# STAFF REPORT

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| **MEETING DATE:** | **April 25, 2024** |
| **SUBJECT:** | **Receive a Legislative Update and Consider Taking Action on Specific Legislation** |
| **AGENDA ITEM:** | **17** |
| **STAFF CONTACT:** | **Sean Tiedgen, AICP, Executive Director** |

**SUMMARY:**
Staff monitors proposed state legislation each year to determine if proposed bills will help or hinder advancing the transportation goals of the region. Staff identified proposed bills of interest and recommends that the board of directors' take specific positions or actions on them.

**STAFF RECOMMENDATION:**
It is recommended that the board of directors:
1. Receive a legislative update and consider taking positions on specific legislation; and
2. Authorize the Chair to sign a letter of support for Assembly Bill 817 (Pacheco).

**BACKGROUND:**
The Executive Director has been tracking proposed bills introduced in 2024 or previously introduced in 2023 that could impact advancing the transportation goals of the region. Staff identified the following proposed bills of interest and provides a brief summary along with web links to the most recent bill language and recommended agency actions to take.

1. **AB 817 (Pacheco) – Open meetings: teleconferencing; subsidiary body.** *(weblink: AB 817 (capitoltrack.com))* This bill proposes changes to the Ralph M. Brown Act to allow members of subsidiary bodies of an agency (such as an advisory committee) to have greater flexibility in attending meetings remotely. This only applies to advisory committees that do not make final decisions or take action on "legislation, regulations, contracts, licenses, permits, or any other entitlements." For example, greater flexibility would allow members of SRTA's Social Services Transportation Advisory Council (SSTAC) to participate in meetings remotely since they meet to discuss and provide recommendations to the SRTA Board of Directors on transit-related items. ***Recommended action: Support and submit letter.***

2. **AB 2290 (Friedman) – Transportation: Class III bikeways; bicycle facilities; Bikeway Quick-Build Project Pilot Program.** *(weblink: AB 2290 (capitoltrack.com))* First, this bill proposes to prohibit Active Transportation Program funds to projects that create a Class III bikeway unless those bikeways are on facilities designed for 20 mile per hour (mph) or with a posted 20mph sign. Second, this bill proposes changes in how local agencies address bicycle facilities in their projects. Third, this bill proposes Caltrans create a Bikeway Quick-Build Project Pilot Program and implement one project in each Caltrans district by January 1, 2027.

   Staff solicited feedback from regional partners who expressed concerns that the proposed changes would limit where Class III bikeways may go. Such limitations may not match with prima facie laws on transportation facility speed limits or with engineering design speed standards. This may limit funding options for regional partners in providing lower cost solutions to address community needs, where applicable. Staff has no position on the second and third items in this bill. ***Recommended action: Oppose unless amended.***

3. **AB 2535 (Bonta) – Trade Corridor Enhancement Program**. *(weblink: AB 2535 (capitoltrack.com))* This bill would change Trade Corridor Enhancement Program (TCEP) project eligibility and use of funds by:
    a. Restricting funding on projects that include expansion of the physical footprint of a highway unless they address diesel particulate matter under various conditions; and
    b. Requiring the California Transportation Commission to phase in new fund allocation targets toward zero-emission freight projects, including a goal of 50 percent of funds be allocated toward zero-emission freight infrastructure projects starting in 2030.

    The bill leaves several terms undefined, causing potential confusion for applicants on what part of their project could be eligible for funding and creating potentially unintended environmental legal challenges. Because the Shasta Region is in air quality "attainment" status this may not apply for now but could in the future. Additionally, zero-emission freight projects are already eligible for funding and TCEP provides guidelines for including projects. Setting targets for funding zero-emission freight projects under TCEP may force the Commission to award funds toward low-scoring projects, thereby leaving other medium/high-scoring impactful rural and small-urban freight projects unfunded. TCEP is a key funding program for the Shasta Region in addressing freight transportation safety and mobility in the region. ***Recommended action: Oppose.***

AB 2290 and AB 2535 are in the early stages of the state's legislative process and may see further amendments or may not move forward. It is recommended that staff continue to track the status of these bills, including any amendments, and present letters for potential submittal at a later date, if necessary.

**ALTERNATIVES:**
The board of directors could take different stances on the bills presented today. The board of directors could direct the executive director to submit letters based on the board's position without waiting until the June meeting or could direct the executive director to work with the Chair or Fiscal & Policy Committee on submitting letters, if needed, and report back to the board in June.

**OTHER AGENCY INVOLVEMENT:**
Staff participated in discussions with CalCOG member agency staff and local and regional partners to understand potential impacts of proposed bills.

**FISCAL IMPACT:**
There is no direct fiscal impact related to this item.

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**Sean Tiedgen, AICP, Executive Director**

**Attachments:**
**A.** Letter of Support – AB 817

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**Sean Tiedgen, AICP, Executive Director**



April 25, 2024

The Honorable Blanca Pacheo
California State Assembly
1021 O Street, Suite 6240
Sacramento, CA 95814

**Re: AB 817 (Pacheco): Open meetings; teleconferencing; subsidiary body.**
**As amended on January 17, 2024 – Notice of Support**

Dear Assemblymember Pacheo:

The Shasta Regional Transportation Agency (SRTA) writes to inform you of our support for Assembly Bill (AB) 817, which proposes changes to the Ralph M. Brown Act that would provide flexibility for non-decision-making subsidiary (i.e., advisory) bodies of legislative bodies, to allow for the use of teleconferencing without the need to post agendas or share personal and private information of those serving on subsidiary bodies.

SRTA is the metropolitan planning organization (MPO) and regional transportation planning agency (RTPA) for the Shasta County region, a mostly rural area of 3,847 square miles, averaging forty-seven persons per square mile in Northern California. SRTA conducts regional transportation planning activities focused on maintaining and improving the region’s transportation systems for all users, of all abilities, and all modes of transportation. Our board of directors is composed of elected officials from the region’s cities, county, and public transit agency. Additionally, SRTA has advisory bodies made up of citizens in our communities who review our transportation plans and programs and provide recommendations to the board of directors on ways to address our region’s transportation needs.

These advisory members come from all over our region and represent various groups of protected classes who provide key input and perspective on the transportation needs of our communities. This includes individuals who may experience economic limitations such as low or fixed-income, seniors, persons with a disability, single parents, or may live in rural areas and experience difficulty getting around the region, especially during the winter months due to snow.

The Brown Act requires advisory body members to follow the same rules as decision-making bodies when it comes to teleconferencing into a meeting, including providing their place of participation, posting an agenda at their location, and ensuring the location is available and open to a member of the public to attend. Sometimes these locations may be an advisory body member's private residence. Such requirements do not protect the advisory member's personal and private information and presents barriers to participation in civic duties. It can discourage participation in advisory bodies where the individual's experience, diversity, or expertise provides valuable perspective on addressing transportation needs. It can also present challenges for legislative bodies, such as SRTA, in recruiting and maintaining representatives of various groups required to be on our advisory bodies.

AB 817 provides a limited exemption under the Ralph M. Brown Act for members of subsidiary non-decision-making bodies to participate via teleconference. It protects the member's personal and private information, ensures participation, and helps attract and retain members. Additionally, the limited exception still maintains the public's right to access and participate in activities conducted on behalf of the public.

For these reasons, the Shasta Regional Transportation Agency is pleased to support AB 817. Should you have any questions on our position on this matter, please contact Sean Tiedgen, SRTA's executive director at stiedgen@srta.ca.gov or (530) 262-6190.

Sincerely,

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Mark Mezzano, Chair
Shasta Regional Transportation Agency (MPO)

cc: The Honorable Blanca Rubio, Chair, Assembly Committee on Governmental Organization
The Honorable Tom Lackey, Vice Chair, Assembly Committee on Governmental Organization
Members and staff, Assembly Committee on Governmental Organization
Assemblymember Megan Dahle, Assembly District 1
Senator Brian Dahle, Senate District 1