



October 16, 2023

TO: Board Members, Madera County Transportation Commission
FROM: Gus Khouri, President
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RE: STATE LEGISLATIVE UPDATE – OCTOBER

The first year of the 2023-24 legislative session concluded on September 14. Governor Newsom will have until October 14 to sign or veto legislation pending on his desk. Legislators will return on January 3 to commence the second year of session. MCTC identified 27 priority bills to track this year. The following is a summary of the final status of the higher-profile bills for the year.

Bills with MCTC Positions that Received a Signature

AB 557 (Hart) – Extending Virtual Brown Act Meetings Through State of Emergencies

This bill would remove the sunset date of January 1, 2024, on the Brown Act exemptions for boards to meet virtually during a state of the emergency declaration provided under AB 361 (Rivas), Chapter 165, Statutes of 2021. MCTC supported this bill. **Status:** Signed by Governor Newsom.

SB 617 (Newman) Progressive Design-Build

This bill authorizes, until January 1, 2029, a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency, as described, to use the progressive design-build process for up to 10 public works projects, more than \$5,000,000 for each project. MCTC supported this bill. **Status:** Signed by the Governor

SB 825 (Limón) Broadband Grants

This bill adds metropolitan planning organizations and regional transportation planning authorities to the list of local government agencies included in the definition of “local agency” eligible to directly apply for local technical assistance grants administered by the California Public Utilities Commission to implement broadband. MCTC supported this bill. **Status:** Signed by the Governor

Other Bills of Interest

ACA 1 (Aguiar-Curry) Vote thresholds for Infrastructure bonds and ballot measures

This measure would authorize a local government, including a special district, to impose, extend, or increase a sales and use tax or transactions and use tax imposed, or a parcel tax, to fund the construction, rehabilitation, or replacement of public infrastructure, defined to include improvements to transit and streets and highways and projects for the protection of property from the impacts of sea

level rise, as well as for affordable housing if the proposition proposing that tax is approved by 55% of its voters. **Status:** Going to the November 2024 ballot.

ACA 13 (Ward) Voting Thresholds

This measure requires an initiative constitutional amendment to comply with any increased voter approval threshold it seeks to impose on future ballot measures. Guarantees in the state constitution the ability of local governments to submit advisory questions to voters. This measure is a response to the California Business Roundtable's (CBR) initiative to make all tax thresholds to be set at a 2/3 vote margin. The CBR must notify the Secretary of State by June 27, 2024, if it plans to pull its initiative. Otherwise, it has qualified for the November 2024 ballot. **Status:** ACA 13 may be on the November ballot pending CBR action. It is currently being held at the Assembly Desk until November 1.

FY 23-24 State Budget Update and Opportunities

In the proposed FY 23-24 released in January, Governor Newsom stated that since the Rainy Day Fund is at capacity, \$951 million must be spent on infrastructure. That number increased to \$2.3 billion with the release of the May Revision. The balance still exists, but legislative leadership is cautious about expending those funds until they receive an accurate accounting of the October tax receipts. This could represent an opportunity to fulfill some of MCTC's funding needs when the legislature reconvenes in January.

California Transportation Commission Needs Assessment

SB 1121, Chapter 508, Statutes f 2022, requires the California Transportation Commission, in consultation with CalSTA and Caltrans, to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next ten years. This represents an opportunity for MCTC to identify priority projects for future funding consideration.

The SB 1121 Stakeholder Workgroup will be meeting every three weeks on the following dates for the rest of 2023 (with some modifications):

- November 2, 2023
- November 30, 2023
- December 14, 2023

Active Transportation Program (ATP)

The ATP was created in 2013 to consolidate five programs (Transportation Alternatives Program, Safe Routes to School Program, Bicycle Transportation Account Program, Recreational Trails Program, and Environmental Enhancement and Mitigation Program) to leverage resources better to provide multi-modal options. The Cycle 7 process is underway, with the California Transportation Commission sharing draft guidelines on October 31.

Transit Capital and Intercity Rail Program

CalSTA is expected to announce a schedule for TIRCP Cycle 7, which includes a workshop after Thanksgiving, a call for projects in December, application deadline in March, and awards in June of 2024. This could represent another opportunity for MCTC to deliver on multi-modal priorities.