Program (ATP). Requires any guidelines developed by Caltrans and the California State Transportation Agency (CalSTA) to implement SB 1 to be adopted only after the department and CalSTA have posted formal draft guidelines on their Internet Web sites and have conducted at least two public workshop or hearings on the draft guidelines.	6/8/17	Signed into Law: Chapter #20	
AB 151 (Burke) Climate Change: Scoping Plan and Offset Protocols	Requires CARB to report to the appropriate policy and fiscal committees of the Legislature to receive input, guidance and assistance before adopting guidelines and regulations to implement the Scoping Plan for ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030. By January 1, 2019, requires CARB to report to the Legislature on the need for increased education, career technical education, job training, and workforce development in ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030. Establishes the Compliance Offsets Protocol Task Force to investigate, analyze and provide guidance to CARB in approving new offset protocols for a market-based compliance mechanism, with a priority on the development of new urban offset protocols.	5/2/17	Assembly Floor	
AB 161 (Levine) CalPERS: Infrastructure Investments	Authorizes the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return for an investment made in that infrastructure project by the Public Employees' Retirement System (CalPERS). Creates the Reinvesting in California Special Fund as a continuously appropriated fund. Requires money in the fund to be used to pay the rate of return on investments made in infrastructure projects. States the intent of the Legislature to identify special fund dollars to be transferred to the Reinvesting in California Special Fund.	As Introduced	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 168 (Eggman) Employers: Salary Information	Prohibits an employer from seeking salary history information, including compensation and benefits, about an applicant for employment. Prohibits an employer from relying on the salary history information of an applicant for employment as a factor in determining an offer of employment or salary level, includes state and local government employers but would not apply to salary history information disclosed pursuant to federal or state law and would not prohibit an applicant from voluntarily and without prompting disclosing salary history information. Would not prohibit an employer from considering or relying on that voluntarily disclosed salary history information in determining salary.	9/8/17	Signed into Law: Chapter #688	
AB 179 (Cervantes) California Transportation Commission	In making appointments to the California Transportation Commission (CTC), requires the Governor to ensure that the commission has a diverse membership with expertise in transportation issues, taking into consideration such factors as socioeconomic background and professional experience, which may include experience working in or representing disadvantaged communities. Requires the CTC and the California Air Resources Board (CARB) to hold at least two joint meetings per calendar year to coordinate their implementation of the state's transportation policies.	7/13/17	Signed into Law: Chapter #737	
AB 193 (Cervantes) Clean Reused Vehicle Rebate Project	By July 1, 2019, requires the California Air Resources Board (CARB) to establish the Clean Reused Vehicle Rebate Project to provide incentives to low- and moderate-income individuals to purchase used clean air vehicles. Requires the project to provide an applicant with any of the following: (1) a rebate with a value of up to \$1,800 for the acquisition of an eligible used vehicle from a licensed dealer; (2) a rebate for the replacement or refurbishment of an electric vehicle battery and related components for an eligible used vehicle, for a vehicle service contract for the battery and related components, or for both; or (3) a rebate for a vehicle service contract to cover unexpected vehicle repairs not covered by the manufacturer's warranty related to unique problems in eligible used vehicles. Limits the rebate to one per vehicle. Requires an applicant who applies for a rebate under the Clean Reused Vehicle Rebate Project to be given priority if he or she meets either of the following criteria: (1) has an annual household income that is less than 60 percent of either the relevant countywide or citywide annual median household income; or (2) resides in an air district that has been designated by CARB as not meeting any one state ambient air quality standard. Provides that the implementation of the bill is contingent upon the appropriation of funds for this purpose in the annual Budget Act or another statute.	9/8/17	Senate Floor	
AB 195 (Obernolte) Local Government Ballot Measures	If a ballot measure proposed by a local governing body calls for imposing a tax or raising the rate of a current tax, requires the ballot to include in the statement of the measure to be voted on the amount of money to be raised annually, and the rate and duration of the tax to be levied. Requires the statement of the measure to be a true and impartial synopsis of its purpose, and to be in language that is neither argumentative nor likely to create prejudice for or against the measure.	3/14/17	Signed into Law: Chapter #105	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 278 (Steinorth) CEQA Exemption for Certain Transportation Projects	Exempts from the California Environmental Quality Act (CEQA) a project that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of existing transportation infrastructure, including highways, roadways, bridges, tunnels, culverts, public transit systems, bikeways, paths and sidewalks serving bicycles or pedestrians, and the addition of auxiliary lanes or bikeways to existing transportation infrastructure, if the project meets all of the following conditions: (1) the project is located within an existing right-of-way; (2) any area surrounding the right-of-way that is to be altered as a result of construction activities that are necessary for the completion of the project will be restored to its condition before the project; and (3) the project does not add additional motor vehicle lanes, except auxiliary lanes.	As Introduced	Assembly Natural Resources Committee	
AB 301 (Rodriguez) Commercial Driver's License: Driving Skill Test	Requires the Department of Motor Vehicles (DMV) to establish performance goals related to administering driving skills tests for operating a commercial vehicle. Requires these performance goals to include both of the following: (1) a goal that by July 1, 2019, the average wait time to obtain an appointment to take the commercial driving skills test in any particular DMV field office shall not exceed 14 days; and (2) a goal that by July 1, 2021, the average wait time to obtain an appointment to take the commercial driving skills test in any particular DMV field office shall not exceed seven days	7/13/17	Senate Appropriations Committee	
AB 332 (Bocanegra) Local Street Closures: Illegal Dumping	Based upon the recommendation of law enforcement, allows a local authority to temporarily close a highway under its jurisdiction to through traffic in order to curb illegal dumping.	5/30/17	Signed into Law: Chapter #34	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 342 (Chiu) Automated Speed Enforcement: San Jose and San Francisco Five-Year Pilot Program	<p>Authorizes the city of San Jose and the city/county of San Francisco to implement a five-year pilot program utilizing an automated speed enforcement (ASE) system for speed limit enforcement on streets or portions of streets that: (1) have a speed limit of 50 miles per hour or less; and (2) have had a documented incidence of collisions resulting in fatalities or injuries as evidenced by either a three-year fatality and injury collision rate, or a three-year fatality rate that is higher than the three-year collision rates published by Caltrans for comparable roadways. Requires the ASE system to be activated no later than January 1, 2019, and to be operated for no longer than five years. Requires the ASE system to meet all of the following: (1) is operated in cooperation with a law enforcement agency; (2) clearly identifies the presence of the fixed or mobile ASE system by signs stating “Photo Enforced” along with the posted speed limit; (3) identifies vehicles containing a mobile ASE system with distinctive markings; (4) identifies the streets or portions of the streets that have been approved for enforcement using an ASE system and the hours of enforcement on the municipality’s Internet Web site; (5) utilizes trained peace officers or other trained designated municipal employees to oversee the operation of the ASE system and maintain control over enforcement activities; (6) ensures that the ASE system is regularly inspected, and certifies that the system is installed and operated properly; and (7) utilizes fixed and mobile systems that provide real-time notification when violations are detected. Prior to enforcing speed limits using an ASE system, requires the city of San Jose and the city/county of San Francisco to do both of the following: (1) administer a public information campaign for at least 30 calendar days prior to the initial commencement of the use of the system; and (2) issue warning notices rather than notices of violation for the first violations detected by the ASE system during the first 90 calendars days of enforcement. If the ASE system is utilized on additional streets after initial implementation, requires the city of San Jose and the city/county of San Francisco to issue warning notices rather than notices of violations during the first 30 calendar days of enforcement for the additional streets. Requires the governing body of the city of San Jose and the city/county of San Francisco to adopt an ASE System Use Policy to include all of the following: (1) specific purposes for the ASE system, the uses that are authorized, the rules and processes required prior to that use, and the uses that are prohibited; (2) the data or information that can be collected by the ASE system, the individuals who can access or use the collected information, and the rules and processes related to the access or use of the information; and (3) provisions for protecting data from unauthorized access, data retention, public access, third-party data sharing, training, auditing, and oversight to ensure compliance with the policy. Requires the governing body of the city of San Jose and the city/county of San Francisco to approve an ASE System Impact Report to include all of the following: (1) description of the ASE system and how it works; (2) proposed purpose of the ASE system; (3) locations where the ASE system may be deployed, and traffic data for those locations; (4) assessment of the potential impact of the ASE system on civil liberties and civil rights, and any plans to safeguard those public rights; (5) a determination of why locations in low-income neighborhoods experience high fatality and injury collisions due to unsafe speed if potential deployment locations of the ASE system are predominantly in such neighborhoods; and (6) fiscal costs associated with the ASE system. Specifies that a speed violation recorded by the ASE system shall be subject only to a civil penalty, the total amount of which cannot exceed \$100.</p>	4/6/17	Assembly Transportation Committee	Support

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 344 (Melendez) Toll Evasion Violations	Specifies that a person contesting a notice of a toll evasion violation or a notice of a delinquent toll evasion violation shall not be required to pay the penalty until after it is found that the person committed the violation. Allows for an administrative hearing conducted by a tolling agency to include reviews of multiple notices of toll evasion or notices of delinquent toll evasion of a person.	7/3/17	Senate Transportation & Housing Committee	
AB 351 (Melendez) Transportation Funding: Loan Repayments, Vehicle Weight Fees and Non-Article 19 Transportation Revenues	Requires loans of revenues to the General Fund from the State Highway Account, the Public Transportation Account (PTA), the Bicycle Transportation Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account (HUTA), the Pedestrian Safety Account, the Transportation Investment Fund, the Traffic Congestion Relief Fund (TCRF), the Motor Vehicle Account, and the Local Airport Loan Account to be repaid by December 31, 2018, to the account or fund from which the loan was made. Specifies that this requirement applies to all loans that otherwise have a repayment date of January 1, 2019, or later. Eliminates the annual transfer of vehicle weight fee revenues from the State Highway Account to the General Fund for payment of debt service for general obligation bonds issued for transportation purposes and, instead, retains these revenues in the State Highway Account. Deletes provisions in current law relating to the reimbursement of the State Highway Account with gasoline excise tax revenues for vehicle weight fee revenues transferred to the General Fund and, instead, allows these gasoline excise tax revenues to be allocated in the following manner: (1) 44 percent to the State Transportation Improvement Program (STIP); (2) 44 to cities and counties for local streets/roads; and (3) 44 percent to the State Highway Operation and Protection Program (SHOPP). Eliminates the annual transfer of so-called Non-Article 19 revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public to the General Fund, and, instead, retains these revenues in the State Highway Account for transportation purposes.	As Introduced	Assembly Transportation Committee	
AB 378 (C. Garcia) Greenhouse Gas Emissions Reductions	To complement direct emissions reduction measures in ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030, authorizes the California Air Resources Board (CARB) to adopt or amend regulations that establish a system of market-based compliance declining aggregate emissions limits for sources or categories of sources that emit greenhouse gases, applicable from January 1, 2021, to December 31, 2030. Authorizes CARB to adopt no-trade zones or facility-specific declining greenhouse gas emissions limits where facilities' emissions contribute to a cumulative pollution burden that creates a significant health impact. In consultation with the affected air pollution control and air pollution management districts, requires CARB to adopt standards for emissions of criteria air pollutants and toxic air contaminants at industrial facilities that are subject to a market-based compliance mechanism. Prohibits CARB from allocating allowances as part of a market-based compliance mechanism to industrial facilities that do not meet these standards. Requires CARB, in ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030, to adopt the most effective and equitable mix of emissions reduction measures, and to ensure that such measures collectively and individually support achieving air quality, and other environmental and public health goals.	5/30/17	Assembly: Inactive	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 382 (Voepel) Off-Highway Vehicle Trust Fund	In FY 2018, provides that up to \$1 million of revenues derived from the gasoline excise tax imposed on off-highway vehicles may be transferred to the Off-Highway Vehicle Trust Fund to be available for local assistance grants for law enforcement, environmental monitoring and maintenance work supporting federal off-highway vehicle recreation.	5/26/17	Senate Transportation & Housing Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 398 (E. Garcia) Cap-and-Trade Extension	<p>Extends the authority of the California Air Resources Board (CARB) to adopt and implement a regulation that establishes a system of market-based declining annual aggregate emissions limits known as “cap-and-trade” for sources or categories of sources that emit greenhouse gases to December 31, 2030. In adopting a cap-and-trade regulation that would be applicable from January 1, 2021, to December 31, 2030, requires CARB to do all of the following: (1) establish a price ceiling and two price containments points at levels below the ceiling; (2) evaluate and address concerns related to the over-allocation of available emissions allowances for years 2021 to 2030, as appropriate; and (3) establish allowance banking rules that discourage speculation, avoid financial windfalls, and consider the impacts on covered entities and volatility in the market. Requires CARB to establish offset credit limits according to the following: (1) from January 1, 2021, to December 31, 2025, allow a total of 4 percent of a covered entity’s compliance obligation to be met by surrendering offset credits, of which no more than half may be sourced from projects that do not provide direct environmental benefits in California; and (2) from January 1, 2026, to December 31, 2030, allow a total of 6 percent of a covered entity’s compliance obligation to be met by surrendering offset credits, of which no more than half may be sourced from projects that do not provide direct environmental benefits in California. Establishes the Compliance Offsets Protocol Task Force to provide guidance to CARB in approving new offset protocols for the purposes of increasing offset projects with direct environmental benefits in California, while prioritizing disadvantaged communities, Native American or tribal lands, and rural and agricultural regions. Requires CARB to increase offset projects in the state considering the guidance provided by the Compliance Offsets Protocol Task Force. Declares the intent of the Legislature that revenues collected from the sale of allowances at auctions conducted by CARB be appropriated in a manner that includes the following priorities at the time an expenditure plan is adopted: (1) air toxic and criteria air pollutants from stationary and mobile sources; (2) low- and zero-carbon transportation alternatives; (3) sustainable agricultural practices that promote the transitions to clean technology, water efficiency and improved air quality; (4) healthy forests and urban greening; (5) short-lived climate pollutants; (6) climate adaptation and resiliency; and (7) climate and clean energy research. By January 1, 2019, requires the California Workforce Development Board to report to the Legislature on the need for increased education, career technical education, job training, and workforce development resources or capacity to help industry, workers and communities transition to economic and labor-market changes related to California’s statewide greenhouse emissions reduction goals. Requires CARB to designate cap-and-trade as the rule for petroleum refineries, and oil and gas production facilities to achieve their greenhouse gas emissions reductions. Prohibits an air district from adopting or implementing an emissions reduction rule for carbon dioxide for stationary sources that are subject to cap-and-trade. Until January 1, 2031, suspends the fire prevention fee that is currently imposed on habitable structures in areas of the state that have a high risk of wildfires and, instead, declares the intent of the Legislature to use cap-and-trade revenues to fund fire prevention activities. Extends an existing state sales tax exemption for the purchase of equipment used in manufacturing, research and development to July 1, 2030. Expands this exemption to include equipment purchased for use in renewable energy generation, as well as for electricity storage and distribution. Removes the current prohibition on agricultural firms claiming the exemption. Requires that cap-and-trade auction proceeds be used to backfill the General Fund for the loss of revenues resulting from the exemption.</p>	7/14/17	Signed into Law: Chapter #135	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 408 (Chen) Eminent Domain: Final Offer of Compensation	Changes the standards by which courts decide whether to award litigation expenses in eminent domain actions. Provides that if a court finds, on motion of the defendant, that the offer of the plaintiff was lower than 90 percent of the compensation awarded in the proceeding, then the court would be required to include the defendant's litigation expenses in the costs allowed. Provides that if the court finds that the offer of the plaintiff was at least 90 percent and less than 100 percent of the compensation awarded in the proceeding, then the court may include the defendant's litigation expenses in the costs allowed.	As Introduced	Assembly: Inactive	
AB 467 (Mullin) Local Transportation Authorities: Expenditure Plans	Upon the request of a local transportation authority, exempts a county elections official from including the entire adopted expenditure plan for a retail transactions and use tax in the voter information guide if: (1) the authority posts the plan on its Internet Web site; and (2) the sample ballot and voter information guide sent to voters include information on viewing an electronic version of the plan on the authority's Internet Web site and on obtaining a printed copy of the plan by calling the county elections office. Requires the county elections official to mail a printed copy of the plan at no cost to each person requesting it, if the county elections official chooses to exercise the exemption provided by this bill. A county that posts the entire adopted county transportation expenditure plan on an Internet Web site shall ensure that the plan is posted in a manner that is easily accessible to voters.	8/23/17	Signed into Law: Chapter #640	
AB 468 (Santiago) LA Metro: Prohibition Orders	Authorizes the Los Angeles County Metropolitan Transportation Authority (LA Metro) to issue a prohibition order to any person cited for committing certain acts on LA Metro vehicles or at LA Metro's transit facilities, under which the person would be prohibited from entering the property, facilities or vehicles of LA Metro for a specified period of time.	9/1/17	Signed into Law: Chapter #192	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 496 (Fong) Transportation Funding	Creates the Traffic Relief and Road Improvement Account to be funded from the following sources: (1) sales and use tax revenues from new and used motor vehicle sales and purchases; (2) insurance tax revenues from automobile and motor vehicle policies; (3) specified diesel sales tax revenues transferred from the State Transit Assistance (STA) Program, if those revenues are backfilled with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund; (4) specified vehicle registration fee revenues transferred from the Air Quality Improvement Fund, the Alternative and Renewable Fuel and Vehicle Technology Fund, and the Enhanced Fleet Modernization Subaccount, if those revenues are backfilled with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund; and (5) revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public. Distributes the revenues deposited into the Traffic Relief and Road Improvement Account in the following manner: (1) 40 percent would be allocated to Caltrans for maintenance of the state highway system, and for projects programmed in the State Highway Operation and Protection Program (SHOPP); (2) 40 percent would be provided to cities and counties for their local roadway systems; and (3) 20 percent would be allocated for projects programmed in the State Transportation Improvement Program (STIP) that create measurable reductions in traffic congestion. Requires revenues apportioned to California from the formula- based National Highway Freight Program to be deposited into the Trade Corridors Improvement Fund and allocated by the California Transportation Commission (CTC) according to the original guidelines that the commission adopted for the fund in 2007. Requires the repayment of approximately \$700 million in outstanding loans owed by the General Fund to various transportation accounts by December 31, 2017. Distributes these one-time revenues to cities and counties for their local roadway systems. Eliminates the annual transfer of vehicle weight fee revenues from the State Highway Account to the General Fund for payment of debt service for general obligation bonds issued for transportation purposes and, instead, retains these revenues in the State Highway Account. Deletes provisions in current law relating to the reimbursement of the State Highway Account with gasoline excise tax revenues for vehicle weight fee revenues transferred to the General Fund and, instead, allows these gasoline excise tax revenues to be allocated in the following manner: (1) 44 percent to the STIP; (2) 44 to cities and counties for local streets/roads; and (3) 44 percent to the SHOPP.	2/28/17	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 515 (Frazier) State Highway System Management Plan	Requires Caltrans to prepare a State Highway System Management Plan consisting of the existing 10-year rehabilitation plan that forms the basis of the State Highway Operation and Protection Program (SHOPP), and a five-year maintenance plan addressing the maintenance needs of the state highway system. Requires the maintenance plan to include only maintenance activities that, if not performed, could result in increased SHOPP costs in the future. In addition, requires the maintenance plan to identify any existing backlog in those maintenance activities, and to recommend a strategy, specific activities and an associated funding level to reduce or prevent any backlog during the plan's five-year period. Requires the State Highway System Management Plan to do all of the following: (1) include specific quantifiable accomplishments, goals, objectives, costs, and performance measures consistent with Caltrans' Assets Management Plan; (2) contain strategies to control costs and improve the efficiency of the SHOPP; and (3) attempt to balance resources between the SHOPP and maintenance activities in order to achieve identified goals at the lowest possible long-term total cost. Requires the State Highway Management Plan to be updated every two years.	9/7/17	Signed into law: Chapter #314	
AB 536 (Melendez) Counties: Federal Funding	If compliance with a state law would result in a county losing federal funding, authorizes the county to elect to not comply with that law to the extent that compliance jeopardizes its federal funding.	As Introduced	Assembly: Inactive	
AB 544 (Bloom) HOV Lanes: Low-Emission and Energy Efficient Vehicles	Provides that decals, stickers or other identifiers issued by the Department of Motor Vehicles (DMV) prior to January 1, 2017, allowing battery electric, hydrogen fuel cell, compressed natural gas, and plug-in hybrid electric vehicles to use high-occupancy vehicle (HOV) lanes without the required number of occupants in the vehicle are valid until January 1, 2019. Provides that decals, stickers or other identifiers issued by the DMV to such vehicles on or after January 1, 2017, and before January 1, 2019, are valid until 2022. Provides that decals, stickers or other identifiers issued by the DMV on or after January 1, 2019, to such vehicles that previously had been issued identifiers that have expired, are valid until January 1, 2022. Provides that decals, stickers or other identifiers issued by the DMV on or after January 1, 2019, to such vehicles that previously have not been issued identifiers are valid until January 1 of the fourth year after the year of issuance. Provides that a person is not eligible to be issued a decal, sticker or other identifier if he or she has received a consumer rebate under the state's Clean Vehicle Rebate Project, unless certain income restrictions are met. Repeals the provisions of this bill, as well as those in current law related to the issuance of such decals, stickers and other identifiers on September 30, 2025.	9/8/17	Signed into Law: Chapter #630	
AB 555 (Cunningham) Zero-Emission and Near-Zero-Emission School Buses	Requires the California Air Resources Board (CARB) to establish a grant program to provide funding for replacing older, high-polluting school buses with zero-emission or near-zero-emission vehicles. Requires CARB to award grants to school districts based on the following indicators: (1) school district income; (2) pupil population; (3) average miles traveled by pupils; and (4) age of the school bus fleet. Requires CARB to adopt a regulation to implement this grant program. Continuously appropriates four percent of annual cap-and-trade auction proceeds deposited in the Greenhouse Gas Reduction Fund for each of FY 2018, FY 2019 and FY 2020 to CARB to implement the grant program.	3/21/17	Assembly Natural Resources Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 570 (Gonzalez-Fletcher) Workers' Compensation: Permanent Disability Causation	In making a determination of apportionment of permanent disability based on causation for purposes of payment of workers' compensation, prohibits apportionment, in the case of a physical injury occurring on or after January 1, 2018, from being based on pregnancy, childbirth, or other medical conditions related to pregnancy or childbirth.	As Introduced	Vetoed by the Governor	
AB 582 (C. Garcia) Vehicle Emissions: Certification, Auditing and Compliance	Requires the California Air Resources Board (CARB) to enhance its certification, audit and compliance activities for new motor vehicles to detect defeat devices or other software used to evade emissions testing. Requires those activities to include the increased utilization of in-use and real-world conditions emissions testing. Allows CARB to consult or partner with academic institutions and laboratories to do any of the following: (1) develop new surveillance methods and test cycles; (2) perform emissions testing on behalf of CARB; or (3) conduct research on vehicle emissions testing. Authorizes CARB, by regulation, to impose fees on manufacturers of new motor vehicles to recover its reasonable costs in implementing the provisions of the bill. The total amount of fees collected pursuant to this section shall not exceed five million dollars (\$5,000,000) in the 2018–19 fiscal year, and in any subsequent year shall not increase by an amount greater than the annual increase in the California Consumer Price Index, operational costs, and labor costs.	8/21/17	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 617 (C. Garcia) Criteria Air Pollutants and Toxic Air Contaminants	Requires the California Air Resources Board (CARB) to establish a uniform statewide system of annual reporting of emissions of criteria pollutants and toxic air contaminants for stationary sources. Requires a stationary source to report its annual emissions of criteria pollutants and toxic air contaminants to CARB using the uniform statewide system of annual reporting. By October 1, 2018, requires CARB to prepare a plan regarding technologies for monitoring criteria pollutants and toxic air contaminants, and the need for and benefits of additional community air monitoring systems. Based on this monitoring plan, requires CARB to select the highest priority locations in California for the deployment of community air monitoring systems. Requires an air district containing a selected location to deploy a community air monitoring system in that location by July 1, 2019. Authorizes an air district to require a stationary source that emits air pollutants in, or that materially affects, a selected location to deploy a fence-line monitoring system. By January 1, 2020, and annually thereafter, authorizes CARB to select additional locations for the deployment of community air monitoring systems. By October 1, 2018, requires CARB to prepare a statewide strategy to reduce emissions of criteria pollutants and toxic air contaminants in communities affected by a high cumulative exposure burden. Requires CARB to update this strategy at least once every five years. Requires CARB to select locations around the state for preparation of community emissions reduction programs. Requires an air district containing a selected location to adopt a community emissions reduction program. Requires CARB to provide grants to community-based organizations for technical assistance to support community participation in such programs. Requires an air district that is in non-attainment for one or more air pollutants to adopt an expedited schedule for the implementation of best available retrofit control technologies. Requires the schedule to apply to each industrial sources that, as of January 1, 2017, was subject to cap-and-trade. Requires CARB to establish and maintain a statewide clearinghouse that identifies the best available control technologies and best available retrofit control technologies for criteria pollutants and toxic air contaminants.	7/14/17	Signed into Law: Chapter #136	
AB 623 (Rodriguez) Autonomous Vehicles: Accidents	Requires the operator of an autonomous vehicle who is involved in an accident that results in damage to the property of any one person in excess of \$1,000, in bodily injury or in the death of a person to report the accident to the Department of Motor Vehicles (DMV) within 10 days of occurrence. Requires a traffic collision report prepared by a California Highway Patrol (CHP) officer or by any other peace officer to specify if an autonomous vehicle was involved in the traffic collision in any manner.	7/5/17	Senate Appropriations Committee	
AB 636 (Irwin) Local Streets/Roads: Expenditure Reports	Requires the report by a city or county regarding Highway Users Tax Account (HUTA) expenditures for street/road purposes during the preceding fiscal year to be submitted to the Controller's Office within seven months of the close of the fiscal year, rather than by the first day of October, as is the case under current law.	6/27/17	Senate Rules Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 673 (Chu) Public Transit Bus Procurements: Safety Considerations	Before the procurement of a new bus to be used in revenue service, requires a public transit agency to take into consideration the recommendations of, and the best practice standards developed by, the labor organization representing the agency's bus operators related to the following purposes: (1) to reduce the risk of assaults on bus operators; (2) to prevent accidents caused by blind spots created by bus equipment or design; or (3) to enhance the safety of passengers, bus operators, or other vehicles or pedestrians that the bus may come into contact with while in service. Specifies that nothing in the bill shall be construed to require a public transit agency to implement specific recommendations.	5/15/17	Signed into Law: Chapter #126	
AB 686 (Santiago) Housing Discrimination: Affirmatively Further Fair Housing	Requires a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing. Prohibits a public agency from taking any action that is inconsistent with this obligation. Provides that if a public agency fails to comply with its obligation to affirmatively further fair housing, then that failure would constitute a discriminatory housing practice under the California Fair Employment and Housing Act. Authorizes the Department of Fair Employment and Housing to exercise its discretion to investigate or to bring a civil action based on a verified complaint that alleges a violation of the obligation to affirmatively further fair housing. Defines "affirmatively further fair housing" to mean taking meaningful actions, in addition to combating discrimination, that: (1) overcome patterns of segregation; (2) address disparities in housing needs and in access to opportunity; (3) promote fair housing choice, both within and outside of areas of concentrated poverty; (4) foster inclusive communities free from barriers that restrict access to opportunity; and (5) transform racially and ethnically concentrated areas of poverty into areas of opportunity, while protecting existing residents from displacement. Defines "meaningful actions" to mean significant actions that are legally possible for a public agency to undertake that are designed and can be reasonably expected to achieve materially positive change that affirmatively furthers fair housing. Defines "programs and activities relating to housing and community development" to mean any action, inaction, policy, regulation, program, practice, decision, activity, or investment by a public agency that affects where a person may live; a person's ability to remain in their current housing; and the degree of access that person, based on where they live, has to opportunity, including education, jobs, health care, social services, and features of a healthy environment. Requires a public agency that completes or revises an assessment of fair housing pursuant to specified provisions of the federal Fair Housing Act to submit a copy of that assessment to the Department of Fair Employment and Housing. Requires any public agency that adopts a housing element or sustainable communities strategy to include in that element or strategy an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions to affirmatively further fair housing.	7/17/17	Senate Transportation & Housing Committee	
AB 694 (Ting) Bicycles	Except under specified conditions, requires a person operating a bicycle to ride in the right-hand lane or bicycle lane, if one is present, rather than as close as practicable to the right-hand curb or edge of the roadway, as is the case under current law. Requires a person operating a bicycle in a right-hand lane that is wide enough for a vehicle and a bicycle to travel safety side by side within the lane to ride far enough to the right in order to allow vehicles to pass, except under any of the following situations: (1) when reasonably necessary to avoid conditions that make it hazardous to continue along the right-hand edge of the lane; or (2) when approaching a place where a right turn is authorized.	As Introduced	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 697 (Fong) Toll Facilities: Privately Owned Emergency Ambulances	Exempts a private ambulance from any requirement to pay a toll or other charge on a toll bridge, toll road, toll highway, high-occupancy toll (HOT) lane, or vehicular crossing for which payment of a toll or charge is required, if the following conditions are met: (1) the private ambulance is properly displaying a valid California license plate and identification as the operator of a private ambulance; (2) the private ambulance is being driven while responding to or returning from an urgent or emergency call, engaged in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response; and (3) the driver of the private ambulance determines that the use of the toll facility shall likely improve the availability, or response and arrival time of the ambulance and its delivery of essential public safety services.	6/12/17	Senate: Inactive	
AB 730 (Quirk) BART: Prohibition Orders	Eliminates the January 1, 2018, sunset date and makes permanent provisions in current law that authorize the Bay Area Rapid Transit District (BART) to issue a prohibition order to any person cited for committing certain acts on BART vehicles or at BART's transit facilities, under which the person would be prohibited from entering the property, facilities or vehicles of BART for a specified period of time.	As Introduced	Signed into Law: Chapter #46	
AB 733 (Berman) Enhanced Infrastructure Financing Districts: Climate Change Projects	Allows an enhanced infrastructure financing district to finance projects that enable communities to adapt to the impacts of climate change, including higher average temperatures, decreased air and water quality, the spread of infectious and vector-borne diseases, other public health impacts, extreme weather events, sea level rise, flooding, heat waves, wildfires, and drought.	6/26/17	Signed into Law: Chapter #657	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 758 (Eggman) Tri-Valley-San Joaquin Valley Regional Rail Authority	Establishes the Tri-Valley-San Joaquin Valley Regional Rail Authority for purposes of planning, developing and delivering cost-effective and responsive transit connectivity, between BART's rapid transit system and the Altamont Corridor Express commuter rail service in the Tri-Valley region of California that reflects regional consensus and meets the goals and objectives of the community. San Joaquin Valley and Tri-Valley communities. Requires the governing board of the authority to be composed of 15 members, as specified. Requires the unencumbered balance of all local funds programmed for the completion of the BART Livermore Extension Project or that have otherwise been identified for the connectivity shall be transferred to the authority and be considered resources available to effectuate the authority's purposes pursuant to this chapter, except that local funds controlled by the Alameda County Transportation Commission to be used for completion of the project. BART Livermore extension or that have otherwise been identified for the connectivity shall continue to be programmed and allocated by the Alameda County Transportation Commission. Specifies that the authority is eligible to apply for and receive federal and state funds for the connection. Allows the authority to pursue any and all sources of funding to achieve connectivity; however, prohibits the authority from applying for funds available under the Transportation Development Act (TDA) for which any member entity of the authority may be an applicant or is charged with approving funding applications, without the express written consent of that affected member agency. The authority may enter into agreements with the Bay Area Rapid Transit District, the San Joaquin Regional Rail Commission, or any other entity to address any and all issues necessary to achieve transit connectivity, consistent with the project feasibility report's findings, conclusions, and recommendations. If the project feasibility report includes a recommendation for an extension of BART's rapid transit system, the governing board shall have the authority to approve or deny the recommendation. On or before July 1, 2019, requires the authority to post a project feasibility report on its Internet Web site regarding the plans for the development and implementation of transit connectivity. Requires the report, at a minimum, to include the identification of a preferred entity or entities to deliver transit connectivity, including the role each entity will play in planning, designing, financing, constructing, operating, maintaining, and the leasing, developing, or disposing of land, facilities, or equipment, necessary to deliver and operate transit connectivity.	9/8/17	Signed into Law: Chapter #747	
AB 765 (Low) Local Initiative Measures	Requires the election for a county, municipal or special district initiative measure that qualifies for the ballot to be the next statewide election or the jurisdiction's next regular election, as applicable, unless the governing body of the county, city or special district calls a special election. If the governing body of the county, city or special district calls a special election, requires that election to be held not less than 88 days nor more than 103 days after the order of the election.	5/11/17	Signed into Law: Chapter #748	
AB 863 (Cervantes) Affordable Housing and Sustainable Communities Program	Provides that a project receiving cap-and-trade funding under the Affordable Housing and Sustainable Communities Program shall be encouraged to employ local entrepreneurs and workers utilizing appropriate workforce training programs.	6/22/17	Vetoed by the Governor	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 943 (Santiago) Land-Use Ordinances	Provides that an ordinance or an amendment to an ordinance proposed by the voters that would reduce density, or stop development or construction of any parcels located less than one mile from a major public transit stop within a city or county shall be enacted only if approved by at least 55 percent of the votes cast on the ordinance or amendment at an election. Requires the city attorney or county counsel where the proposed ordinance or amendment to an ordinance would apply to determine whether it would reduce density, or stop development or construction of any parcels located less than one mile from a major public transit stop within the city or county. Specifies that the provisions of the bill apply only to the following: (1) a county that had a population of 750,000 or more as of January 1, 2017; and (2) a city located within a county that had a population of 750,000 or more as of January 1, 2017. Declares that the bill addresses a matter of statewide concern and, thus, its provisions apply to charter cities and counties.	7/19/17	Senate Appropriations Committee	
AB 964 (Gomez) California Affordable Clean Vehicle Program	Creates the California Affordable Clean Vehicle Program to be administered by the California Pollution Control Financing Authority to assist low-income individuals in purchasing or leasing zero-emission and plug-in electric vehicles for personal or commercial use by providing access to affordable financing mechanisms. To the extent that funds are appropriated for this purpose by the Legislature, authorizes the Pollution Control Financing Authority to implement the following financing mechanisms under the program: (1) establishing a loss reserve account with a participating financial institution to provide a loan or loan-loss reserve credit enhancement program to increase consumer access to zero-emission and plug-in electric vehicle financing and leasing options; (2) providing funds to participating financial institutions to reduce the interest rates charged on loans issued under the program; and (3) other financing methods, as determined by the authority, to increase the participation rate among low-income individuals in the program. Sunsets the program on January 1, 2027.	6/21/17	Senate Appropriations Committee	
AB 965 (Kiley) Caltrans: Civil Liability	In an action against Caltrans for personal injury, property damage or wrongful death based upon the principles of comparative fault, specifies that the liability of the department for economic damages shall be several only and shall not be joint. Specifies that Caltrans shall be liable only for the amount of economic damages allocated to the department in direct proportion to its percentage of fault, and requires a separate judgment to be rendered against the department for that amount. Requires Caltrans to identify savings achieved through the implementation of the bill on an annual basis. From the identified savings, requires Caltrans to propose an appropriation to be included in the annual Budget Act for expenditure on highway maintenance, operation, rehabilitation, and improvement.	4/17/17	Assembly Judiciary Committee	
AB 980 (Wood) Caltrans: Broadband	As part of each project located in a priority area, as defined, requires Caltrans to install a broadband conduit capable of supporting fiber optic communication cables.	As Introduced	Assembly Communications & Conveyance Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1017 (Santiago) Collective Bargaining Agreements: Arbitration	With regard to disputes concerning collective bargaining agreements for both public and private employment, requires a court to award attorney's fees to a prevailing party in an action to compel arbitration of a dispute, unless the other party has raised substantial and credible issues involving complex or significant questions of law or fact regarding whether or not the dispute is arbitrable. Provides only a labor organization or employer is liable for such attorney's fees.	7/5/17	Senate Floor	
AB 1069 (Low) Taxicab Transportation Services	Requires every city or county in which a taxicab company is substantially located to adopt an ordinance or resolution in regard to taxicab transportation service which are operated within the jurisdiction of the city or county. Specifies that a taxicab company or taxicab driver is substantially located within the jurisdiction where the primary business address of the company or driver is located or in the jurisdiction within a single county in which trips originating in that jurisdiction account for the largest share of that company or driver's total number of trips within that county over the past year and determined every five years thereafter. Specifies that a taxicab company or taxicab driver may be substantially located in more than one jurisdiction. Prohibits a city or county from requiring a taxicab service provider to obtain a business license, service permit, car inspection certification, driver permit, or any other permit, unless that provider substantially located within the jurisdiction of that city or county. Exempts airport operators, allowing them to maintain authority to regulate access to the airport and set access fees for taxicabs at the airport. Prohibits a permitted taxicab company from prejudicing, disadvantaging, or requiring different rates or providing different service to a person based on specified protected characteristics, including race or religion. Requires a permitted taxicab company to participate in the Department of Motor Vehicles' pull-notice system to regularly check the driving records of all drivers. The bill would provide that it is unlawful to operate a taxicab without a valid permit, and would establish a civil penalty for violation of this provision. Require taxicab companies and taxicab drivers to collect trip data to determine in what jurisdictions each company and driver are substantially located, beginning January 1, 2018. Beginning January 1, 2019, the trip data collected in the previous 12 months shall be provided upon date of renewal to the jurisdictions in which the taxicab company and taxicab driver are substantially located.	9/8/17	Signed into Law: Chapter #753	
AB 1103 (Obernolte) Bicyclists: Rules of the Road	After slowing to a reasonable speed and yielding the right-of-way to any vehicle or pedestrian, allows a person operating a bicycle approaching a stop sign to cautiously make a turn or proceed through the intersection without stopping, unless safety considerations require otherwise. If necessary for safety, requires the bicyclist to stop before entering the intersection, and allows him or her to proceed after yielding the right-of-way.	4/6/17	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1113 (Bloom) State Transit Assistance Program	Revises and recasts the provisions in current state law governing the State Transit Assistance Program (STA). Clarifies the definition of STA-eligible transit operator for purposes of allocating STA revenue-based funds. Clarifies that only transportation planning agencies, including county transportation commissions, can receive direct allocations of STA population-based and revenue-based funds from the Controller's Office. Requires a transportation planning agency to allocate revenue-based funds only to STA-eligible transit operators within its jurisdiction. Requires the Controller's Office to compute and publish the revenue-based shares that each STA-eligible transit operator in the state shall receive based on an operator's qualifying revenues. Defines "qualifying revenues" to mean an STA-eligible transit operator's fare revenues, including paratransit fare revenues, and other local funds used by the operator in the delivery of public transit service. Excludes the following from the definition of "qualifying revenues": (1) state and federal operating funds; and (2) all funds used for capital expenditures or depreciation. Specifies that an STA-eligible transit operator's revenue-based share cannot exceed its total annual operating expenses. Requires the amount of revenue-based funds allocated by the Controller's Office to a transportation planning agency to be based on the ratio that the total qualifying revenues of all STA-eligible transit operators within the jurisdiction of the transportation planning agency bears to the total qualifying revenues of all STA-eligible transit operators in the state. Requires the amount of revenue-based funds allocated by a transportation planning agency to each STA-eligible transit operators within its jurisdiction to be based on the ratio that an operator's qualifying revenues bears to the total qualifying revenues of all STA-eligible transit operators within the transportation planning agency's jurisdiction. Requires the Controller's Office to provide a mechanism for each transportation planning agency to use to report those public transit operators within its jurisdiction that are eligible claimants for STA dollars.	6/20/17	Signed into Law: Chapter #86	Support
AB 1141 (Berman) Autonomous Freight Vehicles	By September 30, 2018, requires the Department of Motor Vehicles (DMV) to adopt regulations setting forth standards for the testing of autonomous vehicles used to transport freight. In developing these regulations, requires the DMV to consult with Caltrans and the California Highway Patrol (CHP) on related topics, including appropriate routes for autonomous freight vehicles, and compliance with federal and state requirements for commercial drivers. Requires an autonomous freight vehicle to have a person in the driver's seat at all times while being operated.	4/17/17	Assembly Communications & Conveyance Committee	
AB 1218 (Oberholte) CEQA: Bicycle Transportation Plans and Projects	Extends until January 1, 2021, the following two exemptions from the requirements of the California Environmental Quality Act (CEQA): (1) a bicycle transportation plan prepared for an urbanized area for the restriping of streets/highways, bicycle parking and storage, signal timing to improve street/highway intersection operations, and related signage for bicyclists, pedestrians and vehicles; and (2) a project that consists of restriping streets/highways for bicycle lanes in an urbanized area that is consistent with the area's bicycle transportation plan.	4/18/17	Signed into Law: Chapter #149	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1233 (Cunningham) Office of the Transportation Inspector General	Creates the Office of the Transportation Inspector General to ensure that Caltrans, the California High-Speed Rail Authority and all other state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. Requires the Office of the Transportation Inspector General to review policies, practices and procedures, and to conduct audits and investigations of activities involving state transportation funds in consultation with affected state agencies. Requires the duties and responsibilities of the Office of the Transportation Inspector General to include all of the following: (1) examining the operating practices of all state agencies expending state transportation funds to identify fraud and waste, opportunities for efficiencies, and opportunities to improve the data used to determine appropriate project resource allocations; (2) identifying best practices in the delivery of transportation projects, and developing policies or recommending proposed legislation to enable state agencies to adopt these practices; (3) providing objective analysis of, and offering solutions to, concerns raised by the public or generated within agencies involving the state's transportation infrastructure and project delivery methods; (4) conducting, supervising and coordinating audits and investigations relating to the programs and operations of all state agencies with state-funded transportation projects; (5) recommending policies promoting economy and efficiency in the administration of programs and operations of all state agencies with state-funded transportation projects; and (6) ensuring that the California State Transportation Agency and the Legislature are fully and currently informed concerning fraud, or other serious abuses or deficiencies relating to the expenditure of funds, or the administration of programs and operations. Requires the Office of the Transportation Inspector General to provide a summary of its findings, investigations and audits at least annually to the Governor and Legislature. Requires this summary to include significant problems discovered by the Office of the Transportation Inspector General, and whether its recommendations relating to its investigations and audits have been implemented by the affected agencies.	As Introduced	Assembly Transportation Committee	
AB 1239 (Holden) Building Standards: Electric Vehicle Charging Infrastructure	Requires the Department of Housing & Community Development and the California Building Standards Commission to research, develop, and propose for adoption building standards regarding electric vehicle capable parking spaces for existing parking structures and lots located adjacent to, or associated with, multifamily dwellings and non-residential buildings in a triennial edition of the California Building Standards Code adopted after January 1, 2018.	9/1/17	Vetoed by the Governor	
AB 1259 (Calderon) Capital Access Loan Program: Electric Vehicles	Expands the existing Capital Access Loan Program under the California Pollution Control Financing Authority to include the purchase of an electric vehicle by low- and middle-income consumers and families.	4/27/17	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1282 (Mullin) Transportation Permitting Task Force	By April 1, 2018, requires the California State Transportation Agency (CalSTA), in consultation with the Natural Resources Agency, to establish a Transportation Permitting Task Force consisting of representatives from specified state agencies and departments. Requires the task force to develop a structured coordination process for early engagement of all parties in the development of transportation projects to reduce permit processing times, to establish reasonable deadlines for permit approvals, and to provide for greater certainty of permit approval requirements. By December 1, 2019, requires CalSTA to prepare and submit to the Legislature a report of findings based on the efforts of the task force. Requires this report to include a detailed analysis of the following: (1) the existing permitting process for transportation projects in California, including a discussion of the points in the process where delays are most likely to occur; (2) the utilization of existing positions in the various state resources agencies currently supported by transportation funds, including an analysis of the benefits of those positions to the state's transportation programs relative to their costs; (3) the early engagement process developed by the task force; (4) resource levels needed to implement the task force's early engagement process; and (5) legislative or regulatory issues, if any, that need to be address to implement the task force's early engagement process. Sunsets the provisions of the bill on December 1, 2023.	6/29/17	Signed into Law: Chapter #643	
AB 1301 (Fong) Joint Legislative Committee on Climate Change Policies	Requires the Joint Legislative Committee on Climate Change Policies to do all of the following: (1) evaluate the actions that California, other states and foreign nations are taking to reduce greenhouse gas emissions, and quantify those reductions from those jurisdictions over the prior year; (2) evaluate the impact that California's climate policies have had on the price of transportation fuels, electricity and other commodities identified by the joint committee; (3) recommend to the Legislature how to prioritize the allocation of cap-and-trade auction proceeds in the Greenhouse Gas Reduction Fund in order to achieve the greatest reductions of greenhouse gas emissions for each dollar spent; and (4) track changes in the cost effectiveness of clean technologies based on the amount of emissions avoided. Requires the California Air Resources Board (CARB) to annually report to the joint committee the greenhouse gas emissions reduction measures identified in the board's Scoping Plan that are being implemented or considered.	3/22/17	Assembly: Inactive	
AB 1324 (Gloria) Metropolitan Planning Organizations: Sales Taxes	Allows a metropolitan planning organization (MPO) or regional transportation planning agency (RTPA) that has sales taxing authority under current law to levy, expand, increase, or extend such a tax in a portion of its area of jurisdiction, rather than in its entire area of jurisdiction, provided that the tax is approved by the required percentage of voters in that portion of its area of jurisdiction who vote on the measure. Requires the revenues derived from the tax to be used only within that portion of the MPO's or RTPA's area of jurisdiction.	3/20/17	Assembly Local Government Committee	
AB 1333 (Dababneh) Local Government Agency Notices	Requires a local government agency to post on its Internet Web site a notice of any upcoming election in which the voters will consider a tax measure or proposed bond issuance of the agency. Requires the notice to include the date of the election at which the tax measure or bond issuance will be voted on, and a brief common language description of the tax measure or bond issuance. Requires the local government agency to publish a similar notice in its electronic newsletter.	5/18/17	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1363 (Baker) Non-Article 19 Transportation Revenues	Beginning July 1, 2018, eliminates the annual transfer of so-called Non-Article 19 revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public to the General Fund, and, instead, retains these revenues in the State Highway Account for transportation purposes.	As Introduced	Assembly Transportation Committee	
AB 1383 (Fong) Greenhouse Gas Emissions Regulations	Prior to adopting a regulation to reduce greenhouse gas emissions pursuant to the Global Warming Solutions Act, requires the California Air Resources Board (CARB) to do all of the following: (1) work with stakeholders to identify and address technical, market, regulatory, and other challenges and barriers in implementing the regulation; (2) provide a forum for public engagement by holding at least three public meetings in geographically diverse locations throughout the state; (3) make a finding that the regulation is technologically and economically feasible, is cost effective, and includes mechanisms to minimize and mitigate potential leakage to other states and countries; and (4) evaluate existing achievements made by incentive-based programs. Within two years of adopting a regulation pursuant to the Global Warming Solutions Act, requires CARB to both of the following: (1) determine if sufficient progress has been made to overcome any technical, market or regulatory challenges or barriers that were previously identified; and (2) evaluate whether there are any other challenges or barriers that have arisen. Requires CARB to revise the regulation, as needed, based on the findings of this review.	As Introduced	Assembly Natural Resources Committee	
AB 1395 (Chu) State Highways: Debris	By January 1, 2019, requires Caltrans to develop a uniform financial plan to remediate debris to maintain and preserve the state highway system. Requires the uniform financial plan to include recommendations that allow a municipality to carry out obligations specified in the plan with reimbursement provided by the state.	3/30/17	Assembly Transportation Committee	
AB 1421 (Dababneh) Railroads: Noise and Vibration	Requires the Department of Public Health to conduct a study to determine the noise and vibration levels associated with all railroad lines in the vicinity of residential areas or schools.	3/22/17	Senate Rules Committee	
AB 1442 (T. Allen) High-Speed Rail: Bond Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21 st Century (Proposition 1A), except as specifically provided with respect to an existing appropriation for early improvement projects related to the Phase I blended system. Upon appropriation by the Legislature, requires the unspent proceeds received from outstanding bonds issued and sold for high-speed rail purposes prior to the effective date of the provisions of this bill to be redirected to retiring the debt incurred from the issuance and sale of those outstanding bonds. Allows the remaining unissued bonds, as of the effective date of the provisions of this bill, that were authorized for high-speed rail purposes to be issued and sold. Upon appropriation by the Legislature, requires the net proceeds from the sale of these remaining unissued bonds to be made available to fund the construction of water capital projects that are part of the State Water Resources Development System, including the construction of desalination facilities, wastewater treatment and recycling facilities, reservoirs, water conveyance infrastructure, and aquifer recharge. Specifies that the provisions of the bill would become effective only upon approval by the voters at the next statewide election.	3/28/17	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1444 (Baker) LAVTA: Autonomous Vehicles Demonstration Project	Authorizes the Livermore Amador Valley Transit Authority (LAVTA) to conduct a shared autonomous vehicle demonstration project for the testing of autonomous vehicles that do not have a driver seated in the driver's seat, and that are not equipped with a steering wheel, a brake pedal or an accelerator, provided that the following requirements are met: (1) the testing is conducted only within the city of Dublin; (2) the vehicles may traverse public roads within the area of the demonstration project; and (3) the vehicles operate at speeds of less than 35 miles per hour. Prior to the start of testing of any autonomous vehicles pursuant to this bill, requires LAVTA, or a private entity, or a combination of the two to do both of the following: (1) obtain an instrument of insurance, surety bond or proof of self-insurance in an amount of \$5 million; and (2) submit a detailed description of the testing program to the Department of Motor Vehicles (DMV). Requires the operator of the autonomous vehicle technology being tested to disclose to an individual participating in the demonstration project what personal information, if any, concerning the individual will be collected by the autonomous vehicle. For the testing of autonomous vehicles within the designated area of the city of Dublin, allows the DMV to require data collection for evaluating the safety of the vehicles. Specifies that the bill does not limit the authority of the DMV to promulgate regulations governing the testing and operation of autonomous vehicles on public roads, with or without the presence of a driver inside the vehicle. Prohibits LAVTA from conducting the demonstration project if the DMV has adopted regulations regarding autonomous vehicles by December 31, 2017. Requires LAVTA to comply with any regulations regarding the testing of autonomous vehicles promulgated by the DMV. Specifies that the provisions of the bill become inoperative on May 1, 2018.	6/20/17	Signed into Law: Chapter #719	
AB 1452 (Muratsuchi) Parking for Electric Vehicle Charging	Allows a local authority, by ordinance or resolution, to dedicate parking stalls or spaces on a public street within its jurisdiction for the exclusive use of electric vehicles while they are charging, provided that appropriate signage is installed. Allows a local authority to remove a vehicle from such stalls or spaces if the vehicle is not connected for electric charging purposes.	7/17/17	Signed into Law: Chapter #635	
AB 1454 (Bloom) Public-Private Partnerships	Declares the intent of the Legislature to re-establish the authority under state law to engage in public-private partnerships for projects on the state highway system with appropriate public interest and safety protections.	5/1/17	Assembly Rules Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1469 (Grayson) School Transportation	Provides that a pupil attending a public, non-charter school that receives Title 1 federal funding shall be entitled to free transportation to and from school if either of the following conditions are met: (1) the pupil resides more than one-half mile from the school; or (2) the neighborhood through which the pupil must travel to get to school is unsafe due to such factors as stray dogs, lack of sidewalks, known gang activity, presence of environmental problems and hazards, required crossings of freeways or busy intersections, or other reasons as documented by stakeholders. Requires a school district not currently providing transportation to all pupils attending schools that receive Title 1 federal funding to implement a plan to ensure that all pupils entitled to free transportation pursuant to this bill receive it. Requires the plan to be developed in consultation with teachers, school administrators, regional and local transit authorities, local air districts, Caltrans, parents, pupils, and other stakeholders. Specifies that if free, dependable and timely transportation is currently not already available to pupils who are entitled to it pursuant to this bill, the school district must ensure that such pupils are provided free transportation. Allows a school district to partner with a municipality owned transit system to provide the transportation required pursuant to this bill to middle school and high school pupils if all of the following conditions are met: (1) all drivers of the municipality owned transit system are public employees; and (2) the municipality owned transit system can certify that the transit system can ensure consistent, adequate routes and schedules to enable pupils to get home, to school and back, and does not charge the school district more than marginal cost for each transit pass. Creates the Transportation and Access to Public School Fund. Requires all transportation provided pursuant to this bill to be reimbursed by the Transportation and Access to Public School Fund. Upon appropriation by the Legislature, requires revenues distributed to the Transportation and Access to Public School Fund to be allocated to local educational agencies pursuant to a process established by the Department of Education.	As Introduced	Assembly Appropriations Committee	
AB 1470 (Wood) State Highway Bypasses	With respect to a project completed on or after January 1, 2014, that consists of relocating a state highway in order to bypass a city or business district, provides that the affected city or county shall be eligible to receive funding from an unspecified account for purposes of revitalizing the city or business district due to the loss of tourism resulting from the project.	As Introduced	Assembly Transportation Committee	
AB 1479 (Bonta) Public Records	Requires a public agency to designate a person/persons or office/offices to act as its custodian of records and to be responsible for responding to the following: (1) any requests made pursuant to the California Public Records Act; and (2) any inquiry from the public about a decision by the agency to deny a request for records. Specifies that this provision does not impose a duty upon a requester to direct his or her inquiry to an agency's designated custodian, or prevent a person or office that is not the agency's designated custodian from disclosing information pursuant to the bill. Repeals the provisions of the bill on January 1, 2023.	9/1/17	Vetoed by the Governor	
AB 1489 (Brough) Architects Practice Act	Provides that a licensed architect is not responsible for damage caused by construction deviating from a permitted set of plans, specifications, reports, or documents.	As Introduced	Assembly Business & Professions Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1509 (Baker) BART: Rapid Transit Facilities	Requires the Bay Area Rapid Transit District (BART) to maintain its existing commitment of funds for the acquisition, construction or completion of rapid transit facilities. Following the approval of Measure RR at the November 8, 2016, election, prohibits BART from redirecting any existing funds dedicated for system infrastructure capital improvements or rolling stock to cover operating expenses. In any fiscal year in which BART spends Measure RR revenues, requires BART to expend from other revenue sources an amount not less than the annual average of its expenditures on acquisition, construction or completion of rapid transit facilities during FY 2014, FY 2015 and FY 2016. Authorizes the Controller's Office to perform audits to ensure BART's compliance with the provisions of this bill.	5/11/17	Assembly Appropriations Committee	
AB 1523 (Oberholte) San Bernardino County Transportation Authority: Design-Build Contracting	Authorizes the San Bernardino County Transportation Authority to use design-build contracting for the Mt. Vernon Avenue Viaduct Project in the city of San Bernardino.	5/1/17	Signed into Law: Chapter #154	
AB 1561 (Quirk-Silva) Port Infrastructure	Allows two or more local agencies to establish an authority under the state's joint powers law for the purpose of financing port infrastructure.	9/11/17	Assembly Local Government Committee	
AB 1565 (Thurmond) Overtime Compensation	Exempts from overtime compensation an executive, administrative or professional employee, if the employee earns a monthly salary equivalent to either \$3,956 or an amount no less than twice the state minimum wage for full-time employment, whichever amount is higher.	5/22/17	Senate: Inactive	
AB 1579 (Daly) CEQA: Vehicle Miles Traveled Database	For purposes of implementing the California Environmental Quality Act (CEQA), requires the Office of Planning & Research to establish and maintain a vehicle miles traveled database containing methodological guidance on which models should be used for particular types of projects and the best sources of trip-length data for various land-use types.	4/3/17	Assembly Natural Resources Committee	
AB 1613 (Mullin) Retail Transactions and Use Tax: SamTrans	Authorizes the San Mateo County Transit District (SamTrans) to impose a retail transactions and use tax that would exceed the 2 percent maximum combined rate for all local option transactions and use taxes that could be imposed in San Mateo County if the following conditions are met: (1) the tax is set at a rate of no more than 0.5 percent; (2) the SamTrans Board of Directors adopts the ordinance approving the tax before January 1, 2026; and (3) the county of San Mateo has not already imposed a similar tax. Requires SamTrans, in concurrence with the county, to develop an expenditure plan of projects, programs and services for this tax, which may include public transit, local streets/roads, state highways, bicycle and pedestrian facilities, intelligent transportation systems, and transportation planning. Allows the SamTrans Board of Directors to administer the expenditure plan in its entirety, or to transfer that responsibility and the proceeds of the tax to the San Mateo County Transportation Authority.	9/1/17	Signed into law: Chapter #231	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1628 (Grayson) Public Works Projects: Independent Contractors	Declares the intent of the Legislature to enact a bill to prohibit the use of independent contractors on public works projects.	As Introduced	Assembly Desk	
AB 1630 (Bloom) Wildlife Movement	Requires Caltrans, in coordination with the Department of Fish & Wildlife, to prepare a report describing the status of Caltrans' progress in locating, assessing and remediating existing barriers to wildlife connectivity. Requires this report to be submitted to the Legislature by October 31 every three years through 2030. Authorizes the Department of Fish & Wildlife or Caltrans to pursue the development of a programmatic environmental review process with appropriate state and federal regulatory agencies for wildlife connectivity-related transportation infrastructure. By January 1, 2019, requires the Department of Fish & Wildlife, in coordination with Caltrans and the California State Transportation Agency (CalSTA), to do both of the following: (1) update the California Essential Habitat Connectivity Project with new, best available data on wildlife movements; and (2) create a formal avenue for scientific data on wildlife movements gathered by universities, non-profit corporations, public agencies, and independent biologists to be submitted to those three agencies. By January 1, 2020, requires Caltrans to update the Highway Design Manual to address features to mitigate barriers to wildlife passage and improve wildlife connectivity, using the best available science to determine the placement and design of wildlife passage features.	4/17/17	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1640 (E. Garcia) Regional Transportation Improvement Programs	Beginning January 1, 2020, requires a regional transportation improvement program (RTIP) to allocate a minimum of 25 percent of available State Transportation Improvement Program (STIP) funds to projects or programs that provide direct, meaningful and assured benefits to: (1) low-income individuals who live in certain identified communities; or (2) riders of public transit service, of which at least 65 percent of its ridership is composed of low-income riders, that connects low-income residents to critical amenities and services. Through an inclusive and transparent public process, and in consultation with the California Air Resources Board (CARB), the Strategic Growth Council and the Department of Public Health, requires Caltrans to adopt guidelines for the allocation of RTIP funds pursuant to the provisions of this bill no later than June 30, 2018. Requires these guidelines to do all of the following: (1) define and map urban and rural low-income communities in California that are disadvantaged with respect to transportation; (2) identify communities that would benefit from the allocation requirements of the bill; and (3) specify criteria for determining whether investments in transportation projects and programs benefit low-income residents of the communities identified by the department. In identifying communities, requires Caltrans to use the following factors: (1) inadequate access to high quality public transit; (2) lack of sidewalks, crossing facilities or bicycle infrastructure; (3) low rates of automobile ownership; (4) proximity to a freeway, major arterial or goods movement corridor; (5) lack of shelters, benches or pedestrian lighting at public transit stops, employment centers, schools, medical facilities, grocery stores, and other community services; (6) risk of physical or economic displacement; and (7) health and air pollution impacts of the transportation system. Requires congestion management agencies (CMAs) and regional transportation planning agencies (RTPAs) to report to Caltrans information regarding the transportation project and program benefits provided to disadvantaged community residents. Upon appropriation by the Legislature, requires Caltrans to provide financial support to low-income residents of disadvantaged communities for all of the following purposes: (1) to assist those residents in engaging in the development of the guidelines for the allocation of RTIP funds; (2) to provide those residents with planning support and other technical assistance in identifying their priorities for local projects and programs that meet their needs by reducing their disadvantage with respect to transportation; and (3) to provide those residents with support in developing and implementing a participatory budget process.	As Introduced	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ACA 1 (Mayes) Cap-and-Trade Expenditures	Calls for placing before the voters an amendment to the California Constitution regarding the expenditure of cap-and-trade auction proceeds. Creates the Greenhouse Gas Reduction Reserve Fund. Beginning January 1, 2024, requires all cap-and-trade auction proceeds collected by the California Air Resources Board (CARB) to be deposited into the Greenhouse Gas Reduction Reserve Fund. Specifies that the money in the Greenhouse Gas Reduction Fund shall be available for expenditure upon appropriation by the Legislature by a two-thirds vote of both the Assembly and the Senate for the same purposes that were applicable on January 1, 2024. After the effective date of the appropriations legislation, requires all cap-and-trade auction proceeds to be deposited into the Greenhouse Gas Reduction Fund and appropriated pursuant to a simple majority vote of both the Assembly and the Senate. Beginning January 1, 2024, suspends an existing state sales tax exemption for the purchase of equipment used in manufacturing, research, development, renewable energy generation, and electricity storage and distribution until an appropriation from the Greenhouse Gas Reduction Reserve Fund by a two-thirds vote of both the Assembly and Senate takes effect.	7/14/17	Signed into law: Chapter #105	
ACA 4 (Aguiar-Curry) Local Government Financing: Voter Approval	Calls for placing before the voters an amendment to the California Constitution to allow a city or county to incur indebtedness in the form of general obligation bonds, if approved by its electorate by a 55 percent majority, to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. Creates an exception to the 1 percent limit for property tax assessments if the revenues are being used to pay bonded indebtedness, approved by a 55 percent majority vote, to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. Allows a local government to impose, extend or increase a special tax, if approved by its electorate by a 55 percent majority, to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. Defines “public infrastructure” to include projects that provide any of the following: (1) water or protect water quality; (2) sanitary sewer; (3) treatment of wastewater or reduction of pollution from stormwater runoff; (4) protection of property from the impacts of sea level rise; (5) parks; (6) open space and recreation facilities; (7) improvements to public transit, and streets/highways; (8) flood control; (9) broadband expansion in underserved areas; or (10) local hospital construction.	As Introduced	Assembly Local Government Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ACA 5 (Frazier) Motor Vehicle Fees and Taxes: Restrictions on Expenditures	Calls for placing before the voters an amendment to the California Constitution to exempt appropriations of revenues from the Road Maintenance and Rehabilitation Account that is proposed to be created pursuant to SB 1 (Beall) from counting toward the state appropriation limit (Gann Limit). Requires all revenues derived from the state sales tax on diesel fuel to be deposited into the Public Transportation Account (PTA) and used exclusively for mass transportation purposes. Prohibits the Legislature from taking any action that would temporarily or permanently divert or appropriate these PTA revenues for non-mass transportation purposes; or that would delay, defer, suspend, or otherwise interrupt the quarterly deposit of these revenues into the PTA. Requires the revenues derived from the new transportation improvement fee that would be imposed by SB 1 to be used solely for transportation purposes. Prohibits transportation improvement fee revenues from being used to pay the principal or interest on state transportation general obligation bonds that were authorized by the voters prior to November 8, 2016. Prohibits the use of these revenues to pay the principal or interest on any state transportation general obligation bond acts approved by the voters after November 8, 2016, unless the bond act expressly authorizes that use. Prohibits the Legislature from borrowing or using transportation improvement fee revenues for purposes other than those authorized in SB 1.	4/4/17	Signed into law: Chapter #30	
ACA 9 (Obernolte) Budget Trailer Bills	Calls for placing before the voters an amendment to the California Constitution to require the annual Budget Act to be passed by the Legislature and enacted as a statute by midnight of June 15 of each year. Requires bills that provide for appropriations relating to, or that are necessary to implement, the Budget Act to be passed by the Legislature and enacted as statutes by midnight on June 30 of each year. If the Budget Act or a budget trailer bill is not enacted by the applicable deadline, prohibits the Budget Act or trailer bill from taking effect with a majority vote, thereby requiring it to be passed by a two-thirds vote of the Legislature. If the Budget Act is not enacted by the applicable deadline, prohibits an appropriation for the salary and benefits of members of the Legislature and the Governor from midnight on June 15 until the Budget Act is enacted.	As Introduced	Assembly Desk	
ACR 101 (Fong) Budget Procedures	Requires a hearing on an issue by a budget subcommittee to be published in the Daily File at least four days prior to the hearing. If a bill is set for a hearing by a budget subcommittee, requires the agenda for that hearing to include an attachment that sets forth the full text of the bill in order for the public to have time to review the proposed language. Specifies that the Legislature shall only hear or act upon a bill providing for appropriations related to the Budget Act if that bill has been in print for 72 hours, and makes a substantive change in or addition to existing law.	As Introduced	Assembly Desk	

State Senate Bills

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 1 (Beall) Transportation Funding	Creates the Road Maintenance and Rehabilitation Account to be funded from the following sources: (1) an increase in the gasoline excise tax of 12 cents per gallon, which would be indexed to inflation every year; (2) 50 percent of the revenues derived from an increase in the diesel excise tax of 20 cents per gallon, which would be indexed to inflation annually; (3) a portion of the revenues derived from a new transportation improvement fee that would be assessed per year based on a vehicle's market value and indexed to inflation on an annual basis; and (4) a registration surcharge of \$100 per year imposed on zero-emission vehicles model year 2020 or later starting with the second year of ownership, which would be indexed to inflation every year. Distributes the revenues deposited into the Road Maintenance and Rehabilitation Account in the following manner: (1) \$200 million per year would be allocated to local jurisdictions that have sought and gained voter approval of a local transportation special tax, or that have imposed uniform developer or other fees solely for transportation improvements; (2) \$100 million per year would be distributed to the Active Transportation Program; (3) \$400 million per year would be allocated to Caltrans for maintenance and rehabilitation of bridges and culverts on the state highway system; (4) \$25 million per year would be distributed to support Freeway Service Patrols throughout the state; (5) for FY 2018 through FY 2022, \$5 million per year would be allocated to the California Workforce Development Board to assist local agencies in implementing policies to promote pre-apprenticeship training programs; (6) \$25 million per year would be allocated to Caltrans for local and regional planning grants; (7) \$5 million and \$2 million per year would be distributed to the University of California and the California State University systems, respectively, to conduct transportation research, as well as to fund transportation-related workforce education, training and development activities; (8) 50 percent of the amount remaining would be allocated to Caltrans for maintenance of the state highway system, and for projects programmed in the State Highway Operation and Protection Program (SHOPP); and (9) 50 percent of the amount remaining would be provided to cities and counties for their local roadway systems. Provides new funding for public transit through the following sources: (1) an increase in the diesel sales tax by a rate of 3.5 percent for the State Transit Assistance Program (STA); (2) an increase in the diesel sales tax by a rate of 0.5 percent for commuter and intercity rail; and (3) \$350 million per year (adjusted annually for inflation) from the revenues generated by the new transportation improvement fee to be split 70 percent to the Transit and Intercity Rail Capital Program (\$245 million), and 30 percent to STA (\$105 million) for public transit state-of-good-repair capital expenditures. Allocates half of the revenues derived from the 20-cent increase in the diesel excise tax to a new Trade Corridor Enhancement Fund for corridor-based freight projects nominated by local agencies and the state. Creates a new competitive Solutions for Congested Corridors Program to fund projects related to implementing a balanced set of transportation, environmental and community access improvements along highly congested travel corridors pursuant to a corridor plan. Provides \$250 million per year from the revenues derived from the new transportation improvement fee for this program.	4/3/17	Signed into Law: Chapter #5	Support

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 2 (Atkins) Building Homes and Jobs Act	<p>Enacts the Building Homes and Jobs Act. Beginning January 1, 2018, imposes a fee of \$75 to be paid at the time of recording of every real estate instrument, paper or notice required or permitted by law to be recorded per each single transaction per single parcel of real property. Specifies that this fee shall not exceed \$225. Prohibits the fee from being imposed on any real estate instrument, paper or notice recorded in connection with a transfer of real property that is a residential dwelling to an owner-occupier. Deposits the revenues derived from the fee in the Building Homes and Jobs Trust Fund for expenditure by the Department of Housing & Community Development. Requires the money in the Trust fund to be appropriated through the annual Budget Act. Moneys collected on and after January 1, 2018, and until December 31, 2018, shall, upon appropriation by the Legislature, be allocated as follows: (1) Fifty percent of deposits into the fund shall be made available for local governments to update planning documents and zoning ordinances in order to streamline housing production, including, but not limited to, general plans, community plans, specific plans, sustainable communities strategies, and local coastal programs. Eligible uses also include new environmental analyses that eliminate the need for project-specific review and local process updates that improve and expedite local permitting. Five percent of these funds specified by this subparagraph shall be available for technical assistance to jurisdictions updating specified planning documents. Technical assistance shall be provided by the department and the Governor's Office of Planning and Research. (2) Fifty percent of deposits into the fund shall be made available to the department to assist persons experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, navigation centers, and the new construction, rehabilitation, and preservation of permanent and transitional rental housing. After January 1, 2019, funding shall be allocated as follows: (1) Twenty percent of all moneys in the fund shall, upon appropriation by the Legislature, be expended for affordable owner-occupied workforce housing. (2) Seventy percent of moneys deposited in the fund shall, upon appropriation by the Legislature, be made available to local governments (1) the development, acquisition, rehabilitation, and preservation of rental housing that is affordable to extremely low-income, very low-income, low-income, and moderate-income households; (2) affordable rental and ownership housing that meets the needs of a growing workforce up to 120 percent of area median income; (3) matching portions of funds placed into local or regional housing trust funds; (4) matching portions of funds available through the Low and Moderate Income Housing Asset Fund; (5) capitalized reserves for services connected to the creation of new permanent supportive housing, including developments funded through the Veterans Housing and Homelessness Prevention Bond Act of 2014; (6) emergency shelters, transitional housing and rapid rehousing; (7) accessibility modifications; (8) efforts to acquire and rehabilitate foreclosed or vacant homes; (9) homeownership opportunities, including downpayment assistance; (10) grants to local and regional agencies to assist in the development and updating of planning documents and zoning ordinances in order to accelerate housing production; (11) fiscal incentives as matching funds to local agencies that approve new housing for extremely low-income, very low-income, low-income, and moderate-income households; and (12) the cost of periodic audits. The remaining 10 percent of the moneys specified in this subparagraph shall be allocated equitably among local jurisdictions that are nonentitlement areas. governments; (3) emphasize investments that serve households that are at or below 60 percent of area median income; (4) encourage economic development and job creation by helping to meet the housing needs of a growing workforce up to 120 percent of area median income; (5) identify opportunities for coordination among state departments and agencies; (6) incentivize the use and coordination of non-traditional funding sources; and (7) incentivize innovative approaches that produce cost savings to local and state services by reducing the instability of housing for frequent, high-cost users of hospitals, jails, detoxification facilities, psychiatric hospitals, and emergency shelters. Requires expenditure requests in the Governor's proposed budget to be consistent with the Building Housing and Jobs Investment Strategy.</p>	8/29/17	Signed into law: Chapter 364	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 3 (Beall) Veterans and Affordable Housing Bond Act of 2018	Calls for submitting the Affordable Housing Bond Act of 2018 to the voters at the November 6, 2018, statewide general election, which authorizes the issuance of \$4 billion in general obligation bonds to fund various programs related to housing. If approved by the voters, requires the proceeds from the issuance of the bonds to be allocated in the following manner: (1) \$1.5 billion to construct, rehabilitate and preserve permanent and transitional rental housing for persons with incomes of up to 60 percent of the area median income; (2) \$150 million to provide assistance to cities, counties, public transit agencies, and developers for the purpose of developing or facilitating higher density uses within close proximity to transit stations that will increase public transit ridership; (3) \$300 million for infill incentive grants to assist in constructing and rehabilitating infrastructure that supports high-density affordable and mixed-income housing in locations designated as infill; (4) One hundred fifty million dollars (\$150,000,000) to be transferred to the Self-Help Housing Fund, which will be utilized by the the California Housing Finance Agency to support the home purchase assistance program (5) \$300 million for grants or loans for local public entities, non-profit corporations, limited liability companies, and limited partnerships for constructing or rehabilitating housing for agricultural employees and their families, or for acquiring manufactured housing as part of a program to address and remedy the impacts of current and potential displacement of farmworker families from existing labor camps, mobilehome parks or other housing; (6) \$300 million for competitive grants or loans to local housing trust funds that develop, own, lend, or invest in affordable housing to assist in creating pilot programs to demonstrate innovative, cost-saving approaches to building or preserving affordable housing; and (7) \$300 million for the CalHome Program to provide direct, forgivable loans to assist development projects involving multiple homeownership units. (8) \$1 billion to finance farm, home, and mobilehome purchase assistance for veterans.	8/31/17	Signed into law: Chapter #365	
SB 20 (Hill) Buses: Seatbelts	Requires a passenger in a bus equipped with seatbelts to be properly restrained by a belt, except in the case where the passenger is out of his or her seat to use an onboard bathroom. Specifies that a violation of this seatbelt requirement is an infraction punishable by a fine of not more than \$20 for the first offense, and a fine of not more than \$50 for each subsequent offense. Requires a motor carrier operating a bus equipped with seatbelts to maintain the belts in good working order for the use of passengers of the vehicle. Requires a motor carrier operating a bus equipped with seatbelts to do one of the following: (1) require the bus driver, before departure, to inform passengers of the requirement to wear the belt under California law and that not wearing the belt is punishable by a fine; or (2) post signs or placards informing passengers of the requirement. Specifies that the aforementioned provisions of the bill do not apply to school buses. If a bus is equipped with a driver seatbelt, prohibits the driver from operating the bus unless he or she is properly restrained by the belt. Specifies that a violation of this requirement is an infraction punishable by a fine of not more than \$20 for the first offense, and a fine of not more than \$50 for each subsequent offense. Requires the motor carrier operating a bus with a driver seatbelt to maintain the belt in good working order for the use of the driver. Requires a charter bus company to ensure that a driver of a vehicle designed to carry 39 or more passengers does both of the following: (1) instructs or plays a video for all passenger regarding the safety equipment and emergency exists on the vehicle prior to the beginning of any trip; and (2) provides each passenger with written or video instructions that include, at a minimum, a demonstration of the location and operation of all exits, the requirement to wear a seatbelt, if available, and that not wearing the belt is punishable by a fine. The provisions of this bill would become operative on July 1, 2018.	9/5/17	Signed into Law: Chapter #593	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 21 (Hill) Surveillance Technologies	<p>By July 1, 2018, requires a law enforcement agency that uses or accesses information from surveillance technologies to submit to its governing body for adoption a Surveillance Use Policy to ensure that the collection, use, maintenance, sharing, and dissemination of information or data is consistent with respect for individuals' privacy and civil liberties. If a Surveillance Use Policy is not adopted by resolution or ordinance by its governing body, requires the law enforcement agency to cease using the surveillance technologies within 30 days and until the time that a policy is adopted. Requires the policy to include, in separate sections specific to each unique type of surveillance technology, a description of each surveillance technology used or relied upon for information by the law enforcement agency. Provides for the Department of the California Highway Patrol and the Department of Justice to establish their own Surveillance Use Policies. Requires each section covering a separate technology to include, at a minimum, all of the following: (1) authorized purposes for using the surveillance technology; (2) types of data that can be and is collected by the surveillance technology; (3) a description of the job title or other designation of employees and independent contractors who are authorized to use the surveillance technology or to access the data collected; (4) the title of the official custodian or owner of the surveillance technology; (5) a description of how the surveillance technology will be monitored to ensure the security of the information and compliance with any applicable privacy laws; (6) the length of time information collected by the surveillance technology will be retained, and a process to determine if and when to destroy the retained information; (7) purposes of, processes for and restrictions on the sale, sharing or transfer of information to other persons; (8) how collected information can be accessed by members of the public, including criminal defendants; (9) a process to maintain a record of access of the surveillance technology or information collected by the technology; and (10) the existence of a memorandum of understanding or other agreement with another local agency or party for the shared use of the surveillance technology, or the sharing of the information collected through its use. After July 1, 2018, specifies that if a law enforcement agency intends to acquire a new type of surveillance technology after the adoption of the Surveillance Use Policy, requires the agency to submit an amendment to the policy to include the technology as a new section of the policy to its governing body for approval. If a law enforcement agency is not in possession of surveillance technologies on or before July 1, 2018, and intends to acquire such technologies after that date, requires the agency to submit a Surveillance Use Policy to its governing board for consideration. At a time interval agreed to by the law enforcement agency and its governing body, but not less often than every two years, requires the law enforcement agency that uses surveillance technologies and has an approved Surveillance Use Policy to submit to its governing body a written Surveillance Technology Use Report. Requires the report to include, at a minimum, all of the following: (1) the acquisition costs for each surveillance technology, as well as the annual operating costs; (2) a description of how many times each type of technology was used in the preceding year, and how many times it helped apprehend suspects or close a criminal case; (3) a description of the type of data collected by each surveillance technology, including whether each technology captured images, sound or other data; (4) the number of times and the purposes for which surveillance technology was borrowed from or lent to another agency, including technologies used under exigent circumstances; (5) the number and classification of the agency employees trained and authorized to use each type of surveillance technology, along with a description of the training provided and how often it was provided; and (6) disclosure of whether any surveillance technology was used in a manner out of compliance with the agency's Surveillance Use Policy; whether data collected through the use of the technology was inappropriately disclosed, released or in any other way revealed for a non-approved reason; and the steps the agency took to correct the error.</p>	8/21/17	Assembly	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 32 (Moorlach) Public Employees' Pension Reform	Creates the Citizens' Pension Oversight Committee to serve in an advisory role to the Teachers' Retirement Board and the Board of Administration of the California Public Employees' Retirement System (CalPERS). Requires the oversight committee to annually review the actual pension costs and obligations of CalPERS and the State Teachers' Retirement System (STRS), and to report them to the public. Prohibits a public retirement board from deeming incentive pay, educational pay, premium pay, special assignment pay, or holiday pay to be pensionable compensation. Requires the Board of Administration of CalPERS to reduce the unfunded liability of CalPERS to the 1980 level to be achieved by 2030, with the goal of fully funding the system. In any year in which the unfunded actuarial liability of CalPERS is greater than zero, requires the Board of Administration to increase the employer contribution rate otherwise provided by law for the state, contracting agencies and school employers by 10 percent. By January 1, 2019, requires the Board of Administration of CalPERS to develop and submit to the Legislature for approval a hybrid retirement plan consisting of the following: (1) a defined benefit component that utilizes low-risk investments; and (2) a defined contribution component under which an employee's contributions will be matched by employer contributions up to a certain percent. Requires a member who is first employed by the state, a contracting agency or a school employer, and becomes a member of CalPERS on or after the approval of the hybrid plan by the Legislature to participate in the hybrid plan. For an individual who becomes a member of any public retirement system for the first time on or after January 1, 2018, and who was not a member of any other public retirement system prior to that date, requires the final compensation used to determine the member's retirement benefits to be the highest annual pensionable compensation earned by the member during a period of at least 60 consecutive months, or at least five consecutive school years if applicable. Prohibits a public retirement system from making a cost-of-living adjustment to any retirement benefit to, or on behalf of, a person retired under the system, or to any survivor or beneficiary of a member or person retired under the system for any year, beginning on or after January 1, 2018, in which CalPERS or STRS is not fully funded.	3/2/17	Senate Public Employment & Retirement Committee	
SB 49 (de Leon) California Environmental, Public Health and Workers Defense Act of 2017	Requires the State Air Resources Board to regularly assess proposed and final changes to federal statutes and regulations that could threaten to weaken existing environmental or public health standards and regulations related to matters under the State Air Resources Board's jurisdiction or the jurisdiction of the regional or local air quality management boards. If the Board determines that a change reasonably could result in a negative impact to the environment or public health or welfare in California, it shall take actions as necessary in order to maintain protections at least as stringent as baseline federal standards. The Board may establish rules and regulations for California that are more stringent than the baseline federal standards. Defines "baseline federal standards" to mean federal laws, or regulations implementing those laws effective as of January 19, 2017. Prohibits a state agency from amending or revising its rules and regulations in a manner that is less stringent in its protection of worker rights or worker safety than standards in existence as of January 1, 2016, established pursuant to the following federal laws: (1) Fair Labor Standards Act; (2) Occupational Safety and Health Act; (3) Coal Mine Safety and Health Act; and (4) or regulations established pursuant to those federal statutes.. Expressly authorizes a person to petition a court for a writ of mandate to: (1) compel a state or local agency to perform an act required by this bill; or (2) review an action of a state or local agency for compliance with this bill. This bill would make its provisions inoperative as of January 20, 2021, and would repeal them as of January 1, 2022.	9/12/17	Assembly Rules	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 50 (B. Allen) Federal Public Lands: Conveyances	Establishes a state policy to discourage conveyances that transfer the ownership of federal public lands in California from the federal government to another entity. Specifies that such conveyances are void unless the State Lands Commission was provided with the right of first refusal to the conveyance, or the right to arrange for the transfer of the federal public lands to another entity. Authorizes the commission to seek declaratory and injunctive relief from a court of competent jurisdiction to contest conveyances made to any entity unless the requirements of this bill are met. Requires the commission to issue a certificate affirming compliance with this bill, if the commission was provided with the right of first refusal or the right to arrange for the transfer of the federal public lands to another entity. Prohibits a person from knowingly presenting for recording or filing with the county recorder a deed, instrument or other document related to a conveyance of federal public lands unless it is accompanied by a certificate of compliance issued by the commission. Requires the commission to waive its right of first refusal or the right to arrange for the transfer of the federal public lands to another entity, and to issue a certificate of compliance for a conveyance that is deemed by the commission to be routine. Requires the commission, the Wildlife Conservation Board and the Department of Fish & Wildlife to enter into a memorandum of understanding that establishes a state policy that all three agencies would undertake all feasible efforts to protect against any future unauthorized conveyances of federal public lands. Authorizes the commission to establish, through regulations or another appropriate method, a process for engaging with federal land managers and potential purchasers of federal public lands early in the conveyance process. Requires the commission to waive its right of first refusal or the right to arrange for the transfer of the federal public lands to another entity, and to issue a certificate of compliance for any of the following: (1) the conveyance of federal public lands pursuant to a conservation plan; (2) the renewal of a lease in existence as of January 1, 2017; or (3) the conveyance of federal public lands to a federally recognized Native American tribe, or lands taken into or out of trust for a Native American tribe or individual Native American.	9/5/17	Signed into Law: Chapter #535	
SB 51 (Jackson) Professional Licenses: Environmental Sciences and Climate Change	Prohibits professional licensing entities within state government, other than the State Bar of California, from taking disciplinary action, including suspension, or loss of credential, registration or other professional privilege, against a public employee based upon actions taken by that person to: (1) report improper federal governmental action; or (2) disclose the results of or information about scientific or technical research to the public by means that include publishing the information in a scientific or public forum, or sharing it with the media. Requires the California Environmental Protection Agency (CalEPA) to make every reasonable effort to preserve and make available to the public through its Internet Web site scientific information and other data that are at risk of censorship or destruction by the federal government.	7/12/17	Vetoed by the Governor	
SB 80 (Wieckowski) CEQA: Notices	Requires the lead agency for a project to post notices related to compliance with the California Environmental Quality Act (CEQA) on its Internet Web site. Requires the lead agency to offer to provide such notices by email to any person requesting them. Requires a county clerk to post notices regarding an environmental impact report or a negative declaration on the county's Internet Web site. If the lead agency determines that a project falls within a class of projects that is not subject to CEQA pursuant to guidelines developed by the Office of Planning & Research (OPR), and the agency approves or determines to carry out the project, requires the agency to file a notice of determination with the county clerk of each county in which the project will be located.	6/21/17	Vetoed by the Governor	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 100 (de Leon) California Renewables Portfolio Standards Program	<p>Enacts the 100 Percent Clean Energy Act of 2017. Declares the intent of the Legislature that the California Public Utilities Commission (CPUC), the State Energy Resources Conservation & Development Commission, and the California Air Resources Board (CARB) should plan for 100 percent of total retail sales of electricity in the state to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. Recasts the goals of the California Renewables Portfolio Standards Program to achieve a target of generating 50 percent of electricity sold at retail in the state from eligible renewable energy resources by December 31, 2026, and 60 percent from eligible renewable energy resources by December 31, 2030. Requires retail sellers and local publicly owned electric utilities to procure a minimum quantity of electricity products from eligible renewable energy resources, so that the total kilowatt hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December 31, 2030. Provides that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply all electricity procured to serve California end-use customers and the State Water Project no later than December 31, 2045. Provides that the transition to a zero-carbon electric system for California shall not increase carbon emissions elsewhere in the western grid and shall not allow resource shuffling. Requires the CPUC, Energy Commission, Department of Water Resources, and CARB to incorporate this policy into all relevant planning.</p>	9/8/17	Assembly Utilities and Energy Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 103 (Budget & Fiscal Review Committee) Advance Mitigation and Trade Corridors	<p>Creates the Advance Mitigation Account in the State Transportation Fund as a revolving fund. Continuously appropriates the money in the account for the purposes of the Advance Mitigation Program established by SB 1 (Beall), and states that the program is intended to be self-sustaining. Requires expenditures from the account to be reimbursed from project funding available at the time a planned transportation project is constructed. Further states that the program is intended to improve the efficiency and efficacy of mitigation only, and is not intended to supplant the requirements of the California Environmental Quality Act (CEQA). Requires the funds in the Advance Mitigation Account to be used only to do the following: (1) purchase credits from mitigation banks, conservation banks or in-lieu fee programs approved by one or more regulatory agencies; (2) pay mitigation fees or other costs associated with coverage for Caltrans projects or other transportation agency projects under a natural community conservation plan or habitat conservation plan; (3) prepare regional conservation assessments and regional conservation investment strategies; or (4) implement advance mitigation by Caltrans in accordance with a programmatic mitigation plan. Provides that mitigation credits or values generated or obtained with funds from the Advance Mitigation Account may be used only for transportation improvements in the State Transportation Improvement Program (STIP), or the State Highway Operation and Protection Program (SHOPPP). Requires Caltrans, prior to making any expenditure from the Advance Mitigation Account, to determine that the proposed expenditure is likely to accelerate the delivery of specific projects. Deletes references to the Trade Corridors Improvement Fund (TCIF) in current state law, and revises and recasts the requirements currently applicable to that fund and makes them applicable to the Trade Corridor Enhancement Account created by SB 1. Requires federal formula funds apportioned to California from the National Highway Freight Program established by the Fixing America's Surface Transportation (FAST) Act to be deposited into the Trade Corridor Enhancement Account. Requires the California Transportation Commission (CTC) to allocate the money in the Trade Corridor Enhancement Account for trade infrastructure improvements as follows: (1) 60 percent of the funds shall be available for projects nominated by regional transportation agencies and other public agencies, in consultation with Caltrans; and (2) 40 percent of the funds shall be available for projects nominated by Caltrans, in consultation with regional transportation agencies. In adopting a program of projects for the Trade Corridor Enhancement Account, requires the CTC to: (1) evaluate the total potential economic and non-economic benefits of the program of projects to California's economy, environment and public health; and (2) prioritize projects jointly nominated and funded by the state and local agencies. Requires the CTC to adopt guidelines for the Trade Corridor Enhancement Account, including a transparent process for evaluating projects and allocating the money in the account in a manner, that: (1) addresses the state's most urgent needs; (2) balances the demands of various land ports of entry, seaports and airports; (3) places an emphasis on projects that improve trade corridor mobility and safety, while reducing emissions of diesel particulates, greenhouse gases and other pollutants, and reducing other negative community impacts, particularly in disadvantaged communities; (4) makes a significant contribution to the state's economy; (5) recognizes the key role of the state in project identification; (6) supports integrating statewide goods movement priorities in a corridor approach; and (7) includes disadvantaged communities measures. Expresses the intent of the Legislature that the CTC adopt an initial program of projects as soon as practicable, and no later than May 17, 2018.</p>	6/23/17	Signed into Law: Chapter #95	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 132 (Budget Committee) 2016 Budget Act	Amends the 2016 Budget Act to include the following appropriations: (1) \$100 million from the State Highway Account for the University of California, Merced Campus Parkway Project; (2) \$400 million from the Transit and Intercity Rail Capital Program for an extension of the Altamont Commuter Express (ACE) service to the city of Merced; (3) \$427.2 million from the State Highway Account for the Riverside County Transportation Efficiency Corridor Project; and (4) \$50 million from the Trade Corridor Enhancement Account for a new Zero/Near-Zero Emission Warehouse Program to be administered by the California Air Resources Board (CARB).	4/6/17	Signed into Law: Chapter #7	
SB 137 (B. Allen) Transit Districts: Ordinances	Requires a transit district to publish an ordinance on its Internet Web site within 15 days after the ordinance's passage, and in a manner that is accessible and easily navigable.	4/27/17	Assembly Transportation Committee	
SB 145 (Hill) Autonomous Vehicles	Deletes provisions in current law requiring the Department of Motor Vehicles to notify the Legislature of the receipt of an application from a manufacturer seeking approval to operate an autonomous vehicle on public roads. Requires the department to provide public notice when adopting autonomous vehicle regulations. Repeals the 120 day prohibition against limiting or expanding the authority to operate autonomous vehicles, and instead prohibits the department from approving an application submitted until 30 days after public notice of the adopted regulations is provided.	9/7/17	Signed into Law: Chapter #725	
SB 150 (B. Allen) Regional Transportation Plans: Sustainable Communities Strategy	By September 1, 2018, and every four years thereafter, requires the California Air Resources Board (CARB) to prepare and submit to the Legislature a report that assesses the progress made by each metropolitan planning organization (MPO) in meeting its regional greenhouse gas emissions reduction targets set by CARB. Requires the report to include: (1) changes to greenhouse gas emissions in each region and data-supported metrics for the strategies utilized to meet the targets; and (2) a discussion of best practices and the challenges faced by MPOs in meeting the targets.	9/1/17	Signed into Law: Chapter #646	
SB 158 (Monning) Commercial Driver's Licenses: Training for Entry-Level Drivers	By June 5, 2020, requires the Department of Motor Vehicles (DMV) to adopt regulations related to training for entry-level drivers of commercial motor vehicles. Requires the course of instruction for such drivers to include the following: (1) for an applicant for a Class A commercial driver's license, a minimum of 30 hours of behind-the-wheel training, at least 10 hours of which must be on an off-highway facility and 10 hours of which must be on a public road; and (2) for an applicant for a Class B commercial driver's license, a minimum of 15 hours behind-the-wheel training, at least 7 hours of which must be on a public road.	7/12/17	Assembly Appropriations Committee	
SB 181 (Berryhill) State Agency Regulations	Requires a state agency proposing to adopt a new regulation to identify two existing regulations that it previously adopted that would be repealed upon the adoption of the new regulation. Provides that the adoption of the proposed new regulation shall be contingent upon the repeal of the two existing regulations that have been identified by the state agency.	4/5/17	Senate Governmental Organization Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 182 (Bradford) Transportation Network Companies: Participating Drivers: Single Business License	Requires the driver for a transportation network company to obtain a business license only in the local jurisdiction in which he or she is domiciled, regardless of the number of local jurisdictions in which the driver operates. Provides that if the local jurisdiction in which the driver is domiciled does not require a business license to operate as a driver for a transportation network company, he or she shall not be required to obtain a business license for any other jurisdiction.	8/21/17	Signed into Law: Chapter #769	
SB 185 (Hertzberg) Vehicle Code Violations: Indigent Defendants	In any case involving an infraction under the Vehicle Code filed with the court, requires the court to determine whether the defendant is indigent for purposes of establishing the amount of any associated fine, fee, assessment, or other financial penalties that the person can afford to pay. If a defendant is determined to be indigent, requires the court to reduce the base fine, penalty assessments, any state or local fees, and any civil assessments by 80 percent on all charges pending against the defendant. Requires the court to provide alternatives to immediate payment of a sentence for a Vehicle Code infraction, including a payment plan option. Requires the court to determine the amount that a defendant can afford to pay per month by using a payment calculator developed by the Judicial Council. For persons not found to be indigent, requires that the monthly payment not exceed 5 percent of the defendant's family monthly income, excluding deductions for essential living expenses. For defendants found to be indigent, requires the monthly payments to be \$0 until the person's financial circumstances change, and requires the remaining amount owed to be discharged after 48 months in the interest of justice.	5/26/17	Assembly Appropriations Committee	
SB 251 (Cannella) Merced County: Autonomous Vehicles Pilot Project	Authorizes the County of Merced to conduct a pilot project for the testing of autonomous vehicles that do not have a driver seated in the driver's seat, and that are not equipped with a steering wheel, a brake pedal or an accelerator, provided that the testing is conducted only at the Castle Commerce Center, inclusive of public roads within the center. Prior to the start of testing of any autonomous vehicles pursuant to this bill, requires Merced County, or a private entity, or a combination of the two to do both of the following: (1) obtain an instrument of insurance, surety bond or proof of self-insurance in an amount of \$5 million; and (2) submit a detailed description of the testing program to the Department of Motor Vehicles (DMV). Requires the operator of the autonomous vehicle technology being tested to disclose to an individual participating in the pilot project what personal information, if any, concerning the individual will be collected by the autonomous vehicle. For the testing of autonomous vehicles within the Castle Commerce Center, allows the DMV to require data collection for evaluating the safety of the vehicles. Specifies that the bill does not limit the authority of the DMV to promulgate regulations governing the testing and operation of autonomous vehicles on public roads, with or without the presence of a driver inside the vehicle. Specifies that the provisions of the bill shall remain in effect only until 180 days after the operative date of any regulations promulgated by the DMV that allow for the testing of autonomous vehicles without a driver in the vehicle. Requires any testing of autonomous vehicles conducted by Merced County to conform to those regulations.	As Introduced	Senate Transportation & Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 263 (Leyva) Regional Climate Assistance Centers	Requires the Strategic Growth Council to establish no less than 10 regional climate assistance centers, as follows: (1) one center in Northern California by January 1, 2020; (2) one center in Southern California by January 1, 2020; (3) one center in the San Joaquin Valley by January 1, 2020; and (4) the remaining centers to be equitably distributed across urban and rural areas of the state by January 1, 2023. Requires the Strategic Growth Council to develop a policy for siting the centers. Requires the regional centers to do all of the following: (1) provide technical assistance to target user groups in applying for money for programs funded with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund, the Active Transportation Program, and programs under the California Farmland Conservancy Program Act; (2) provide technical assistance and training to target user groups in project management and implementation for the projects funded under the aforementioned programs; and (3) seek scientific and technical support from federal, state and local sources of expertise in accomplishing the goals of the center, as needed. In addition, requires the centers to work with local organizations to formulate policy and programming that accomplish any of the following: (1) increase community, public and private partnerships and engagement in addressing climate change; (2) increase equitable investment in disadvantaged communities; (3) maximize the co-benefits of climate-related projects; (4) expand workforce development training; and (5) identify strategies that prevent the displacement of persons and families of low or moderate income. Requires the Strategic Growth Council to do all of the following: (1) conduct outreach and provide direct technical assistance to the regional centers and the public in order to identify relevant state funding programs, develop eligible activities and prepare grant applications; (2) promote the effective alignment and streamlining of state climate investment programs for low-income customers and disadvantaged communities; (3) identify potential matching funds from federal, state and local agencies; and (4) award competitive grants to eligible entities through an application process to staff the regional centers. Requires an eligible entity to staff a regional center to be a multi-stakeholder collaborative of community-based organizations, labor groups, local agencies, small businesses, and other stakeholders, as appropriate. Requires an eligible entity to include, at a minimum, a combination of four or more of the following: (1) a community-based organization; (2) a non-profit organization; (3) a faith-based organization; (4) a coalition of non-profit organizations; (5) a community development finance institution; (6) a community development corporation; (7) a small business; (8) a local agency; or (9) a local, statewide or national technical assistance provider.	5/3/17	Senate Appropriations Committee	
SB 264 (Nguyen) I-405 Corridor Express Lanes	Requires net excess toll revenues from the I-405 Corridor express lanes between State Route 73 and I-605 in Orange County to be allocated as follows: (1) 20 percent to the Orange County Transportation Authority (OCTA); (2) 70 percent equally distributed to cities along the project corridor; and (3) 10 percent equally distributed to cities that are not along the project corridor. Requires these revenues to be expended only to enhance traffic flow, reduce traffic congestion and mitigate road wear to streets within three miles of the I-405 Corridor. Provides that eligible expenditures are limited to capital improvements, operational improvements and maintenance to on-ramps, off-ramps, connector roads, bridges, or other structures that are related to the tolled or non-tolled facilities within three miles of the I-405 Corridor.	4/4/17	Senate Transportation & Housing Committee	
SB 285 (Atkins) Public Employers: Union Organizing	Prohibits a public employer from deterring or discouraging employees from becoming or remaining members of an employee organization. Grants the Public Employment Relations Board jurisdiction over violations of this prohibition.	3/14/17	Signed into Law: Chapter #567	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 337 (Bates) Repatriation Infrastructure Fund	Requires the Department of Finance, in consultation with the Franchise Tax Board, to estimate, on an annual basis, the amount of revenues to be received from state taxes in the next fiscal year as a consequence of the enactment of a federal corporate repatriation statute under which the foreign earnings of U.S.-based corporations that are currently invested abroad are moved to the United States. After reservation of the appropriate amounts required for K-14 education pursuant to Proposition 98 and for the Budget Stabilization Account, specifies that the remaining repatriation revenues are to be transferred to a newly created Repatriation Infrastructure Fund. Requires the revenues in this fund to be continuously appropriated to the California Transportation Commission (CTC) and allocated as follows: (1) 65 percent for trade corridor projects; (2) 30 percent to cities and counties for local streets/roads; and (3) 5 percent to the Public Transportation Account (PTA). Specifies that the provisions of the bill would become inoperative on July 1, 2025.	As Introduced	Senate Governance & Finance Committee	
SB 406 (Leyva) High-Occupancy Vehicle Lanes: Exceptions	Allows a blood transport vehicle to use a high-occupancy vehicle (HOV) lane without the required number of occupants, if the vehicle is clearly and identifiably marked on all sides. Defines a “blood transport vehicle” to mean a vehicle operated by the American Red Cross or a blood bank that is transporting blood between collection points and hospitals or storage centers. Specifies that the provisions of the bill would only apply if Caltrans determines that its application would not subject the state to a reduction in the amount of federal aid for highways.	9/5/17	Signed into law: Chapter #392	
SB 414 (Vidak) High-Speed Rail: Bond Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21 st Century (Proposition 1A), except as specifically provided with respect to an existing appropriation for early improvement projects related to the Phase I blended system. Upon appropriation by the Legislature, requires the unspent proceeds received from outstanding bonds issued and sold for high-speed rail purposes prior to the effective date of the provisions of this bill to be redirected to retiring the debt incurred from the issuance and sale of those outstanding bonds. Allows the remaining unissued bonds, as of the effective date of the provisions of this bill, that were authorized for high-speed rail purposes to be issued and sold. Upon appropriation by the Legislature, requires the net proceeds from the sale of these remaining unissued bonds to be made available as follows: (1) 50 percent to the California Transportation Commission (CTC) for allocation to repair and new construction projects on state highways and freeways; and (2) 50 percent to the Controller’s Office for apportionment to cities and counties for transportation projects or other infrastructure improvements. Makes no changes to the authorization under Proposition 1A for the issuance of \$950 million in bonds for rail purposes other than high-speed rail. Specifies that the provisions of the bill would become effective only upon approval by the voters at the June 5, 2018, statewide primary election.	As Introduced	Senate Transportation & Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 415 (Vidak) High-Speed Rail: Real Property	For real property acquired by the state on or after January 1, 2018, for high-speed rail purposes, requires the California High-Speed Rail Authority to make a good faith effort to sell or exchange such property within three years from the date of acquisition if the authority has not begun construction on the property within that period of time. For real property acquired by the state before January 1, 2018, for high-speed rail purposes, requires the California High-Speed Rail Authority to make a good faith effort to sell or exchange such property by January 1, 2021, if the authority has not begun construction on the property by then. If the California High-Speed Rail Authority leased, prior to January 1, 2018, real property acquired by the state for high-speed rail purposes, requires the authority to make a good faith effort to sell or exchange such property within three years from the date of the expiration of the lease, if the authority has not begun construction on the property within that period of time.	As Introduced	Senate Transportation & Housing Committee	
SB 422 (Wilk) Public-Private Partnerships	Re-enacts and makes permanent the statutory authority for Caltrans and regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), to utilize public-private partnerships for transportation infrastructure projects.	3/20/17	Senate Transportation & Housing Committee	Support
SB 450 (Hertzberg) Public Notice of Bond Issuances	Prior to authorizing a bond issuance with a term greater than 13 months, requires the governing body of a public entity to obtain and disclose all of the following information in a meeting open to the public: (1) the true interest cost of the bonds, which means rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the new issue of bonds; (2) the finance charge of the bonds, which means the sum of all fees and charges paid to third parties; (3) the amount of proceeds received by the public entity for the sale of the bonds less the finance charge of the bonds, and any reserves or capitalized interest paid or funded with bond proceeds; (4) the total payment amount, which means the sum total of all payments the borrower will make to pay debt service on the bonds plus the finance charge not paid with bond proceeds. Requires this information to be obtained as follows: (1) as a good faith estimate from an underwriter, financial adviser or private lender; or (2) from a third-party borrower, if the public body issuing the bonds is a conduit financing provider. Specifies that the failure to comply with the requirements of the bill shall not affect the validity of the bonds or the authorization of the bonds by the public entity.	9/8/17	Signed into Law: Chapter #625	
SB 477 (Cannella) Intercity Rail Corridors: Extensions	At any time after an interagency transfer agreement for an intercity rail corridor between Caltrans and a joint powers board has been executed, allows the agreement to be amended to extend the affected rail corridor to provide intercity rail service beyond the defined boundaries of the corridor. Requires a proposed extension to be recommended and justified in the business plan for the intercity rail corridor by the relevant joint powers board, and to be consistent with the State Rail Plan and approved by the California State Transportation Agency (CalSTA). In addition, requires the joint powers board to make a determination that the proposed extension would not jeopardize or come at the expense of other existing intercity rail services.	5/26/17	Assembly Appropriations Committee	
SB 480 (Hueso) San Diego-Coronado Bridge: Safety Study	Requires Caltrans, to conduct a bridge safety study on the San Diego-Coronado Bridge and to submit a report to the Legislature, by July 1, 2018, regarding any feasibility studies completed for proposed projects designed to improve safety and mitigate suicide risks on the San Diego-Coronado Bridge. Requires the department, no later than June 30, 2018, to update the Legislature and those legislative committees regarding any scoping reports for any proposed projects for which a feasibility study was completed.	9/8/17	Assembly Transportation Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 496 (Cannella) Design Professionals: Indemnity	For contracts entered into on or after January 1, 2018, by a public agency for design professional services, prohibits the cost to defend against a lawsuit charged to the design professional from exceeding his or her proportionate percentage of fault. In the event that one or more defendants is unable to pay its share of defense costs due to bankruptcy or dissolution of the business, requires the design professional to meet and confer with the other parties regarding unpaid defense costs. Specifies that the provisions of the bill do not apply in either of the following situations: (1) any contract for design professional services where a project-specific general liability policy insures all project participants from general liability exposures on a primary basis and also covers all design professionals for their legal liability arising out of their professional services on a primary basis; or (2) a design professional who is a party to a written design-build joint venture agreement. Exempts state agencies from the provisions of the bill.	4/5/17	Signed into Law: Chapter #8	
SB 498 (Skinner) Zero-Emission Vehicles	Requires the California Air Resources Board (CARB) to review all of its programs affecting the adoption of light-duty, medium-duty and heavy duty zero-emission vehicles in California. By July 1, 2019, requires CARB to report to the Legislature with policy recommendations for increasing the use of such vehicles for vehicle fleet use and on a general-use basis in the state.	9/5/17	Signed into Law: Chapter #628	
SB 502 (Portatino) Public rail systems: availability of automated external defibrillators	Requires all public entities that operate rail transit systems shall ensure that each train has an automated external defibrillator (AED) as part of its safety equipment. Rail operators that acquire AED's for emergency care shall not be liable for any civil damages resulting from any acts or omissions in the rendering of the emergency care by use of an AED. Local agencies would be reimbursed by the state for costs associated with this mandate.	9/7/17	Assembly Rules Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 595 (Beall) Regional Measure 3	If approved by a simple majority vote, allows the Bay Area Toll Authority (BATA) to increase the base toll rate, beginning January 1, 2019, in an amount not to exceed \$3 for vehicles crossing the seven state-owned toll bridges in the region to fund specified projects and programs to be known collectively as the Regional Measure 3 expenditure plan. In the expenditure plan, includes \$375 million for BART to Silicon Valley Phase 2, \$130 million for the Eastridge to BART Regional Connector, and \$100 million for the San Jose Diridon Station, and \$300 million for Bay Area Corridor Express Lanes, including those in the County of Santa Clara. In addition, VTA may conduct, administer, and operate a value pricing program on State Highway Route 101 in San Mateo County in coordination with the City/County Association of Governments of San Mateo County. Allows BATA to phase in the toll increase over a period of time and to adjust the increase for inflation based on the California Consumer Price index after it has been phased in completely. Requires the City/County of San Francisco and the eight other Bay Area counties to place the proposed toll increase, the amount of which would be determined by BATA, on a statewide primary or general election, which shall be selected by MTC. Requires the ballot pamphlet for the election to include a summary of the Regional Measure 3 expenditure plan regarding the eligible projects and programs to be funded with the revenues derived from the toll increase. If the toll increase is not approved by the voters, allows BATA to resubmit the measure to the voters at a subsequent general election. If the toll increase is approved by the voters, requires BATA to fund the projects and programs included in the Regional Measure 3 expenditure plan by bonding or through transfers to the Metropolitan Transportation Commission (MTC). Requires public transit agencies to meet performance measures established by MTC as a condition of receiving Regional Measure 3 funds for operating assistance. If the toll increase is approved by the voters, requires BATA to do both of the following: (1) establish an independent oversight committee comprised of two representatives from each of the counties within MTC's jurisdiction to ensure that the toll revenues are being expended consistent with the Regional Measure 3 expenditure plan; and (2) prepare an annual report to the Legislature on the status of the projects and programs funded pursuant to the Regional Measure 3 expenditure plan. Declares the intent of the Legislature to create the Office of the BART Inspector General to oversee the efficient use of the district's use of bridge toll and other revenues. Prohibits BATA from changing toll rates, except as specifically authorized by the Legislature or as needed to meet bond obligations.	9/8/17	Signed into Law: Chapter #650	Support
SB 603 (Glazer) BART: Work Stoppages	Prohibits the Bay Area Rapid Transit District (BART) from entering into an agreement that would limit its ability to prepare for, or operate during, a work stoppage.	As Introduced	Senate Public Employment & Retirement Committee	
SB 604 (Glazer) BART: Prohibition of Strikes by Employees	Prohibits the employees of the Bay Area Rapid Transit District (BART) from engaging in a strike or work stoppage if the BART Board of Directors maintains all provisions of an expired contract, including compensation and benefit provisions, and an employee or union has agreed to a provision prohibiting strikes in the expired or previous written labor contract. Provides that an employee whom BART finds willfully engaged in a strike or work stoppage in violation of the provisions of this bill is subject to dismissal if that finding is sustained upon conclusion of the appropriate proceedings necessary for the imposition of a disciplinary action on the employee.	As Introduced	Senate Public Employment & Retirement Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 614 (Hertzberg) Fare Evasion and Passenger Misconduct Violations: Administrative Fines	For those public transit agencies that adopt and enforce an ordinance to impose administrative penalties for fare evasion and certain passenger misconduct violations, requires the revenues from the administrative fines to be deposited with the transit agency that issued the citation, rather than in the general fund of the county where the citation was issued. Limits the amount of the administrative fines to a maximum of \$125 for the first and second violation, and to a maximum of \$200 for the third and any subsequent violation. Requires the public transit agency to permit the performance of community service in lieu of payment of the administrative fine if the person is under 18 years of age or provides satisfactory evidence of an inability to pay the fine in full. Allows the public transit agency to require the performance of community service to be done at its facilities. Provides that the public transit agency is not required to permit the performance of community service in lieu of payment of a fine if the person has had more than three violations for which community service was permitted, and he or she did not complete the community service. Requires the public transit agency to allow payment of administrative fines for fare evasion or passenger misconduct violations in installments or deferred payments if the total amount of the fines is \$200 or more, and the person provides satisfactory evidence of an inability to pay the fines in full.	9/1/17	Signed into Law: Chapter #219	Support
SB 640 (Hertzberg) Retail Sales Tax on Services	States that the intent of the bill is to make the following three broad changes to California's tax code: (1) provide tax relief to middle- and low-income Californians, while simplifying the personal income tax, maintaining progressivity and mitigating the reliance on top income earners; (2) broaden the tax base by imposing a modest sales tax on services; and (3) enhance the state's business climate, and incentivize entrepreneurship and business creation by lowering the corporate income tax on small businesses, exempting very small business from the sales tax on services, and significantly reducing the minimum franchise tax. Creates the Retail Sales Tax on Services Fund in the State Treasury. States that the intent is to appropriate money in the fund to: (1) provide tax relief to middle- and low-income Californians to offset the effect of the sales tax on services; (2) assist in securing greater stability for California's infrastructure, workforce, and health care and education systems, including higher education; and (3) enhance California's business climate, and incentivize and protect small businesses.	As Introduced	Senate Governance & Finance Committee	
SB 680 (Wieckowski) BART: Transit-Oriented Development	Allows the Bay Area Rapid Transit District (BART) to acquire property for transit-oriented joint development that is located within a half mile of a transit facility, rather than within a quarter mile, as is the case under current law.	As Introduced	Signed into Law: Chapter #100	
SB 703 (Skinner) Sales and Use Taxes: Counties of Alameda, Santa Clara and Santa Fe Springs	Authorizes the Counties of Alameda and Santa Clara to impose a transactions and use tax for general or specific purposes at a rate of no more than 0.5% or 0.625%, respectively, and the City of Santa Fe Springs to impose a transactions and use tax for general or specific purposes at a rate of no more than 1%. Exempts these transactions and use tax increases from the combined rate limit of 2%, if the either county or the city adopts an ordinance proposing the tax and the ordinance proposing the tax is approved by the voters. Repeals this authorization on December 31, 2022, for either county or the city if an ordinance proposing the tax has not been approved by that date.	9/7/17	Signed into Law: Chapter #651	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 760 (Wiener) Active Transportation and Complete Streets	<p>Establishes a Division of Active Transportation within Caltrans to be responsible for: (1) developing projects and programs that increase bicycle and pedestrian safety and trips statewide; and (2) reviewing all state highway capital improvement projects for inclusion of bicycle and pedestrian facilities, where feasible. Requires the California State Transportation Agency to assign an undersecretary to give attention to active transportation matters to guide progress toward meeting Caltrans' active transportation goals and objectives. Requires the California Transportation Commission (CTC) to give high priority to increasing safety for bicyclists and pedestrians, and implementing bicycle and pedestrian facilities. By January 1, 2018, requires Caltrans to update its Highway Design Manual to incorporate the complete streets design concept. Requires the Assets Management Plan currently prepared by Caltrans to prescribe a process for community input and complete streets implementation to prioritize safety and accessibility for bicyclists, pedestrians and public transit users on all State Highway Operation and Protection Program (SHOPP) projects, where applicable. In connection with the Assets Management Plan, requires the CTC to adopt performance measures that include: (1) conditions of bicycle and pedestrian facilities; (2) accessibility and safety for bicyclists, pedestrians and public transit users; and (3) vehicle miles traveled on the state highway system. Adds capital improvements related to accessibility for bicyclists, pedestrians and public transit users of state highways and bridges to the list of projects that are eligible for SHOPP funding. Requires Caltrans to specify the cost of bicycle and pedestrian facilities for each project programmed in the SHOPP. When undertaking any capital improvement project on a state highway or a local street crossing a state highway that is funded through the SHOPP, requires Caltrans, by January 1, 2020, to include new bicycle and pedestrian facilities or improvements to existing facilities as part of the project, consistent with specified requirements. Requires Caltrans to establish a project development team for each SHOPP project, which shall include representatives from the local transportation agency, the local bicycle and pedestrian advisory committee, community-based organizations, residents of low-income disadvantaged communities, and other local stakeholders impacted by the project. Requires the project development team to provide input to Caltrans on identifying bicycle and pedestrian facility and public transit access needs related to the project. Requires Caltrans to use 3 percent of SHOPP funds from the Road Maintenance and Rehabilitation Account, if that account is created through legislation, for bicycle and pedestrian facilities. Makes accessibility improvements for all users of the transportation system that improve the efficiency of moving people within existing roadways, reduce vehicle miles traveled and promote public health the highest priority for State Highway Account funding. Requires safety improvements funded from the State Highway Account to prioritize reducing fatalities and severe injuries for vulnerable road users, and prohibits these projects from increasing vehicle miles traveled.</p>	As Introduced	Senate Transportation & Housing Committee	
SB 768 (B. Allen) Public-Private Partnerships	<p>Re-enacts and makes permanent the statutory authority for Caltrans and regional transportation agencies, as defined, to utilize public-private partnerships for transportation infrastructure projects.</p>	3/27/17	Senate Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 775 (Wieckowski) Climate Change: Market-Based Compliance Mechanism	Requires the California Air Resources Board (CARB) to adopt a regulation establishing a market-based program of greenhouse gas emissions limits for covered entities that would be applicable on and after January 1, 2021. Specifies that the regulation shall do all of the following: (1) set annual aggregate limits for greenhouse gas emissions from covered entities; (2) require CARB, beginning January 1, 2021, to conduct quarterly allowance auctions that are open to participation from covered entities, importers or sellers of covered imported products, and any other participants who register with CARB for the purpose of participating in the auctions; (3) offer at each auction a number of allowances equal to the auction's quarterly share of the annual aggregate emissions limit; (4) require a covered entity to submit allowances equal to at least 90 percent of its annual carbon dioxide equivalent emissions annually, with the option to submit additional allowances without penalty to account for the remainder of its annual emissions, if any, in the subsequent year; (5) require that all allowances be offered for sale at auctions and not allocated to covered entities either for free or for consignment sale; (6) require CARB to set an initial minimum reserve price of \$20 per emissions allowance, to be increased each quarter by \$1.25 plus any increase in the Consumer Price Index; (7) require CARB to set an initial auction offer price of \$30 per allowance, to be increased each quarter by \$2.50 plus any increase in the Consumer Price Index; (8) require allowances to be valid for compliances purposes only in the calendar year in which they are introduced into circulation by CARB; and (9) prohibit carbon offset credits from being used to meet a covered entity's compliance obligation. Establishes the California Climate Infrastructure Fund, the California Climate Dividend Fund, and the California Climate and Clean Energy Research Fund. Requires all revenues collected through the auctions to be distributed as follows: (1) an unspecified amount deposited into the California Climate and Clean Energy Research Fund; (2) an unspecified amount deposited into the California Climate Dividend Fund; and (3) all remaining revenues deposited into the California Climate Infrastructure Fund. Requires the Franchise Tax Board to develop and implement a program to delivery quarterly per capita dividends to all California residents for the purpose of mitigating the costs of transitioning to a low-carbon economy using the auction proceeds deposited into the California Climate Dividend Fund. Establishes the Economic Competitive Assurance Program to be administered by CARB to: (1) ensure that importers selling, supplying or offering for sale greenhouse gas emission intensive products in California have economically fair and competitive conditions; and (2) maintain economic parity between producers subject to the market-based program of emissions limits and those selling like goods in California that are not subject to the program.	5/1/17	Senate Environmental Quality Committee	
SB 797 (Hill) Caltrain Sales Tax	Authorizes the Peninsula Corridor Joint Powers Board (JPB), by resolution approved by a two-thirds majority of the board, to submit to the voters of San Francisco, San Mateo and Santa Clara Counties a regional measure proposing a retail transactions and use tax at a rate not to exceed 1/8 percent for funding operating and capital expenditures related to the Caltrain Commuter Rail Service. Provides that the measure shall be submitted to the voters only upon: (1) the approval of the boards of supervisors of San Francisco, San Mateo and Santa Clara Counties, consistent with each county's applicable procedures; and (2) the approval of the governing boards, by a simple majority vote, of the San Francisco Municipal Transportation Authority, the San Mateo County Transit District (SamTrans) and the Santa Clara Valley Transportation Authority (VTA). Requires the ballot measure to be approved by a two-thirds majority of all those voting on it. Exempts this transactions and use tax from the 2 percent cap in current law relating to the total amount of such taxes that could be imposed in a particular county.	8/24/17	Signed into Law: Chapter #653	Support

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 802 (Skinner) Emerging Vehicle Technology: Advisory Study Group	By April 1, 2018, directs the Office of Planning & Research to convene an Emerging Vehicle Advisory Study Group to review and advise the Legislature on policies pertaining to new types of motor vehicles operating in California, including autonomous and shared-use vehicles. By April 1, 2019, requires the study group to offer recommendations to the Legislature regarding policies and incentives to maximize the social benefits, minimize the social costs, and encourage the electrification and hybridization of new types of motor vehicles in the state.	7/3/17	Assembly Appropriations Committee	
SCA 2 (Newman) Motor Vehicle Fees and Taxes: Restrictions on Expenditures	Calls for placing before the voters an amendment to the California Constitution to exempt appropriations of revenues from the Road Maintenance and Rehabilitation Account that is proposed to be created pursuant to SB 1 (Beall) from counting toward the state appropriation limit (Gann Limit). Requires all revenues derived from the state sales tax on diesel fuel to be deposited into the Public Transportation Account (PTA) and used exclusively for mass transportation purposes. Prohibits the Legislature from taking any action that would temporarily or permanently divert or appropriate these PTA revenues for non-mass transportation purposes; or that would delay, defer, suspend, or otherwise interrupt the quarterly deposit of these revenues into the PTA. Requires the revenues derived from the new transportation improvement fee that would be imposed by SB 1 to be used solely for transportation purposes. Prohibits transportation improvement fee revenues from being used to pay the principal or interest on state transportation general obligation bonds that were authorized by the voters prior to November 8, 2016. Prohibits the use of these revenues to pay the principal or interest on any state transportation general obligation bond acts approved by the voters after November 8, 2016, unless the bond act expressly authorizes that use. Prohibits the Legislature from borrowing or using transportation improvement fee revenues for purposes other than those authorized in SB 1.	3/30/17	Senate: Inactive	
SCA 6 (Wiener) Local Transportation Special Taxes	Calls for placing before the voters an amendment to the California Constitution to allow a local government to impose, extend or increase a special tax in order to provide funding for transportation purposes, if approved by a 55 percent majority vote. Specifies that a tax is deemed to provide funding for transportation purposes if 100 percent of the net revenues from the tax, after collection and administrative expenses, is dedicated to transportation programs and projects. Allows the ordinance proposing the tax to provide for the issuance of bonds payable from the revenues derived from the tax. Specifies that the ordinance must include an expenditure plan specifying the transportation programs or projects to be funded by the tax revenues, as well as a requirement for an annual independent audit to ensure that the tax revenues are being expended only for authorized purposes. Specifies that this constitutional amendment would take effect on the date of the election at which it is approved by the voters.	5/1/17	Senate Appropriations Committee	Support
SCA 10 (Moorlach) Public Employee Retirement Benefits	Calls for placing before the voters an amendment to the California Constitution to prohibit a government employer from providing its employees any retirement benefit increase until that increase is approved by a two-thirds vote of the electorate within the employer's jurisdiction and that vote is certified. Defines "retirement benefit" to mean any post-employment benefit, including a benefit provided through a defined benefit pension plan, defined contribution plan, retiree health care plan, or any form of deferred compensation offered by a government employer. Defines "benefit increase" to mean any change that increases the value of an employee's retirement benefit, including increasing a benefit formula or the rate of cost-of-living adjustments, expanding the categories of pay included in pension calculations, reducing a vesting period, lowering the eligible retirement age, or otherwise providing a new economic advantage for the employee.	As Introduced	Senate Elections and Constitutional Amendments Committee	



Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Refunding of 1976 Tax 2011 Bonds

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors adopt a resolution authorizing the refunding of certain maturities of the 2011 Bonds, approving the transaction documents (on file with the Board Secretary), and authorizing the General Manager and Chief Financial Officer to individually take all actions necessary to issue the 1976 Tax, Sales Tax Revenue Refunding Bonds, 2017 Series B (the "2017 Bonds") and pay issuance costs.

BACKGROUND:

The 2011 Bonds are outstanding in the amount of \$31,445,000, have a final maturity of June 1, 2026, and are not subject to early redemption prior to June 1, 2021. The interest coupons on the 2011 Bonds average nearly 4.5% per year. The 2017 Bonds are anticipated to have an interest rate below 3.0%. Present value savings from refunding the 2011 Bonds is currently anticipated to be between \$1.5 and \$1.8 million, net of expenses.

DISCUSSION:

The refunding will constitute an advance refunding given the bonds are not subject to early redemption until June 1, 2021. One tax proposal currently under consideration as part of the federal tax reform initiative would preclude any tax-exempt advance refunding delivered after December 31, 2017, thus precluding this transaction, possibly until it becomes a current refunding in April 2021.

ALTERNATIVES:

Delayed approval would preclude pursuit of this transaction indefinitely until the proposed tax revisions are resolved favorably, or until March 2021 when the refunding would qualify as a current refunding.

FISCAL IMPACT:

Transaction costs to issue the 2017 Bonds are estimated at \$300,000 and will be paid from 2017 Bond proceeds. These costs include Bond Counsel, Financial Advisor, Bank Counsel, Placement Agent, trustee and other miscellaneous fees. Savings in the range of \$1.5 to \$1.8 million will be net of these costs.

Prepared by: Michael Smith
Memo No. 6341



Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Authorization for Sole-Source Joint Development at Santa Clara Caltrain Station

Policy-Related Action: Yes

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors authorize the General Manager to enter into one or more agreements with the City of Santa Clara and/or Republic Properties Corporation and its affiliate Republic Metropolitan (Republic) in connection with the development of the City and VTA-owned parking lot at the Santa Clara Caltrain Station. The agreements include a potential Cooperative Agreement with the City and an Exclusive Negotiations Agreement (ENA) with Republic for the purpose of negotiating a sole-source Joint Development Agreement (JDA) / Disposition and Development Agreement (DDA) and any other related agreements.

BACKGROUND:

VTA owns 0.7 acres of the 2.4 acre block bounded by El Camino Real, Benton Street, Railroad Avenue, and Franklin Street in Santa Clara, as shown in Attachment A. The City of Santa Clara owns the remaining 1.7 acres. This property is currently improved as a parking lot, operated by Caltrain as the largest parking lot for the station pursuant to agreements that Caltrain has with the City and VTA.

In 2010, the City of Santa Clara adopted a Santa Clara Station Area Plan that seeks to promote Transit-Oriented Development in the area around the Santa Clara Caltrain Station and the future Santa Clara BART Station, including the block owned by the City and VTA. The Plan provides for dense mixed-use development of 10 stories or higher.

Republic (an independent entity from Republic Urban with whom VTA has entered into an ENA

for the Tamien Station Joint Development Project), through engagements with Santa Clara University and City of Santa Clara staff, formulated a development proposal for a privately-developed and operated student housing development that would serve Santa Clara University students. The housing capacity provided by the project would address issues created by the University's growth, and provide resident students with convenient access to the University, one-sixth of a mile from the site, as well as to transit serving the region. Republic has already presented this proposal to the City.

The Santa Clara City Council previously directed City staff to enter into discussions with Republic on the terms and conditions of an ENA. Concurrently, City staff has discussed with VTA staff on how to most efficiently and effectively coordinate tri-party negotiations involving the City, VTA, and Republic.

DISCUSSION:

The recommended action would allow a joint City-VTA negotiation with Republic, using a single set of consultants to advise both agencies with the costs borne by Republic, while providing flexibility on the forms of the agreement that would be entered into between the City and VTA, and between both two agencies and Republic.

VTA's practice typically involves a competitive offering for Joint Development opportunities. Santa Clara Station presents a unique situation, however, in that VTA's property is less than 30 percent of the entire site. If VTA were to independently pursue a Joint Development on our property, the small size of the lot would limit how large a project could be built, and it would not be possible to maximize the development envelope allowed by the City's Station Area Plan. A similar consideration applies if the City attempts to develop on just the portion of the lot it owns. For this reason, it would be more advantageous to both VTA and the City to work together on a single project that utilizes both agencies' properties.

The project negotiations would need to address three main categories of issues: (i) refining the design to maximize the available entitlements, better orient the project to Caltrain and the future BART station, and enhance the ground level environment; (ii) collaboratively working with Caltrain to identify a replacement parking strategy acceptable to all; and (iii) negotiating economic terms that maximize financial returns for VTA and the City.

The negotiations would also identify the appropriate type of agreement that, once approved by the VTA Board and City Council, would make the two properties available for development; maintain VTA's control for transit purposes; and have the City be responsible for permitting and long-term oversight.

It should be noted that the student housing project would not include a set percentage of affordable housing units, as occurs with other VTA Joint Development projects pursuant to VTA's Joint Development Policy. A great many students have limited incomes because they are in school (irrespective of family financial status) and are often below the poverty level for a single-person household. Traditional sources of affordable housing finance are not available for a student housing development. Universities assist low-income students by providing financial aid to assist them with meeting educational and living expenses.

The VTA Board of Directors will approve the terms and conditions of any JDA and/or DDA and any other related agreements that are negotiated for the development of the VTA-owned parcel.

ALTERNATIVES:

The Board could establish requirements or conditions for an agreement with the City, or direct staff to pursue separate negotiations with Republic. Depending on the particulars, this may result in additional time, expense, or risk for negotiations on a Joint Development project at the site.

FISCAL IMPACT:

Joint Development project negotiations will result in additional expense for consultant expertise to assist VTA and the City in the negotiations. To the greatest extent practicable, this expense would be recovered from Republic. The City and VTA would negotiate an agreement on how to split any unreimbursed costs, likely based on the relative size of each agency's property. Any additional costs to VTA would be paid from the Joint Development Fund. Successful execution of a long-term ground lease for VTA's property would generate significant new revenues.

Prepared by: Ron Golem
Memo No. 6326

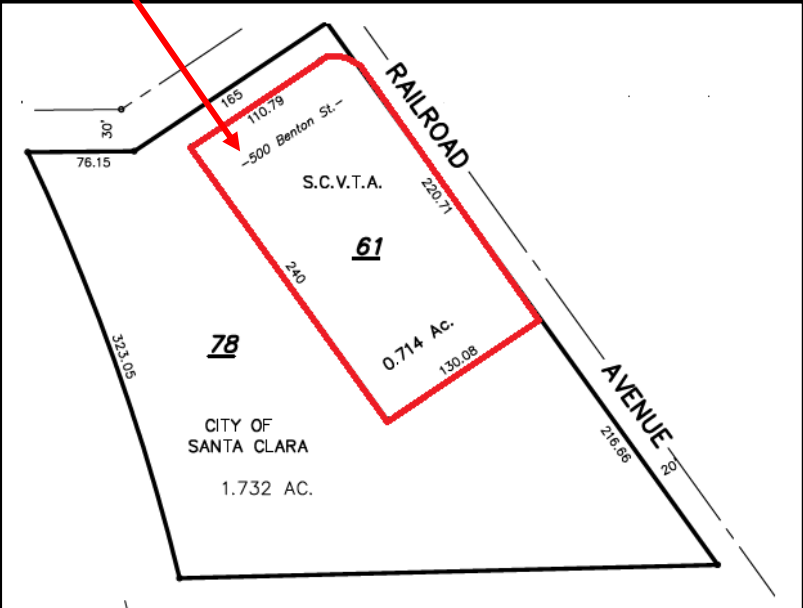
ATTACHMENTS:

- Memo 6326 Attachment A (PDF)
- Attachment B 6326 (PDF)

Attachment A



Second Caltrain
Parking Lot



Attachment B**Authorization for Sole-Source Joint Development at Santa Clara Caltrain Station**

Firm Name	Name	Role	Location
Republic Properties Corporation	Richard L. Kramer	Chairman	Washington, DC
Republic Metropolitan	Robert Mendelsohn	President	Kentfield, CA 94904
Mineta & Associates, LLC	Norman Y. Mineta	President/CEO	Edgewater, MD



Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Declaration of Surplus Property for Great Mall Transit Center in Milpitas

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors approve for permanent disposition the Great Mall Transit Center in Milpitas, California and declare it as “surplus property” in accordance with applicable law. Authorize the General Manager to offer the property for sale pursuant to applicable law, with the terms and conditions of any proposed action to be presented to the Board for review and consideration before finalization.

BACKGROUND:

The Great Mall Transit Center consists of approximately 4.5 acres with frontage along Great Mall Parkway and is directly in front of the Great Mall retail center, as shown in Attachment A. Immediately west of the Transit Center is a plaza with stairs and elevators that provide access to the Capitol Expressway Light Rail, located along an aerial guideway above Great Mall Parkway. VTA purchased the property in 2000 for \$6.5 million and the Transit Center opened in 2004 with bus bays, shelters for riders, and 93 parking spaces in a Park and Ride lot.

The new Milpitas Transit Center, with its BART station and intermodal transit service, including a light rail station, is located just over one-third of a mile from the Great Mall Transit Center. The new Transit Center will open at the commencement of BART revenue service and will be a much larger facility that can accommodate VTA bus service, as well as shuttles and other private transit, and offers a total of 1,617 parking spaces in a new parking structure and surface lot.

DISCUSSION:

I. Methodology

Staff evaluated the Great Mall Transit Center pursuant to the conditions set forth in the Joint Development Policy for inventorying VTA's real estate assets and concluded that:

- A. the asset is not necessary for transit or transportation purposes subsequent to the opening of the new Milpitas Transit Center; and
- B. the asset offers limited Joint Development potential, due to its location within a large regional mall; City of Milpitas land use designation that only allows future commercial use; and inability to be a catalyst for other Transit-Oriented Development.

Subsequent to Board authorization for permanent disposition, staff will determine the exact boundaries of the parcel to be offered for sale, including ancillary property used, in order to ensure that there will be no impact on transit rider access to the Great Mall Light Rail Station.

No federal funds were used to acquire the Great Mall Transit Center land; however, federal funds were used to make transit center improvements. Disposition of the property will require reimbursement to FTA for the non-depreciated share of improvements, currently estimated at up to \$350,000. This amount would likely represent much less than 3% of the sale price.

II. Permanent Disposition Legal Process

Approval of a permanent disposition list is, by itself, insufficient for a public agency to sell real estate assets to a private party. Government Code Section 54220 *et seq.* require a public agency to declare a property excess or "surplus" before disposing of it. After a property has been declared "surplus" by the decision-making body of the public agency, Section 54222 requires the disposing agency to offer it for sale or lease at fair market value to other public agencies or private entities for the development of low-and-moderate housing, parks and recreation uses, enterprise zones or school purposes, with priority going to developers of affordable housing. If the disposing agency receives notice from an appropriate party of its desire to purchase or lease the property in question for the purposes enumerated in Section 54222, the disposing agency and the interested party must negotiate in good faith for a period of not less than ninety (90) days.

If no offer to lease or buy the property has been made or the parties are unable to agree on price or terms after the requisite negotiation period, the selling agency can then offer the property for sale through a public auction, a negotiated sale, exchange, lease or competitive solicitation process. There are no time limitations associated with this step.

As of January 2015, the existing law includes additional provisions for sale of the surplus property to affordable housing agencies. As noted above, the property is made available to other parties for the purposes set forth in Section 54222. In addition, the new legislation requires that priority be given to affordable housing agencies who will build housing with at least 25% of the units being affordable. Properties so sold will have deed restrictions guaranteeing affordability for 55 years (in the case of rental projects) and guaranteeing affordability to the first owner and equity sharing in the case of for sale units. The new law allows agencies to sell properties for fair

market value, and staff recommends that any potential sale or lease to an affordable housing developer be at fair market value.

The new law also requires that if VTA is unable to reach agreement with interested agencies and the properties are utilized for the development of ten or more residential units, at least 15% of the units must be qualified affordable housing units. These requirements also must be set forth in a deed restriction.

In addition to California law, the disposition and/or lease of the referenced properties may be subject to federal requirements depending on whether federal funding was involved at the time of their acquisition.

III. Next Steps

Upon Board approval of permanent disposition of the property, staff will offer for sale pursuant to the above-described process set forth in applicable law, subject to the requirement that a sale cannot be completed until the opening of the new Milpitas Transit Center. If no affordable housing developer or other public agency makes an offer to purchase the property, then it would be offered at a public sale pursuant to a competitive process. Approval by the Board of Directors will be a condition of a proposed sale to any party.

Any sale of the property would occur after the opening of the new Milpitas Transit Center and the full relocation of all VTA bus service that currently uses the existing Transit Center. VTA will reserve a portion of the property to ensure sufficient room for relocated bus stops for lines that run along Great Mall Parkway. The disposition action would have no impact on the Great Mall Light Rail Station that will continue in operation.

ALTERNATIVES:

The Board could decide to retain the property and not declare the property “surplus.” The Board could direct staff to solicit and negotiate ground lease proposals for the commercial uses allowed by the City of Milpitas. If the Board has not provided guidance to staff prior to the closure of the Great Mall Transit Center, staff will implement an interim leasing program for short-term lease(s) of the site as allowed by Milpitas zoning, in order to generate revenue albeit much less than from a sale or long-term ground lease.

FISCAL IMPACT:

Sale of the Great Mall Transit Center is expected to generate revenues that are much greater than what VTA paid to purchase the property. A ground lease would generate ongoing annual revenues at a more modest rate, based on an approximate 6% return calculated on the current fair market value of the land. Interim leasing would generate less revenues than a ground lease.

Prepared by: Ron Golem
Memo No. 6140

ATTACHMENTS:

- Memo 6140 Attachment A (PDF)

Attachment A





Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director - Engr & Transp Program Dev., Carolyn M. Gonot

SUBJECT: I-280/Winchester Boulevard Interchange Improvements- Contract Amendment (PA/ED Phase)

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors authorize the General Manager to execute contract amendments with Mark Thomas & Company to perform early development tasks to support the Project Approval/Environmental Documentation (PA/ED) phase in an amount not to exceed \$1,500,000 for the I-280/Winchester Boulevard Interchange Improvements Project (Project).

BACKGROUND:

The environmental phase of the completed I-280/I-880/Steven Creek Interchange project (Original Project) included the I-280/Winchester Blvd off-ramp, but the off-ramp was removed from this Original Project because of challenges in reaching agreement on design considerations and funding concerns. There was a desire to improve accessibility from northbound I-280 to the Winchester Boulevard area, including addressing of operational concerns in the area.

At the November 7, 2013 meeting, the VTA Board of Directors (Board) approved the allocation of \$250,000 of Local Program Reserve (LPR) funds to produce a study to 1) identify key deficiencies in the area and 2) propose alternatives that could improve operations and reduce congestion in the vicinity of the I-280/Winchester interchange. This \$1,000,000 study has half of the funding from the Metropolitan Transportation Commission (MTC) and the remainder funded equally by VTA and the City of San Jose (City).

On February 5, 2015, the Board adopted a Resolution of Local Support authorizing the General Manager to execute a grant agreement with MTC for the \$500,000 in funding from the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement

(CMAQ), allocated through the Regional Strategic Investment (RSI), for the study.

At its May 28, 2015 meeting, the Board authorized the General Manager to negotiate and enter into cooperative agreements with California Department of Transportation (Caltrans), local jurisdictions, and regulatory agencies, to conduct project planning, preliminary engineering/environmental, design, right-of-way, and construction activities for improvements in the I-280/Winchester Boulevard area (Project) with the above referenced study being the first phase of this work.

On June 23, 2015, VTA entered into a funding cooperative agreement with the City to receive \$250,000 for the study.

On December 16, 2015, VTA issued a Request for Proposals seeking qualified firms to provide professional services to conduct the above referenced study and related work for the Project with an option that the selected firm could also conduct PA/ED work, conduct final design services represented by the development of Plans, Specifications, and Estimates (PS&E), perform right-of-way (ROW) tasks, and provide design support during construction (DSDC). Proposals from the following four firms were received:

- AECOM Technical Services, Inc.
- Parsons Brinckerhoff, Inc.
- Mark Thomas & Company, Inc.
- Rajappan & Meyer Consulting Engineers, Inc.

VTA interviewed all four firms with a review panel consisting of representatives from VTA, the City, and Caltrans. After a thorough review of the submitted proposals, the review panel determined that the Mark Thomas & Company team had submitted the best overall proposal, and was selected for the Project.

On June 30, 2016, in the interest of efficiency and to save time, Caltrans concurred with VTA's request to waive the Project Initiation Document (PID) work and advance the project to the PA/ED phase with the requirements that the Project re-evaluate the purpose and need of the project, review and update project information from the original PID, initiate and analyze new alternatives (none of which were part of the Original Project), and obtain all stakeholders' input on the new alternatives.

On August 8, 2016, VTA issued a cost plus fixed fee contract in the amount of \$499,060.71 to Mark Thomas and Company, Inc. under the authority of the VTA Administrative Code that provides the General Manager the authority to execute the contract. This initial contract provides the ability for contract amendments to Mark Thomas & Company's contract for PA/ED, PS&E, ROW, and DSDC support services.

On April 7, 2017, VTA entered into a cooperative agreement with Caltrans for the development of PA/ED, ROW, and PS&E phase documents.

On May 25, 2017, VTA issued Contract Amendment No. 1 in an amount of \$19,584.35 for additional study tasks, increased the total contract amount to \$518,645.06.

At the October 5, 2017 VTA Board meeting, the Board adopted a Resolution, establishing the 2016 Measure B Program; and adopted the 2016 Measure B Program Category Guidelines including the Highway Interchanges Program. The 2016 Measure B Highway Interchanges Program FY 18 and FY 19 Projects and Allocation includes an amount of \$3,000,000 for the I-280/Winchester Boulevard Improvements Project.

DISCUSSION:

The initial study work, including an alternatives analysis and preliminary engineering work, is about to reach completion.

The City has proposed to contribute an additional \$2,000,000 to VTA for PA/ED services with the anticipation that the 2016 Measure B fund would be made available to the Project to complete the PA/ED phase. VTA and City staff are amending the existing funding agreement for VTA to receive this additional funding. This funding would allow the Project to move into the PA/ED phase immediately. This approach allows the PA/ED phase to get started now while waiting for the full balance of funding to complete PA/ED phase work.

This action by the Board of Directors would grant authority to the General Manager to negotiate and execute the needed contract amendments with Mark Thomas & Company to perform early PA/ED tasks.

As additional funding becomes available, staff would return to the Board for the award of contract amendments to complete the PA/ED phase, and for the subsequent ROW, PS&E and DSDC project phases.

VTA staff recommends that the Board of Directors grant authority to the General Manager to issue contract amendments with Mark Thomas & Company to commence early project development tasks in support of the completion of PA/ED phase.

CONTRACT SUMMARY:

Vendor Name:	Mark Thomas & Company, Inc.	Original Contract Amount:	\$ 499,060.71
Contract Number:	S15384	Prior Modifications:	\$ 19,584.35
Original Contract Term:	7/31/2018	Amount Requested:	\$1,500,000.00
Extended Contract Term:	12/31/2019	Total Amount Incl. Request:	\$2,018,645.06
Procurement Type:	Cost Plus Fixed Fee	% of Request to Current Amount:	289%
SBE Goal:	N/A	% Mod. to Original Contract:	300%
DBE Goal:	5.62%	Funding Sources:	City of San Jose

ALTERNATIVES:

The Board of Directors could elect not to authorize the award of contract amendments; however, this action would delay the implementation of the I-280/Winchester Boulevard Interchange Improvements Project and potentially result in the loss of the funding contributions from the City.

FISCAL IMPACT:

This action will authorize up to \$1,500,000 for early PA/ED services. Appropriation for these expenditures is included in the FY18 Adopted VTP Highway Improvement Program Fund Capital Budget and will be funded by the City's additional voluntary contribution fund. Future City's voluntary contributions towards the completion of final design, and construction phases will be negotiated with the City as additional funds become available. Appropriation for future expenditures will be requested in upcoming budget cycles.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

Based on identifiable subcontracting opportunities to perform alternative study and PID, a DBE goal of 5.62% was established for this contract. Mark Thomas & Company had committed to 8.77% DBE participation for the contract. With the additional scope of work for the early PA/ED tasks that adds DBE sub-consultants, the Contractor will meet and exceed the committed DBE goal of 8.77% for this contract.

Prepared by: Lam Trinh
Memo No. 6293

ATTACHMENTS:

- Attachment A - Project Location Map (PDF)
- Attachment B - List of Contractors (PDF)

ATTACHMENT A**I-280/Winchester Boulevard Interchange Improvements Project****Contract: S15384**

ATTACHMENT B**I-280/Winchester Boulevard Interchange Improvements Project
Contract: S15384**Contractor List

FIRM NAME	NAME	ROLE	LOCATION
Mark Thomas & Company, Inc.	Sasha Dansky	Prime Contractor	San Jose, CA
David J Powers & Associates	John Hesler	Environmental	San Jose, CA
DKS & Associates	Terry Klim	Traffic Operation	Oakland, CA
Parikh Consultants	Gary Parikh	Geotechnical	San Jose, CA
Radman Aerial	Carol Radman	Mapping	Sacramento, CA



Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Operating Officer, Inez Evans

SUBJECT: Procurement for 40' Electric Buses

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with Proterra Inc. (“Proterra”) of Burlingame, California, in the amount of \$4,679,730.62 for the purchase of five 40-foot zero emission electric buses (with all related equipment, support, and associated charging systems), and which also includes the purchase of the following options to be exercised with future Board approval as funding becomes available for future fleet replacement requirements:

(i) up to two automatic conductive en route chargers in the amount of \$762,565.00 (plus Producers Price Index (PPI)); and

(ii) up to 25 additional buses in the amount of \$23,398,653.13 (plus PPI).

The execution of the contract would be subject to compliance with the Federal Transit Administration (FTA) pre-award requirements and the satisfactory clearance of any protests.

BACKGROUND:

This procurement has been conducted through the competitive RFP process and has enabled VTA to achieve passenger and operator standardization with our current diesel and hybrid buses. It also includes an option to expand our electric bus fleet from a specialty service to being a standard bus replacement choice, should the performance of the electric buses prove they can handle the standard route range (miles between re-charge) requirements.

ZEB Purchase Mandate from CARB: In 2000, the California Air Resources Board (“CARB”) enacted a 15 percent Zero Emission Bus (“ZEB”) purchase requirement as part of its Fleet Rule for Transit Agencies, which was planned for enforcement beginning in 2008. However, the

necessary technology was not ready for such significant deployment in 2008, and the project was postponed. In 2015, CARB began working under renewed statewide emissions reduction goals for a ZEB purchasing mandate. CARB is pursuing this purchasing mandate in order to meet greenhouse gas reduction goals set under AB 32 and the more stringent goals adopted by 2016's Senate Bill 32. An updated ZEB purchase mandate is expected to be put into place as a part of CARB's Advanced Clean Transit rulemaking process. This mandate will include provisions to transition all transit buses in California to ZEBs, with a stated goal of 2040.

Benefit of Early ZEB Purchase: Purchasing ZEBs ahead of the forthcoming updated mandate is directly in line with VTA's environmental goals. On a per-mile basis, a battery electric bus is expected to have a 40 percent reduction in greenhouse gas emissions compared to VTA's newest hybrid electric diesel bus. Moreover, in addition to "greening" the VTA fleet, VTA's early purchase will give VTA staff critical first-hand experience with vehicles that will be integrated into the VTA bus fleet in future years.

DISCUSSION:

On May 5, 2016, VTA's Board of Directors authorized staff to purchase five electric 40-foot buses using a negotiated procurement process. The negotiated procurement process requires potential proposers to respond to a Request for Proposal (RFP) and submit proposals that include both technical and price proposals, delivered in separately sealed envelopes.

The RFP included the option to purchase up to: (i) 25 additional 40-foot electric buses; and (ii) up to two additional automatic en route conductive chargers (collectively "Options"). Final pricing for the Options will be based on the price of the five 40-foot regular buses described above (plus an increase based on the Producer's Price Index (PPI)). Prior to exercising the Options, VTA staff will evaluate whether the performance of the electric buses is meeting VTA's needs and, if so, may seek Board approval to exercise these Options at a future Board Meeting.

The technical proposals were reviewed and evaluated to determine if the proposals met the technical requirements, while the price proposal remained sealed.

The technical proposal evaluation included the following criteria, with preference being given to systems that will provide greater operating range based on Altoona kW-hr/mile results and proposed battery pack kW-hr capacity:

1. Technical Credibility:
 - Technical approach
 - System Integration
 - Quality Assurance
 - System Support
2. Management Plans
3. Past Performance

4. Price

A Technical Evaluation Team of VTA staff, including Engineers, Operators, Mechanics, and Warranty and Quality Assurance staff, conducted a detailed analysis of the technical proposals. After technical and schedule credibility was established, price proposals were opened by a separate Selection Team consisting of Purchasing, Operations Maintenance, and Operations Transportation Managers. The final recommended award is based on completion of the full evaluation and negotiations.

The procurement schedule was as follows:

- May 30-31, 2016 - The procurement was advertised in APTA's *Passenger Transport* and posted on the VTA's website.
- June 24, 2016 - A pre-proposal meeting took place at VTA. Four bus manufacturers were present.
- September 15, 2016 - Initial Proposals were due for review and evaluation. VTA received initial proposals from three bus manufacturers:
 BYD
 New Flyer of America, Inc.
 Proterra

Based on technical questions raised by the evaluation committee, VTA requested clarifications from all three bus manufacturers to provide further details/back-up documentation to support their proposals and their deviation requests.

- February 16 and 21, 2017 - The VTA selection team meetings were held to review/evaluate the bus proposals.
- February 27 and 28, 2017 - The VTA selection team interviewed the bus manufacturers for clarifications and negotiations.

Based on the technical evaluations and interviews, VTA provided each proposer with the requirements for the final bus configuration and invited them to provide a Best and Final Offer (BAFO), due on or before April 20, 2017.

VTA received and evaluated BAFOs from all three proposers, New Flyer, Proterra and BYD. The technical submittals from all three companies were determined to be responsive and responsible, but there was a notable disparity on the adherence to VTA's specifications and on the documentation of adherence.

The evaluation of the technical submittals was based on the evaluation criteria as outlined earlier.

The proposal pricing submitted is as follows:

<u>Manufacturer</u>	<u>Per-bus price</u>	<u>Including training labor, training aids, specialty tools, spare parts and the 25 Option Buses (30 total), and the Option charging equipment</u>
BYD	\$872,400	\$27,705,199
Proterra	\$892,246	\$29,074,472
New Flyer	\$902,390	\$30,618,545
Engineer's Estimate	\$1,080,375	\$34,411,931

Although Proterra was not the lowest price, the Evaluation Teams determined that Proterra's proposal represented the best overall value to VTA, based on an analysis of the tradeoff of qualitative technical factors and price. Proterra's proposal offered the highest operating range, highest battery capacity, and most efficient battery per Altoona battery kWh/mile. Proterra's charging system also offers the most flexibility, and Proterra's reference checks stated that they are very responsive to addressing issues (including shipping product overnight, if needed).

Based on the evaluation, VTA staff is recommending awarding the contract to Proterra, Inc.

ALTERNATIVES:

VTA could defer procurement of these buses and, for our electric bus program, use only the five buses procured through the LoNo grant. However, VTA's ability to review the overall operational costs of electric buses would be limited, and VTA's opportunity to expand the electric bus fleet quickly will also be eliminated. Consequently, VTA would need to restart the procurement process, resulting in an approximately 2-year delay in acquiring additional electric buses.

Furthermore, a critical item in electric transit bus deployment is cooperation and coordination with the utility provider. The CPUC, under SB350, is requiring utilities to commit resources to vehicle electrification projects. VTA staff has been working with PG&E based on the cautiously progressive plan for electric buses (5 on the LoNo, 5 more on the RFP with an option for 25 more) approved by prior Boards. Should VTA revert to a 5-bus demonstration program only, PG&E electric transit bus staff and financial resources will be re-assigned to work with other transit agencies or to other industries looking to electrify their vehicles.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

VTA follows the Federal bus DBE guidelines for bus procurements. This is a fundamental requirement of allowing Federal Funds to be used. The Federal Transit Administration (FTA) requires transit vehicle manufacturers, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that they have an overall annual DBE goal approved by FTA. The proposers have all certified that they meet their established FTA goal and therefore, pursuant to the Federal regulation, VTA did not set a DBE goal on this procurement.

FISCAL IMPACT:

This action will authorize up to \$4,679,730.62 for the purchase of five (5) 40-foot Zero emission electric buses with all related equipment, support, and associated charging systems.

Appropriation for this expenditure is included in the FY18 Adopted VTA Transit Fund Capital Budget. This procurement is funded by state and local VTA funds.

Should VTA staff determine that it is in VTA's best interest to exercise the Options, staff will seek Board approval at a future Board Meeting.

Prepared by: James Wilhelm
Memo No. 5735

ATTACHMENTS:

- Board conflict of interest list Proterra award - Bd Memo 5735 (DOCX)

Attachment A
40' Electric Bus Contract Award
Procurement List of Contractors

Contractor Firm	Name	Contractor Role	Location
Proterra Inc.	Ryan Popple	President & CEO	1815 Rollins Road Burlingame CA 94010



Date: November 9, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Operating Officer, Inez Evans

SUBJECT: Contract Award for Paratransit Eligibility Certification Services

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors authorize the General Manager to execute a three year contract with Medical Transportation Management, Inc. (MTM) in the amount of \$3,243,000 to provide Paratransit Eligibility Certification Services.

BACKGROUND:

In accordance with federal regulations, the Santa Clara Valley Transportation Authority (VTA) provides Americans with Disabilities Act (ADA) paratransit services to persons who are unable to independently access or navigate VTA's bus or light rail system due to a physical, visual, or cognitive disability in accordance with ADA. Potential users must apply for certification in order to use the services. The certification process, which all candidates must complete, includes an assessment of their functional levels to determine eligibility and their classification of unconditional, conditional, temporary or ineligible. VTA has over 10,000 registered users with about 7,000 active users.

On November 3, 2016, VTA's Board of Directors approved a contract with MV Transportation (MV) to provide emergency Paratransit services. Under this agreement, MV took on the responsibility for Eligibility Certification to provide continuity of services for individuals applying and recertifying for Paratransit services. MV subcontracted with a nearby experienced eligibility firm C.A.R.E Evaluators to provide a software database for tracking work performed, developing processes and procedures, training, evaluations, and quality assurance.

On August 21, 2017, staff released a Request for Proposals (RFP) for Paratransit Eligibility

Certification Services with proposals due September 28, 2017. This RFP offered maximum flexibility for firms and VTA. Firms could price out services in a fixed fee and per an assessment cost structure.

DISCUSSION:

VTA received six proposals from the following firms:

- ADA Rides
- Capital Transit
- CARE Evaluators
- Innovative Paradigms
- Laurels Medical
- MTM

Proposals were evaluated on the following criteria by each member of the review board:

- Qualifications of the Firm.....20 points
- Staffing and Project Organization.....20 points
- Work Plan/Project Understanding.....25 points
- Local Firm Preference.....10 points
- Cost & Price.....25 points

The review board evaluated proposals and short-listed four firms who were deemed most responsive, responsible, and competitive: 1) MTM; 2) ADA Rides; 3) CARE Evaluators; and 4) Innovative Paradigms. These firms were invited to interviews held October 13, 2017. The interviews provided an opportunity for the review board to better understand the firms' qualifications, project manager, staffing plan, work plan, and project understanding.

Based on the combination of written proposals and oral interviews, the review board conducted reference checks on the top two firms. Once the evaluation process concluded, it was unanimous that MTM was deemed the highest ranked firm. The firms ranked in the following order:

1. MTM
2. ADA Ride
3. Innovative Paradigms
4. CARE Evaluators
5. Laurels Medical
6. Capital Transit

MTM is one of the largest Eligibility Certification providers in the nation and operates throughout California on similar sized projects like Los Angeles and San Diego, as well as other large non-California agencies such as WMATA, Chicago RTA, and MARTA in Atlanta. VTA has purchased Trapeze CERT as its software solution for tracking eligibility determinations and their classification of unconditional, conditional, temporary or ineligible, including the creation of notification letters. MTM best understands VTA's need to have unfettered access to its information and to host it in our own database, which was an emphasis in the RFP. MTM had the most experience in using this software and has committed to using it as its primary database, whereas other firms focused on creating interfaces to Trapeze from their own proprietary

software systems.

MTM has committed to hiring the existing workforce pending successful background checks and interviews. There is a focus on improved service quality with improved compensation and benefits better-suited for the marketplace and retention. MTM's experience and work plan best aligns with our direction for a partnership with accountability, accessibility, and transparency into eligibility certification services. Moreover, online travel training and education on alternative transit options will be provided for individuals that go through the eligibility process.

ALTERNATIVES:

The Board could reject staff recommendation to award a contract as a result of this RFP and direct staff to perform another RFP. There is no anticipated positive benefit to VTA with this alternative option. VTA would have to revise and extend the interim emergency services contract currently in place with MV Transportation. A second RFP solicitation may result in fewer vendor participation due to the extensive efforts required. As a result, fewer proposals could be anticipated.

FISCAL IMPACT:

This action will authorize \$3,243,000 to provide Paratransit Eligibility Certification Services for a 3-year contract. Appropriation for expenditures through June 30, 2019 are included in the FY18 & FY19 Adopted VTA Transit Fund Operating Budgets. Appropriation for the remaining term of the contract will be included in subsequent Biennial Operating Budgets.

Prepared by: Aaron Vogel
Memo No. 6311

ATTACHMENTS:

- Attachment_A-Eligibility_Services_Procurement - 6311 (PDF)

Attachment A Eligibility Services
Procurement List of Contractors

Contractor Firm	Name	Contractor Role	Location
Medical Transportation Management, Inc.	Alaina Macia	President & CEO	16 Hawk Ridge Dr. Lake St. Louis, MO 63367
Medical Transportation Management, Inc.	Don Tiemeyer	Executive Vice President	16 Hawk Ridge Dr. Lake St. Louis, MO 63367
Medical Transportation Management, Inc.	Michele Lucas	Chief Marketing Officer	16 Hawk Ridge Dr. Lake St. Louis, MO 63367



Date: November 6, 2017
 Current Meeting: November 16, 2017
 Board Meeting: December 7, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Administration & Finance Committee

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief of Staff, Angelique Gaeta

SUBJECT: Commuter Shuttle Program Policy

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors adopt a policy for a Commuter Shuttle Program, which requires commuter shuttle operators to adhere to a set of rules and regulations, as amended from time to time by the General Manager, in order to access VTA-owned real property and/or VTA-controlled areas, including VTA facilities.

BACKGROUND:

Employer-provided shuttles (commuter shuttles), which transport workers from their neighborhoods to places of work or transportation hubs, have become increasingly common in recent years. A shuttle ride to a job location has become an integral part of the working conditions of thousands of workers in the Bay Area and, in particular, Silicon Valley. While commuter shuttles support local and regional transportation goals by decreasing single occupancy vehicle (SOV) trips, as the number of commuter shuttles continues to grow, it is important for the public and private sector to work together to maximize their benefit while minimizing any negative impact.

To date, a lack of rules regarding loading and unloading of passengers has resulted in confusion for shuttle operators and VTA operators, inconsistent enforcement, conflicts with other transportation modes, and public safety concerns. Until recently, public transportation agencies, including VTA, have addressed these issues on an ad hoc basis. For example, in August 2014, the San Francisco Municipal Transportation Agency (SFMTA) initiated an 18-month pilot program to create a network of shared stops for use by Muni and commuter shuttles. In November 2015, the SFMTA Board of Directors approved an ongoing Commuter Shuttle

Program. The SFMTA Commuter Shuttle Program regulates commuter shuttles operating in San Francisco by requiring shuttles to operate along a specific designated route, adhere to a set of rules and regulations in their operations, and pay a fee for each stop used in a network of shared Muni zones and shuttle-only white zones.

In October 2014, VTA initiated a policy for Third Party Use of VTA Property. This particular policy was designed to require third parties to apply for licenses and pay license fees, based on market rates, to use VTA Property. The policy was presented to the Board of Directors as an informational item on October 2, 2014. In January 2015, the Silicon Valley Leadership Group (SVLG) reached out to VTA staff with concerns regarding the commuter shuttle portion of the policy. Subsequently, VTA put the policy on hold and decided to re-evaluate commuter shuttles at a later date.

In January 2017, VTA reinitiated efforts to establish a partnership with commuter shuttle providers by creating a comprehensive Commuter Shuttle Program that furthered VTA's commitment to safety and environmental sustainability. Initially, VTA staff identified its park and ride lots as appropriate and available for commuter shuttles to pick up and drop off passengers. However, after a number of meetings and discussions with members of the SVLG and with commuter shuttle providers, VTA staff learned that there was an interest in the use of VTA's on-street bus stops as well. VTA staff then engaged in conversations with the County of Santa Clara and each of the 15 cities within the County to discuss the use of bus stops, as these stops were located on their streets and in their public right of way. A number of cities expressed concern with commuter shuttles operating in residential neighborhoods or too close to what they deemed sensitive uses (pre-schools, parks, etc.) and felt bus stops were appropriate locations for the commuter shuttles to pick up and drop off passengers. The County and most of the cities then indicated an interest in allowing commuter shuttles to continue the use of on-street bus stops provided that they coordinate such use with VTA so as to avoid interference with VTA operations and to improve their own operations on public streets. The goals and concerns outlined above by VTA and various stakeholders are the subject of the policy described herein.

DISCUSSION:

VTA currently owns, leases, operates and controls approximately 4,000 bus stops, 39 park and rides and 24 transit centers (collectively "VTA Property") throughout the County of Santa Clara. To support commuter shuttle operations at these facilities and avoid public safety hazards and transportation conflicts with other modes, VTA is proposing a policy for a Commuter Shuttle Program. That policy is included as Attachment A to this memorandum.

Specifically, the policy requires commuter shuttle providers wanting to access VTA Property to obtain a permit and follow certain rules and regulations. In addition, commuter shuttle providers would be required to work with VTA to determine the appropriateness of locations within VTA Property they desire to use, the best times for use of those locations and the area within those locations that would best accommodate their use. Commuter shuttle providers would also be required to affix a VTA issued decal to each vehicle in their fleet so that they could be easily identified as a provider authorized to access VTA Property.

The policy further authorizes the creation of a Commuter Shuttle Program (Program) which,

among other things, will provide the process by which a permit is obtained, details around operational training required to access VTA Property, and a formula for the permit fee. The policy requires stakeholder engagement on the specifics of the Program which VTA staff will bring back to the VTA Board of Directors for approval before the Program will go into effect.

The Program itself will designate staff responsible for processing permit applications; issuing permits and decals; managing signage, accessibility and safety of areas designated for commuter shuttle use; ensuring operational safety requirements are met; coordinating commuter shuttle pick ups and drop off times; and, enforcing the provisions of the policy, the program and the permit.

To recover the costs of the administering the Commuter Shuttle Program, VTA will charge a fee for the permit. That fee will be based on both a cost recovery model and the number of locations within VTA Property that the commuter shuttle provider desires to use. Although the policy would apply to both private and public transportation services, commuter shuttles that are free and open to the public may not be required to pay a fee for the permit.

The policy also provides that VTA may suspend or revoke permits if there are repeated violations of the provisions of the policy or permit terms and conditions, or if the continued use of VTA property would result in harm to the public or a violation of local, state or federal law.

Following program implementation, the policy authorizes the General Manager/CEO of VTA to make adjustments to the program, as needed, to enhance the goals of the policy and respond to stakeholder concerns.

ALTERNATIVES:

The VTA Board of Directors could decide not to adopt the policy, or request staff to provide additional information or re-evaluate certain aspects of the policy.

FISCAL IMPACT:

Revenue received from the permit fees will be used to recover the fully allocated costs incurred by VTA in support of the permit, the decals and monitoring the program, which includes labor and non-labor costs that would otherwise be paid from general VTA Transit Fund revenues.

Prepared by: Angelique Gaeta
Memo No. 6091

ATTACHMENTS:

- Commuter Shuttle Policy November 2017 - Proposed Final Draft (PDF)

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

1. Purpose

This document sets forth the policy for the implementation of a program regulating Commuter Shuttles (Commuter Shuttle Program) on property owned, leased, controlled and/or operated by VTA (VTA Property). This policy also sets forth the rules and regulations that Commuter Shuttle Providers must adhere to in order to access VTA Property. Those rules and regulations support the following goals:

- Increasing safety on and around VTA Property for all users;
- Reducing single-occupancy vehicle (SOV) commuter trips, vehicle miles traveled (VMT) and associated emissions and congestion;
- Avoiding and/or minimizing impacts on the environment;
- Ensuring that Commuter Shuttle operations do not interfere with VTA operations;
- Consistently applying and enforcing guidelines for Commuter Shuttle loading and unloading of passengers;
- Working collaboratively with Commuter Shuttle Providers to resolve concerns and conflicts;
- Establishing a structure that meets current needs and has the potential to evolve as the sector grows; and
- Improving data sharing with agencies and private sector transportation partners to support VTA's role as Santa Clara County's Congestion Management Agency.

2. Scope

This policy applies to transportation services that move commuters to and from VTA Property. These services warrant the creation of a Commuter Shuttle Program because they are routine, involve a relatively uniform number of vehicles, and operators are commercially licensed and subject to regulation, including safety and insurance requirements. Commuter Shuttle Providers hired by an employer, agency, or institution (individually or collectively, "Hiring Party") to provide transportation for the Hiring Party's agents or employees from home to work, work to home, last-mile to work, last-mile to home, or work site to work site, where said transportation begins or ends on VTA property are eligible to participate in the Commuter Shuttle Program established by this policy.

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

3. Responsibilities

VTA will designate a division within VTA that will accept, manage and review all applications and issue all permits and Decals described in this policy. VTA will also designate specific divisions within VTA that will enforce the rules and regulations set forth in this policy, address signage necessary for designation of appropriate locations for Commuter Shuttles Providers to pick up and drop off passengers, ensure safety requirements are met, coordinate operations between the Commuter Shuttle Providers and VTA, and monitor the Commuter Shuttle Program as a whole.

4. Policy

This section provides a brief overview of the Commuter Shuttle Program authorized by this policy, followed by a detailed description of each provision.

4.1. Commuter Shuttle Program Overview

VTA currently owns, leases, controls and/or operates approximately 4,000 bus stops, 39 park and rides and 24 transit centers throughout the County of Santa Clara. This policy authorizes VTA to establish a Commuter Shuttle Program that will allow Commuter Shuttle Providers to apply for a permit that would allow them to use specific locations within VTA's Property to pick up and drop off their passengers. Upon receipt of such an application, VTA will work with each applicant to evaluate space needed, capacity at a particular location or locations requested, and optimum time for drop off and pickup of passengers so as not to interfere with VTA operations. The fee for the permit will be based on a cost recovery model. Commuter Shuttle Providers will be required to comply with the terms and conditions of their permit and VTA enforcement officers may enforce those terms and conditions.

4.2. Permit Application Process

To participate in the Commuter Shuttle Program, each Commuter Shuttle Provider must apply for a permit in accordance with the procedures set forth in the Commuter Shuttle Program. As part of the application process, Commuter Shuttle Providers must identify each vehicle they intend to operate on VTA Property. Upon VTA's approval of an application for a permit, VTA will issue the Commuter Shuttle Provider a permit to use VTA Property and Decals to affix to each of the vehicles it intends to operate on VTA Property.

4.3 Permit Renewal

Permits must be renewed every (2) two years in accordance with the procedures set forth in the Commuter Shuttle Program. Permit renewal shall take place based on the calendar year;

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

as a result, Commuter Shuttle Providers that join the program mid-term will be required to renew their permits during the general renewal period.

4.4 Vehicle Decal

Decals will be used to identify Commuter Shuttle Providers as permitted users of VTA Property. These Decals must be displayed in visible locations on the front, rear, and sides of permitted vehicles, as set forth in the permit

The Decals associated with each permit shall bear a unique identification number that is associated with the Commuter Shuttle Provider who holds the permit.

Decals must immediately be surrendered to VTA in the event that the Permit is suspended, revoked, or otherwise canceled by VTA.

4.5 Permit Fee

VTA will charge each Commuter Shuttle Provider a permit fee that will be both based on the number of locations within VTA Property it desires to access and designed to cover the costs of administering the program, including:

- Construction of any improvements to the extent required by the use of VTA Property by the Commuter Shuttle Provider participating in the Commuter Shuttle Program;
- Identification of designated areas for shuttle use;
- Enforcement of the program on VTA Property;
- Signage and Decal design, production, and installation;
- Data management;
- Permit application processing and renewals; and
- Fee collection.

This policy applies to both private and public transportation services. However, fees may be waived for shuttle services that are free and open to the public provided that those providers acquire a permit pursuant to the requirements set forth herein and in the Commuter Shuttle Program. VTA may periodically evaluate the costs of the program and, if necessary, update the permit fee to reflect a program that is cost recovery.

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

4.6 Review of Requested Locations

VTA will review each location requested for use in the application and will make a decision based on legality of the proposed use, conformance of proposed use with existing VTA policies, existing capacity, parking space, bus bay utilization, and internal circulation of vehicles.

If VTA determines, in its reasonable discretion, that the requested sites are acceptable, VTA will include use of such sites in its permit to the Commuter Shuttle Provider.

Notwithstanding the foregoing, if use of any particular parcel of VTA Property (or portion thereof) constitutes a risk to persons or property, VTA may deny the Commuter Shuttle Provider(s) request to use such property. In such event, VTA will work with the affected Commuter Shuttle Provider(s) to find other suitable sites for its/their use.

4.7 Grounds for Suspension or Revocation of Permit

VTA may suspend or revoke a permit upon written notice and opportunity for hearing. Upon revocation or suspension, the Commuter Shuttle Provider shall surrender such permit and the Decals authorized under the permit in accordance with the instructions in the notice of suspension or revocation.

Where the VTA determines that public safety is at risk, or where the continued operation of the Commuter Shuttle Provider on VTA Property would be in violation of the California Public Utilities Code, the California Vehicle Code, or VTA's rules and/or policies, VTA is authorized to suspend a permit immediately upon written notice of suspension to the Shuttle Operator, provided that VTA shall provide the Shuttle Operator with the opportunity for a hearing on the suspension within five (5) business days of the date of notice of suspension.

A permit may be suspended or revoked following a determination that:

- The Commuter Shuttle Provider has failed to abide by any permit term or condition, including but not limited to the requirement that it follow VTA rules, policies and procedures and the Commuter Shuttle Program process;
- The Commuter Shuttle Provider knowingly or intentionally provided false or inaccurate information on a permit application;
- The Commuter Shuttle Provider has used, for Commuter Shuttle operations or parking, VTA Property that it has not been authorized by VTA to use.

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

- One or more of the Commuter Shuttle Provider's shuttle vehicles have, in the course of providing commuter transportation services, repeatedly violated parking or traffic laws;
- The Commuter Shuttle Provider's continued operation on VTA Property would constitute a public safety risk; or
- The Commuter Shuttle Provider's continued operation on VTA Property would be in violation of federal, state, or local laws.

4.8 Operational Rules for Commuter Shuttle Providers

Commuter Shuttle Providers are subject to the following operating rules:

4.8.1 VTA Priority

VTA vehicles shall have priority at, approaching, or departing VTA Property. Commuter Shuttle Providers shall yield to VTA vehicles and patrons and shall not cause or contribute to disruptions of VTA service.

4.8.2 Parking at VTA Lots

On VTA Property containing parking lots, where parking capacity is constrained, VTA transit users will have priority for parking. VTA reserves the right to restrict or limit Commuter Shuttle Providers' passenger parking on VTA parking lots.

4.8.3 Use Designated Locations for Commuter Service

While using VTA Property, Commuter Shuttle Providers shall use locations designated for shuttle use and for active loading and unloading of passengers only.

4.8.4 No Staging or Parking

Staging or parking of a Commuter Shuttle on VTA Property is prohibited.

4.8.5 No Unnecessary Idling

Idling a Commuter Shuttle for longer than five consecutive minutes on VTA Property is prohibited.

4.8.6 Move Forward

Original Date:	Revision Date:	Page 5 of x
MM/DD/2017	MM/DD/YYYY	

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

Commuter Shuttle Providers shall pull forward into designated spaces to leave room for other shuttles to pull in behind and for the safe passage of other vehicles through the area.

4.8.7 Pull In

Commuter Shuttle Providers shall pull all the way to, and parallel with, the curb for passenger boarding and alighting. Commuter Shuttles must not be stopped or parked in a manner that obstructs the flow of vehicular, pedestrian or bicycle traffic.

4.8.8 Comply with Applicable Traffic Laws

Commuter Shuttle Providers shall operate in accordance with all applicable federal, state, and local laws, rules, and regulations, including VTA Regulation 98.11.2 governing the use, traffic, and vehicles operated or parked on VTA Property. Commuter Shuttle Providers shall operate in a safe manner and maintain awareness of speed, pedestrians, bicyclists, other vehicles and roadway hazards at all times.

4.8.9 Follow Instructions from Officials and Traffic Control Devices

Commuter Shuttle Providers shall follow instructions from law enforcement personnel, VTA staff, and traffic control devices in the event of emergencies, construction work, special events, or other unusual traffic conditions.

4.8.10 Maintain Vehicles

Commuter Shuttle Providers shall ensure that their Commuter Shuttles are properly maintained to prevent oil, fuel, and other materials from entering VTA Property and local waterways.

4.8.11 Location Limitations

Commuter Shuttle Providers shall comply with access guidelines, including but not limited to vehicle size limitations and designated hours of operation at specific locations, as instructed by VTA.

4.8.12 Fleet Limitations

All Commuter Shuttles shall be either model year 2012 or newer, or be equipped with a power source that complies with emissions standards applicable to model

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

year 2012 vehicles of the same type. All Commuter Shuttles must possess a valid California registration. VTA will not issue Decals to Commuter Shuttles with out-of-state registration.

4.8.13 Size Restriction

No Commuter Shuttle with an axle weight exceeding 18,000 lbs. will be permitted on VTA Property.

4.8.14 Provide Training

Each Commuter Shuttle Provider shall designate one of its employees who is either an operations supervisor or training manager to participate in an orientation with VTA on the use of VTA Property and the operating rules provided herein. The Commuter Shuttle Provider shall then ensure that said employee will share the content of the orientation with each driver working for the Commuter Shuttle Provider prior to each driver operating a Commuter Shuttle on VTA Property.

4.8.15 Use of Decal

A Decal may only be used on the vehicle listed on the application for the permit and may not be transferred to any other vehicle. Any transference of a Decal shall be considered a violation of this section and grounds for immediate permit revocation.

4.8.16 Indemnify / Hold Harmless

Commuter Shuttle Providers wanting to participate in the Commuter Shuttle Program shall indemnify and hold VTA, its departments, board, officers, employees and agents ("Indemnitees") harmless from and against any and all claims, demands, action or causes of action which may be made against the Indemnitees for the recovery of damages for the injury to or death of any person or persons or for the damage to any property resulting directly or indirectly from the activity authorized by the permit issued hereunder, regardless of the negligence of the Indemnitees.

4.8.17 Exception to the Rules

Commuter Shuttle Providers may deviate from the operating rules set forth in this Section and permit terms and conditions only if granted express written authorization from VTA. Failure to comply with these operating rules or the permit terms and conditions may result in denial or revocation of a permit, as well as any penalty provided in VTA Regulation 98.11.2, as applicable.

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

4.9 Enforcement

VTA may establish procedures for the enforcement of this policy consistent with the provisions contained in VTA Ordinance 98.1. Enforcement personnel are responsible for enforcing compliance with this policy and the Commuter Shuttle Program and issuing citations as applicable. Enforcement personnel may rely on permits and signage at and on VTA Property to verify permitted users of that property.

4.10 Acts of Employees and Agents Deemed Acts of Commuter Shuttle Provider

For purposes of this policy and the Commuter Shuttle Program, acts of a Commuter Shuttle Provider's agent and/or employee shall be deemed to be the acts of the Commuter Shuttle Provider.

5. Effective Date of Commuter Shuttle Program

Following adoption of this policy, VTA will engage stakeholders regarding a Commuter Shuttle Program that is consistent with the goals of this policy. VTA will then return to the VTA Board of Directors with a proposed Commuter Shuttle Program. The Commuter Shuttle Program will go into effect upon approval by the VTA Board of Directors. Once in effect, the General Manager/CEO of VTA is authorized to amend the Commuter Shuttle Program, as needed, in order to further enhance the goals of this policy and respond to stakeholder concerns.

6. Definitions

The following terms shall have the assigned definitions for all purposes under this policy:

- 6.1. *Commuter Shuttle*** means a vehicle used to regularly transport commuting passengers to and from VTA Property to specific business, employment, or educational locations.
- 6.2. *Commuter Shuttle Program*** means the program authorized by this policy and by which VTA will regulate the use of VTA Property by Commuter Shuttles.
- 6.3. *Commuter Shuttle Provider*** means a company that provides Commuter Shuttles to regularly transport commuting passengers to and from VTA Property to and from specific business, employment or educational locations.
- 6.4. *Decal*** means a sticker issued by VTA and required to be affixed to Commuter Shuttles in order to identify those shuttles as participants in the Commuter Shuttle Program.
- 6.5. *Hiring Party*** means the employer, agency or institution that hires Commuter Shuttle Providers eligible to take part in the Commuter Shuttle Program. For purposes of this



Original Date:	Revision Date:	Page 8 of x
MM/DD/2017	MM/DD/YYYY	

POLICY COMMUTER SHUTTLE PROGRAM POLICY	Document Number:	
	Version Number:	
	Date:	MM/DD/2017

policy, a Hiring Party may also be a Commuter Shuttle Provider if the Hiring Party uses its own fleet of Commuter Shuttles to provide transportation for its employees and agents.

- 6.6. SOV** means a single-occupancy vehicle where the only occupant of the vehicle is the driver.
- 6.7. VTA** means the Santa Clara Valley Transportation Authority.
- 6.8. VTA Property** means real property owned, leased, operated or controlled by VTA, including but not limited to Bus Stops, Transit Facilities and Administrative Facilities as defined in VTA Ordinance 98.1.

7. *Summary of Changes*

8. *Approval Information*

<i>Prepared by</i>	<i>Reviewed by</i>	<i>Approved by</i>
		Nuria I. Fernández General Manager/CEO

Date Approved: _____

Administration & Finance Committee Work Plan November 2017 - April 2018

Doc ID	Origin	Short Title	A&F 11/16	BOD 12/7	A&F 12/21	BOD 1/4	A&F 1/18	BOD 2/1	A&F 2/15	BOD 3/1	A&F 3/15	BOD 4/5	A&F 4/19	BOD 4/20
6333	Division - Finance and Budget / Ali Hudda	Budget Appropriation Related to Financing of Phase 2 SR 237 Express Lanes	A	A										
6341	Division - Finance and Budget / Raj Srinath	Refunding of 1976 Tax 2011 Bonds	A	A										
6140	Dept - Real Estate / Ron Golem	Declaration of Surplus Property for Great Mall Transit Center in Milpitas	A	A										
6228	Dept - Accounting & Budget Administration / Carol Lawson	Revenue & Expense Report 1Q FY18	A	A										
6322	Division - Finance and Budget / Ali Hudda	Retrofit Ticket Vending Machines (TVM) to Dispense Clipper® Cards	A	A										
6326	Dept - Real Estate / Ron Golem	Authorization for Sole-Source Joint Development at Santa Clara Caltrain Station	A	A										
5735	Dept - Maintenance Operations / James Wilhelm	Procurement for 40' Electric Buses	A	A										
6311	Dept - Regional Transportation Services / Aaron Vogel	Contract Award for Paratransit Eligibility Certification Services	A	A										
6233	Division - Planning and Programming / Lam Trinh	Construction Contract Award - SR 237 Express Lanes Phase 2, Contract C17122F	A	A										
6293	Dept - Project Development / Lam Trinh	I-280/Winchester Boulevard Interchange Project - Contract Amendment for PA/ED Phase	A	A										
6091	Office of the General Manager / Jim Lawson	Commuter Shuttle Program Policy	A	A										
5889	Division - Government Affairs / Jim Lawson	Legislative Update Matrix	I	I										
5858	Dept - Finance / Sean Bill	Monthly Investment Report - September 2017	I											
6345	Division - Finance and Budget / Raj Srinath	Refunding of 1976 Tax 2008 Bonds			A	A								
6207	Dept - Technology & Innovation / Richard Bertalan	Closed Circuit Television on Light Rail Vehicles Contract Award			A	A								
6029	Dept - Real Estate / Ron Golem	Approval of BART Parking Garage Revenue Collection Contractor			A	A								
6245	Dept - Real Estate / Ron Golem	ENA Agreement for I-880/Alder Joint Development			A	A								
6291	Dept - Real Estate / Ron Golem	City of San Jose Signature Review JD RFP			A	A								
5788	Dept - Real Estate / Ron Golem	Joint Development Parking Policy			A	A								
6292	Dept - Real Estate / Ron Golem	Approval of RFP for Milpitas Transit Center Joint Development Site			A	A								
5786	Dept - Project Development / Casey Emoto	Cooperative Funding Agreement with City of Santa Clara			A	A								
6027	Dept - Real Estate / Ron Golem	Update of Joint Development Portfolio Sites			A									
5859	Dept - Finance / Sean Bill	Monthly Investment Report - October 2017			I									

Administration & Finance Committee Work Plan
November 2017 - April 2018

Doc ID	Origin	Short Title	A&F 11/16	BOD 12/7	A&F 12/21	BOD 1/4	A&F 1/18	BOD 2/1	A&F 2/15	BOD 3/1	A&F 3/15	BOD 4/5	A&F 4/19	BOD 4/20
5702	Dept - Real Estate / Ron Golem	Approval of RFP for Joint Development at Chynoweth Station					A	A						
6199	Division - Engineering and Transportation Program Delivery / Ven Prasad	Installation of Solar Panels on Milpitas Parking Garage					A	A						
6232	Dept - Environmental Program & Resource Management / Julia Nelson	2017 Environmental Programs and Resources Management On-Call Contract RFP					A	A						
6240	Dept - Accounting & Budget Administration / Carol Lawson	Revenue & Expense Report 2Q FY18							A	A				
6073	Dept - Accounting & Budget Administration / Carol Lawson	Revised VTA Transit Fund Comprehensive Reserve Policy											A	