

AGENDA
Legislative Policy Committee Meeting

December 14, 2022

9:20 AM

Location

San Bernardino County Transportation Authority
First Floor Lobby Board Room
1170 W. 3rd Street, San Bernardino, CA 92410

Legislative Policy Committee Membership

Chair - President

Mayor Pro Tem Art Bishop
Town of Apple Valley

Vice Chair – Vice President

Dawn Rowe, Supervisor
County of San Bernardino

Past President

Curt Hagman, Supervisor
County of San Bernardino

Mayor Larry McCallon
City of Highland

Mayor Pro Tem Alan Wapner
City of Ontario

Mayor Pro Tem Rick Denison
Town of Yucca Valley

Janice Rutherford, Supervisor
County of San Bernardino

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

AGENDA

Legislative Policy Committee

**December 14, 2022
9:20 AM**

**Location
SBCTA Office
First Floor Lobby Board Room
1170 W. 3rd Street, San Bernardino, CA 92410**

Items listed on the agenda are intended to give notice to members of the public of a general description of matters to be discussed or acted upon. The posting of the recommended actions does not indicate what action will be taken. The Board may take any action that it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

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

CALL TO ORDER

(Meeting Chaired by Art Bishop)

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

Possible Conflict of Interest Issues

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

1. Information Relative to Possible Conflict of Interest

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

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

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DISCUSSION ITEMS

Discussion - Legislative/Public Outreach

2. State Legislative Update

Pg. 10

Receive the December 2022 State Legislative Update and provide direction as to positions on bills as appropriate.

Presenter: Louis Vidaure

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

3. Federal Legislative Update

Pg. 12

Receive the December 2022 Federal Legislative Update and provide direction as appropriate.

Presenter: Louis Vidaure

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

4. 2023-2024 Legislative Platforms

Pg. 14

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

Adopt the 2023-2024 State and Federal Legislative Platforms.

Presenter: Otis Greer

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

5. Agency Response to Senator Stern's Comments

Pg. 25

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

Approve sending a response to California State Senator Henry Stern regarding his comments on San Bernardino County residents.

Presenter: Otis Greer

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

Public Comment

Brief Comments from the General Public

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance

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Acronym List

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Mission Statement

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The next Legislative Policy Committee Meeting is scheduled for January 11, 2023.

Meeting Procedures and Rules of Conduct

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

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

Agendas – All agendas are posted at www.gosbcta.com/board/meetings-agendas/ at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed online at that web address. Agendas are also posted at 1170 W. 3rd Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting.

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

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

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a “Request to Speak” form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for each item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Members of the public requesting information be distributed to the Board of Directors must provide 40 copies of such information in advance of the meeting, except for noticed public hearings. Information provided as public testimony is not read into the record by the Clerk.

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

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

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

Disruptive or Prohibited Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive or prohibited conduct includes without limitation addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, bringing into the meeting any type of object that could be used as a weapon, including without limitation sticks affixed to signs, or otherwise preventing the Board from conducting its meeting in an orderly manner. Your cooperation is appreciated!

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

Attendance.

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

Basic Agenda Item Discussion.

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

The Vote as specified in the SANBAG Bylaws.

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

Amendment or Substitute Motion.

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

Call for the Question.

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

The Chair.

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

Courtesy and Decorum.

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

Adopted By SANBAG Board of Directors January 2008

Revised March 2014

Revised May 4, 2016

Minute Action

AGENDA ITEM: 1

Date: December 14, 2022

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

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

Background:

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

Item No.	Contract No.	Principals & Agents	Subcontractors
		None	

Financial Impact:

This item has no direct financial impact on the Budget.

Reviewed By:

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

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Approved
Legislative Policy Committee
Date: December 14, 2022

Witnessed By:

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

Minute Action

AGENDA ITEM: 2

Date: *December 14, 2022*

Subject:

State Legislative Update

Recommendation:

Receive the December 2022 State Legislative Update and provide direction as to positions on bills as appropriate.

Background:

Just two days after the November election the Assembly Democrat Caucus met to decide who would be the Speaker for the 2023-24 Legislative Session. Following a six-hour caucus meeting, Assembly Democrats voted unanimously to elect Assembly member Robert Rivas (D-Salinas) as the next speaker. He will assume the role on June 30, 2023. In the meantime, current Speaker Anthony Rendon (D-Lakewood) will remain in the position.

The confirmation vote will be held during the Organizational Session, scheduled for December 5, 2022. While that session is largely dedicated to swearing-in the new Legislature, this is also the first opportunity to introduce bills for the upcoming year. There are always a handful of measures that are introduced on the first day and then the next opportunity will be in January 2023, when the Legislature reconvenes.

The Legislative Analyst's Office (LAO) published their annual Fiscal Outlook report in anticipation of the upcoming state budget process. The goal of this report is to help guide the Governor and the Legislature as they begin crafting the 2023-24 budget.

As we have seen from the Department of Finance's monthly cash reports the state has consistently seen revenue drops in each of the past four months. Under the LAO's outlook, they predict a deficit of \$25 billion in 2023-24. Over the subsequent years of the forecast, annual deficits would decline from \$17 billion to \$8 billion. The analysis relies on specific assumptions about the future of the state economy, its revenues, and its expenditures. While there are many variables with the budget this will have a significant impact on the Governor's January 2023 Budget proposal. Given that the budget will shrink it will be noteworthy which programs that Governor proposes to receive less funding.

With the November 8, 2022, election, it typically takes weeks for counties to process and count all the ballots. County elections officials must report final official results to the Secretary of State by December 9, 2022. The results will then be certified by the Secretary of State by December 16, 2022.

By Thanksgiving, the number of outstanding ballots that were left to be counted was only 307,864 statewide. Also, voter turnout was 49.8% with a couple weeks left to finish counting. By comparison, the gubernatorial voter turnout in 2018 was 64.54%. There are still several highly contested races in the Senate and the Assembly. In several races the margin between the two candidates is only a few thousand votes.

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget.

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

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Page 2

Reviewed By:

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

Responsible Staff:

Louis Vidaure, Legislative Analyst

Approved
Legislative Policy Committee
Date: December 14, 2022

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 3

Date: *December 14, 2022*

Subject:

Federal Legislative Update

Recommendation:

Receive the December 2022 Federal Legislative Update and provide direction as appropriate.

Background:

Fiscal Year (FY) 2023 Appropriations

House and Senate leaders continue to negotiate the FY 2023 omnibus spending package and reportedly agreed to retain all House and Senate earmarks but this appears to be one of the only items that the two parties can agree on. Consequently, House and Senate Democrats have begun putting together an omnibus without the input of Republicans, saying that the bill will still include “priorities from both sides”. Without a bipartisan agreement the FY 2023 omnibus is unlikely to pass the Senate. Funding for the government under the stopgap Continuing Resolution (CR) expires on December 16th, which may need to be extended to December 23rd or later if negotiations do not make progress soon.

November Midterm Election Update

House Republicans officially gained control of the House with a slim majority while Senate Democrats held on to the majority and may add a seat pending the results of the December 4, 2022 Georgia run-off.

Majority Leader Chuck Schumer (D-NY) will remain the leader of the Senate Democrat caucus. Minority Leader Mitch McConnell (R-KY) was also reelected by Senate Republicans to lead the Republican caucus, surviving a challenge by Senator Rick Scott (R-FL) for the position.

California Congressman Kevin McCarthy was elected by House Republicans to be their choice for the next House Speaker. House Democrats chose New York Congressman Hakeem Jefferies to be the next Minority Leader. Of note, local San Bernardino Congressman Pete Aguilar was chosen to be the next Chair of the House Democratic Caucus, making him third in the House Democrat leadership.

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget.

Reviewed By:

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

Responsible Staff:

Louis Vidaure, Legislative Analyst

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

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Approved
Legislative Policy Committee
Date: December 14, 2022

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 4

Date: *December 14, 2022*

Subject:

2023-2024 Legislative Platforms

Recommendation:

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

Adopt the 2023-2024 State and Federal Legislative Platforms.

Background:

The San Bernardino County Transportation Authority (SBCTA) and San Bernardino Council of Governments' (SBCOG) State and Federal Legislative Platforms serve as the foundation for understanding the perspective of the Board of Directors (Board) on key issues that are anticipated to be considered during the course of each legislative session. Once formally adopted, the legislative platforms will guide staff's analysis and recommendations on pending legislative and regulatory items in the upcoming session.

On April 1, 2020, the SBCTA/SBCOG Board authorized the creation of the Legislative Policy Committee (LPC) The LPC is comprised of the Board President, Board Vice-President, Immediate Past Board President and four (4) Board members appointed by the Board President.

The LPC was established to review and provide input on the drafting of the State and Federal platforms and take positions on legislation and regulations on behalf of the Board when that proposed position is consistent with the adopted legislative platforms. In developing the 2023-2024 platforms, staff conducted internal meetings, as well as received input from regional agencies and our state and federal legislative advocates in preparation of the proposed documents.

The Proposed 2023-2024 State and Federal Legislative Platforms are included as Attachments A and B, respectively.

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget.

Reviewed By:

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

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Approved
Legislative Policy Committee
Date: December 14, 2022

Witnessed By:

Entity: San Bernardino County Transportation Authority

Attachment A

**San Bernardino County Transportation Authority
2023-2024 State Legislative Platform**

The San Bernardino County Transportation Authority (SBCTA) serves as the Regional Transportation Planning Agency for the largest geographical county in the nation. Covering approximately 20,000 sq. miles and serving approximately 2 million residents, the Board of Directors is comprised of representatives from San Bernardino County's 24 cities and five supervisorial districts. In addition to the cooperative regional planning and expansion of an efficient multi-modal transportation system countywide, SBCTA supports freeway construction projects, regional and local road improvements, train and bus transportation, railroad crossings, freeway service patrol, call boxes, ridesharing, congestion management efforts, active transportation and long-term planning studies. As a Self-Help County agency, the SBCTA administers Measure I funding, a voter-approved half-cent sales tax dedicated for transportation planning, design, construction, operation, and maintenance in San Bernardino County.

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

SBCTA and SBCOG will continue to partner with public and private sector entities to support common objectives in Sacramento and foster the unity of the Southern California region.

I. Local Control

The San Bernardino County Transportation Authority will advocate for local control over transportation projects within San Bernardino County to ensure that innovative financing and project delivery methods remain available for county transportation commissions to leverage local dollars, accelerate construction and job creation, as well as provide increased mobility options for local residents.

Support Efforts To:

- Ensure SBCTA's decision-making authority over transportation projects that are constructed and operated in San Bernardino County.
- Preserve local flexibility in the administration of programs and services.
- Promote strong collaborative partnerships with State agencies.
- Expand existing innovative project delivery methods (e.g. design-build, construction manager/general contractor), for a broad variety of projects including highways, transit, and local streets and roads.

- Ensure projects are based on locally driven alternatives and do not require state approval when funded primarily by local funds.
- Revise the California Environmental Quality Act (CEQA) to streamline the environmental review process, to improve timelines for project approvals and avoid costly duplicative steps while maintaining critical environmental protections.
- Establish legislation to protect toll operating agencies from lawsuits associated with the use of personal information for collecting toll fees and citations.
- Develop consistent measures for environmental mitigation requirements.
- Preserve ability for remote meeting participation by board members and the general public, utilizing the latest technologies.

Oppose Efforts To:

- Threaten the timely delivery of the Measure I Expenditure Plan or administration of any Measure I programs and services.
- Change the Board composition, organization or decision-making authority of any agency without the express permission of the agency.
- Impose additional mandates beyond those already in existence on lead agencies using alternative project delivery mechanisms.
- Require additional CEQA review and process requirements that delay projects and increase costs.
- Allow specific vehicle classes to have unrestricted access to carpool or toll facilities.
- Place transit investments in San Bernardino County without direct involvement by SBCTA and/or appropriate local jurisdictions.
- Establish legislation that allow redirection of toll revenue from the operating agency to the State or any other agency.
- Impose a *de facto* prohibition of highway projects through infeasible state environmental mitigation requirements.

II. Funding

State funding for projects supported by local voter-approved transportation sales tax measures is critical to implementing innovative, intelligent/advanced transportation, goods movement, demand management, active transportation, and air quality programs which relieve congestion, improve air quality, and enhance economic development. SBCTA will advocate for state funding to support transportation projects in San Bernardino County.

Support Efforts To:

- Define “disadvantaged communities” consistently among all funding programs to ensure investments reflect economic and geographic considerations.
- Enact state policies that assure timely allocation of transportation revenue and allow for regions to advance projects with local funds as needed.
- Prioritize funding for projects supported by voter-approved transportation local sales tax measures.

- Recognize/reward the investment in the state's transportation system made by self-help counties and incentivize counties without a voter-approved tax measure for transportation to become "self-help" counties.
- Incentivize public-private partnerships (P3s) in the development of transportation improvements.
- Protect AB 2766 funding and continue to encourage funding of programs and projects that reduce motor vehicle emissions.
- Legislation and regulations on Green House Gas (GHG) reduction and other environmental initiatives should ensure that mandates are designed to be feasible and achievable for lower density environments like San Bernardino County and that funding is provided for assistance in achieving those goals.
- Guidelines for funding programs and project scoring criteria related to transportation and air quality/GHG reduction should recognize the importance of geographic equity and be tailored to account for the characteristics and limitations of lower density environments like San Bernardino County
- Prevent changes to the Bradley-Burns uniform local tax law or distribution of online sales tax revenue that would adversely affect San Bernardino County jurisdictions or Measure I revenue.
- Continue practice of review and comment opportunities for criteria on competitive transportation grant programs by local jurisdictions and transportation agencies.
- Work with administration and legislative representatives to ensure that SBCTA projects and programs meet the spirit of Executive Order N-19-19 while maintaining local priorities and protecting local transportation funds, and addressing the growing mobility demands of an increasing population and freight moving through our communities.
- Meet the challenges of confronting climate change, while ensuring that reductions in programs such as SB 1 will be replaced with new equitable revenue streams.
- Promote transparency in all state agency directives by providing agencies with comment periods and responses prior to the publication of such directives.

Oppose Efforts To:

- Adversely alter distribution percentages of state transportation formula funds or shift funds away from local agencies.
- Reduce SBCTA's ability to efficiently and effectively contract for goods and services.
- Impose state requirements without the consent of the local agency for the expenditure of locally raised revenues.
- Divert transportation revenues for non-transportation purposes.
- Link existing transportation funding sources to the achievement of GHG reduction, Vehicle Miles Traveled (VMT) or Regional Housing Needs Assessment (RHNA) goals.
- Rely on transportation agencies to raise revenue for transportation or planning purposes.
- Unreasonably increase the administrative fees levied by the Board of Equalization for the collection and administration of county transportation sales tax measures.
- Pass any legislation to authorize a multi-county revenue measure for environmental programs.
- Require contributions from local agencies for state highway maintenance, with the possible exception of new toll facilities.

III. Goods Movement

SBCTA will continue to raise awareness of the relationship between the County's logistics sector and the Ports of Los Angeles and Long Beach as well as the importance of San Bernardino County as a key goods movement gateway to the United States.

Support Efforts To:

- Recognize the important role goods movement plays within San Bernardino County and transportation projects that help to move goods more efficiently, while also favoring development projects that do not exacerbate existing air quality, traffic or socioeconomic issues within disadvantaged communities.
- Advocate for equitable funding for trade corridors, gateways, intermodal connectors and freight facilities in San Bernardino County.
- Reduce freight-related impacts to San Bernardino County and ensure newly funded projects include necessary mitigation measures to protect impacted communities.
- Generate additional revenue streams to assist with freight movement investment; so as to provide funding support commensurate with the local and regional impacts of national freight flows.

Oppose Efforts To:

- Allow triple trailers in urbanized areas of San Bernardino County except in outlying cities.
- Locate any new intermodal freight facility that would have any detrimental environmental or socioeconomic impacts on existing disadvantaged communities in San Bernardino County without sufficient mitigation and economic benefit to the community.

IV. Multi-Modal

The SBCTA's growing transit, rail shared-ride and active transportation programs strive to enhance sustainability for San Bernardino County communities and stakeholders. These mobility options focus on implementing a dynamic regional growth vision based on the principles of livability, prosperity and sustainability.

Support Efforts To:

- Protect the significant resources SBCTA and its Southern California Regional Rail Authority Partners have invested in the Metrolink system by directing the necessary funding to preserve services and recover ridership on the commuter rail line.
- Participate in studies of market-based pricing measures to relieve traffic congestion, improve air quality and/or fund transportation alternatives.
- Work with legislators and stakeholders to review existing metrics for the qualification and distribution of Transportation Development Act (TDA) revenues.
- Promote increased state transit operations and maintenance funding as vital to enable continuation of transit system capital investment and expansion of transit services.

- Ensure appropriate funding for a growing bus and rail system in Southern California with equitable distribution of funds and flexibility in the administration of the programs, including funding to meet the state's zero-emission bus mandates.
- Modernize organizational and governance structures of local transit agencies to maximize efficiencies and cost effectiveness of services delivered to the public.
- Facilitate, or remove obstacles to transit oriented development near rail and bus rapid transit stations.
- Ensure that SBCTA has a role in the planning of all transportation modes and routes serving San Bernardino County.
- Incentivize ridesharing and transit use through reimbursable employer-sponsored initiatives such as transit passes.
- Ensure appropriate funding levels from state sources to support transit operations that help to achieve GHG reduction goals.
- Maintain delegation of Caltrans' ability to review and approve state projects pursuant to the National Environmental Protection Act (NEPA).
- Advocate for investment in San Bernardino County, supported by SBCTA and local stakeholders, for a subsurface connection between the Metrolink Commuter Rail system and Ontario International Airport.
- Create state incentives that promote utilization of Diesel-Electric or Near-Zero/Zero Emission Low-Floor Multiple Unit railcars.
- Encourage use of innovative emerging technologies to provide increased regional connectivity and clean transit options.
- Increase investment in hydrogen and other zero-emission technologies to the meet growing need as we deploy new technologies in the transit and freight network.

Oppose Efforts To:

- Require increased service levels unless they are agreed to by the transit operator and have appropriate funding.
- Mandate that SBCTA build, fund or operate specific transportation projects or programs in San Bernardino County.
- Threaten the viability of the SBCTA's Measure I Transit Program by requiring uncontrolled expenditures on an individual project or group of projects.
- Increase zero emission transit mandates that would impose undue financial or operational burden on transit systems without corresponding increases in state funding.

V. Quality of Life

The San Bernardino Council of Governments (SBCOG) will continue to support a number of regional matters important to the future of San Bernardino County, by working with our 24 cities/towns and five Supervisorial districts to strengthen the County's advocacy on issues related to transportation, housing, environment, energy, economy, and health.

Support Efforts To:

- Promote programs that support the advancement of social and racial equity within communities throughout San Bernardino County.
- Fund Council of Governments programs.
- Incentivize, attract, retain, and grow businesses as well as employment opportunities in San Bernardino County.
- Remove obstacles that would prevent or inhibit local jurisdictions from developing more affordable and “missing middle” housing.
- Provide local jurisdictions more resources that would encourage the development of affordable and “missing middle” housing.
- Revise the Affordable Housing Sustainable Communities (AHSC) guidelines to provide opportunity for San Bernardino County to better compete for Cap and Trade funding.
- Assist local governments with meeting regional GHG reduction goals including, not limited to, grants, incentive funding, and economic development tools that support transit oriented development.
- Develop cost effective and technologically feasible conversion and replacement of public transit fleets to alternative fuels and electric vehicles.
- Fund utility planning and upgrades to electrical infrastructure in support of fleet conversion.
- Provide refueling/recharging infrastructure for alternative fuel or electric vehicles.
- Fund Freeway Service Patrol, ride-sharing, telecommuting and call boxes, consistent with the level of growth and utilization.
- Collaborate with public and private sector stakeholders on policy and funding matters that enhance economic development and quality of life in the Inland Empire region.
- Establish policies and priorities for the use of existing utility facilities and require city/county review of any additional uses.
- Promote programs that support climate adaptation and resilience planning efforts within communities throughout San Bernardino County.

Oppose Efforts To:

- Infringe on decision-making authority of local jurisdictions and agencies over land-use and regional planning.
- Impose unfunded mandates on local governments.
- Divert local revenues for state purposes.

Attachment B

**San Bernardino Transportation Authority
2023 - 2024 Federal Legislative Platform**

The San Bernardino County Transportation Authority (SBCTA) serves as the Regional Transportation Planning Agency for the largest geographical county in the nation. Covering approximately 20,000 sq. miles and serving approximately 2 million residents, the Board of Directors is comprised of representatives from San Bernardino County's 24 cities and five supervisorial districts. In addition to the cooperative regional planning and expansion of an efficient multi-modal transportation system countywide, the SBCTA supports freeway construction projects, regional and local road improvements, train and bus transportation, railroad crossings, call boxes, ridesharing, congestion management efforts, and long-term planning studies. As a Self-Help County agency, the SBCTA administers Measure I funding, a voter-approved half-cent sales tax dedicated for transportation planning, design, construction, operation, and maintenance in San Bernardino County.

This legislative platform serves as the basis to proactively engage in policy and legislative initiatives that will enable SBCTA and the San Bernardino Council of Governments (SBCOG) to deliver projects and programs that meet the needs of our region. This document also guides staff recommendations to the Legislative Policy Committee and Board of Directors on federal legislative, regulatory, and administrative matters that are anticipated to be addressed in the upcoming congressional session.

SBCTA and SBCOG will continue to partner with public and private sector entities to support common objectives in Washington, DC and foster the unity of the Southern California region.

I. Funding

Seek the highest level of federal transportation dollars to California and San Bernardino County for SBCTA projects and programs.

Support Efforts To:

- Ensure that local agencies and jurisdictions, particularly communities that have been historically underserved and disadvantaged, have equal access to federal investment and that San Bernardino County receives our fair share of the urbanized area formula funding allocations.
- Ensure that federal funding programs include incentives that reward self-help jurisdictions.
- Ensure that planning and project selection for formula federal funds is done at the local level, based on local priorities.
- Increase overall funding of the Surface Transportation Block Grant Program (STBGP) and increase the percentage of sub-allocation to urbanized areas.
- Increase funding for Transit Oriented Development (TOD) opportunities.
- Increase funding for transit operations and maintenance.

- Increase Transportation Alternatives Program (TAP) funding and reduce restrictions on using this program.
- Provide for more predictable federal funding streams through greater emphasis on formula programs in the future versus the recent increased emphasis on competitive discretionary programs.
- Simplify the existing competitive grant programs, with consideration of multi-year programming and less complex and expensive application requirements.

Maximize federal funding for interstate highways and transit capital/operations in order to help meet federal environmental goals and support intercity commuter rail; buses and bus facilities; goods movement; intelligent transportation systems and new technologies that maximize existing infrastructure; safety, maintenance, and operations funding for all modes; and regional airport ground access and development needs.

Support Efforts To:

- Increase Congressional oversight of discretionary grant programs such as Rebuilding American Infrastructure with Sustainability and Equity Grants (RAISE), Advanced Transportation Technologies and Innovative Mobility Deployment (ATTIMD), Multimodal Project Discretionary Grant Opportunity (INFRA/Mega), Positive Train Control (PTC) and Consolidated Rail Infrastructure and Safety Improvements (CRISI) to provide more transparency in the decision-making process.

II. Goods Movement

SBCTA will continue to bring awareness to the relationship between the County's logistics sector and the Ports of Los Angeles and Long Beach as well as the importance of San Bernardino County as a goods movement gateway to and from the United States.

Support Efforts To:

- Increase federal investment in goods movement infrastructure, and policies and funding programs should recognize the transportation impacts of goods movement on San Bernardino County as the nation's premier containerized freight gateway from the Ports of Los Angeles and Long Beach to the rest of the nation.
- Provide equitable funding for trade corridors, gateways, intermodal connectors and freight facilities in San Bernardino County.
- Effectively and strategically use goods movement investments to address the more critical freight bottlenecks that have profound impacts on the nation's economy.
- Protect revenues generated by any fee that is levied on freight and specifically designated to fund projects that mitigate congestion, air quality, and community impacts directly associated with the movement of freight.
- Increase the proportion of freight funds that are allocated by formula, and base on relative impact to regions from national freight flows.
- Increase national dialogue on freight policy and its focus on improving the performance of the freight network and advocate for implementing Southern California's freight strategy.

- Develop policies that allow for the improvement of strategic freight bottlenecks to accommodate the growing logistics industry in our region.
- Recognize the importance of inland ports to overall goods movement systems as part of any investment plan.
- Ensure that federal goods movement legislation, or regulations regarding the operation of express lanes, imposes no unfunded mandates and local transportation agencies such as SBCTA retain control over project implementation at the local level.

III. Multi-Modal

SBCTA's expanding transit, rail, and active transportation programs strive to enhance sustainability for San Bernardino County communities and stakeholders. These mobility options focus on implementing a dynamic regional growth vision based on the principles of livability, prosperity and sustainability.

Support Efforts To:

- Maximize federal funding by developing reforms that will accelerate project procurement, promote flexibility and innovation, and respect local control.
- Streamline federal reporting/monitoring requirements to reduce project delivery times without eliminating critical oversight mechanisms.
- Create federal incentives that promote utilization of the cleanest commercially available and cost-effective locomotive and truck technologies.
- Encourage the Federal Rail Administration (FRA) to expeditiously approve the use of hydrogen fuel cell and similar emerging technologies to power passenger and commuter rail vehicles.
- Develop policies that keep our rail systems safe and increase federal investment in commuter rail services.
- Increase incentives for transit agencies that utilize alternative fuels.
- Expand eligible uses for federal transit funds to provide maximum flexibility to local agencies for funding capital and operations needs.

IV. Quality of Life

SBCOG and SBCTA will continue to support a number of regional matters important to the future of San Bernardino County, by working with our Congressional Delegation to strengthen the region's advocacy on transportation, housing, environment, energy, economy and health.

Support Efforts To:

- Encourage federal programs that support the advancement of social and racial equity within communities throughout San Bernardino County.
- Postpone federal air quality standard deadlines in the South Coast Basin in order to allow for a more realistic implementation timeframe given the current forecast of available technology and funding options. Or, remove the penalty of lost Federal transportation

funding resulting from issues (e.g. heavy duty truck and train emissions) not addressed by Federal regulations.

- Implement an ultra-low nitrogen oxide (NOx) standard to reduce NOx emissions from heavy trucks and simplify air quality regulations and requirements.
- Protect funding sources for congestion relief and pollution reduction related to the transportation sector.
- Secure funds to facilitate the conversion of public sector fleets to alternative fuels to meet local, state, and federal fleet conversion mandates, and provide for the replacement of aging alternative fuel fleets.
- Incentivize programs to attract, retain, and grow businesses and employment opportunities in San Bernardino County.
- Collaborate with public and private sector stakeholders on policy and funding matters that enhance economic development and quality of life in the Inland Empire region.
- Support the expansion of federal Opportunity Zones to incentivize private investment in disadvantaged communities throughout San Bernardino County.

Minute Action

AGENDA ITEM: 5

Date: December 14, 2022

Subject:

Agency Response to Senator Stern's Comments

Recommendation:

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

Approve sending a response to California State Senator Henry Stern regarding his comments on San Bernardino County residents.

Background:

On May 11, 2022, the Legislative Policy Committee approved an oppose position on Assembly Bill (AB) 2438 by Assemblywoman Laura Friedman. AB 2438 would have required that certain state transportation funding programs align with state climate change goals. AB 2438 passed out of the California Legislature, but was ultimately vetoed by Governor Gavin Newsom.

Senator Henry Stern represents the 27th Senate District in Los Angeles County, including the communities of Malibu, Calabasas, Hidden Hills and others. During the Senate floor debate on AB 2438, Senator Stern made the following statement regarding San Bernardino County residents commuting to Los Angeles County for work: *"...people in San Bernardino right now go to work in Los Angeles, they clean houses, they work in retail, they do hard jobs, that's the only place you can afford to live as a working class person on the peripheries of Los Angeles."*

Although there was likely no malicious intent in the Senator's comment, the comment nonetheless perpetuates a negative perception of San Bernardino County by many legislators from coastal counties throughout the state. This misperception continues to fuel policy proposals and decision-making that does not properly represent the diverse population and needs within San Bernardino County communities.

Left unaddressed, attitudes and statements such as Senator Stern's will continue to influence critical State policies and decisions that impact San Bernardino County, its communities and residents. Therefore, SBCTA staff is recommending that a response to Senator Stern's comment be sent to the Senator, and distributed to the members of the Inland Empire Legislative Caucus, expressing our concern with the ongoing mischaracterization of the Inland Empire region and endeavor to open a dialogue with state leaders on policies that will positively impact San Bernardino County and the region as a whole.

Financial Impact:

This item has no financial impact on the Fiscal Year 2022/2023 Budget.

Reviewed By:

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

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Entity: San Bernardino County Transportation Authority

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Approved
Legislative Policy Committee
Date: December 14, 2022
Witnessed By:

ATTACHMENT A

Dear Senator Stern,

On behalf of the San Bernardino County Transportation Authority and the more than two million residents that call this community home, I wanted to take a moment to express our disappointment in your characterization of the Inland Empire population made on August 29th 2022 during the Senate Floor discussion of AB 2438 (Friedman).

During the debate, you offered the following statement: *“people in San Bernardino right now go to work in Los Angeles, they clean houses, they work in retail, they do hard jobs, that’s the only place you can afford to live as a working class person on the peripheries of Los Angeles.”* Intentional or otherwise, this blanket, unqualified statement misrepresents a significant portion our communities and unfortunately perpetuates a perception by many of your colleagues who remain ignorant to the array of professionals who reside east of Los Angeles. This ongoing misperception continues to fuel policy proposals and decision-making that does not land well on our diverse population. It is equally disappointing that the point you were attempting to make was riddled with inaccurate perceptions of a disenfranchised region filled with *“super commuters”* who thirst for more highways and sprawl. As the largest geographical county in the nation, San Bernardino County enjoys a varied landscape that includes populous valleys, rural deserts, and mountain communities. Added to the diverse topography are the ever-growing logistics and supply chain support industries that are blending with our residents who have found more attainable housing options in our region but with fewer local job centers. This confluence of circumstances has put a tremendous strain on our highways and arterial roads that unfortunately appears to be growing with the increased supply chain demands.

SBCTA recognizes the need to address these challenges with a holistic approach. Our agency has made historic investments in expanding transit services. SBCTA has partnered with Brightline West on a high-speed rail service from Las Vegas to the Rancho Cucamonga Metrolink station that will also provide an essential commuter service for residents in the high desert who would otherwise traverse the highly congested Cajon Pass. Moreover, one of our more significant achievements was revealed on Tuesday September 20, 2022 when the first-in-the-nation zero-emission, Hydrogen/Battery self-powered passenger train, slated for arrival in California late next year, was unveiled in Berlin.

Despite the misconception of our region, our citizenry is made up of a range of forward-thinking individuals who thrive in all kinds of fields, including but not limited to: engineers, doctors, lawyers, teachers, equipment operators, and yes, retail workers, house cleaners and hardworking laborers from all walks of life. They all demand that we pioneer innovative and clean technology to address our mobility challenges. However, these innovations are only a piece of the complicated mobility puzzle, as our region will continue to require investments and improvements in our highways and arterials as well.

According to the UC Riverside School of Business Center for Economic Forecasting and Development, the median home prices in Los Angeles, Orange County, and San Diego currently stand at \$860,000, \$1.07 million, and \$832,000, respectively. However, median single-family home price of San Bernardino and Riverside Counties is \$517,000. This obvious fact exemplifies one of the primary reasons we are one of the fastest growing regions in California. So, when one uses the term *“super commuter”* as if commuting is the unintended consequence of their socio-economic status, it undervalues those who

have made intentional decisions while understanding the affordability of homes versus the lack of job centers here in the Inland Empire.

In closing, I strongly encourage you to reassess your understanding of our region and to please refrain from casting what I sincerely hope are unintentional stones at the amazing people who call San Bernardino County home.

ADDITIONAL INFORMATION

LEGISLATIVE POLICY COMMITTEE ATTENDANCE RECORD – 2022

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

Communication: Attendance (Additional Information)

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

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

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

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



MISSION STATEMENT

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

We achieve this by:

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

Approved December 4, 2019