

# AGENDA

## Legislative Committee

The next meeting of the Legislative Committee will be as follows.

**PLEASE NOTE THAT WE WILL BE MEETING AT 5:30 P.M.**

in the 2<sup>nd</sup> Floor Auditorium

Date: Thursday, May 8, 2014 - 5:30 p.m. to 6:30 p.m.  
 Place: San Mateo County Transit District Office<sup>1</sup>  
 1250 San Carlos Avenue  
2<sup>nd</sup> Floor Auditorium  
 San Carlos, California

PLEASE CALL Jean Higaki (599-1462) IF YOU ARE UNABLE TO ATTEND.

1	Public comment on related items not on the agenda.	Presentations are limited to 3 Minutes	
2	Approval of Minutes from February 13, 2014 and Approval of Minutes from March 13, 2014.	Action (Gordon)	Pages 1 - 7
3	Update from Advocation & Shaw/Yoder/Antwih	Oral Presentation (Advocation & Shaw/Yoder/Antwih)	Verbal
4	Stormwater legislative activities update	Information (Matt Fabry)	Page 8
5	Review and recommend that the C/CAG Board send support letters for AB 2170, AB 2194, and AB 1690.	Action (Gordon)	Pages 9 - 17
6	Review and recommend approval of the C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified).	Action (Gordon)	Pages 18 - 30
7	Adjournment	Action (Gordon)	

NOTE: All items appearing on the agenda are subject to action by the Committee. Actions recommended by staff are subject to change by the Committee.

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<sup>1</sup>From Route 101 take the Holly Street (west) exit. Two blocks past El Camino Real go left on Walnut. The entrance to the parking lot is at the end of the block on the left, immediately before the ramp that goes under the building. Enter the parking lot by driving between the buildings and making a left into the elevated lot. Follow the signs up to the levels for public parking.

For public transit access use SamTrans Bus lines 390, 391, 292, KX, PX, RX, or take CalTrain to the San Carlos Station and walk two blocks up San Carlos Avenue.

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS  
LEGISLATIVE COMMITTEE**

**MEETING MINUTES  
February 13, 2014**

At 5:35 P.M. Member Gordon called the Legislative Committee meeting to order in the Second Floor Auditorium at the San Mateo Transit District Office.

**Committee Members Attending:**

Irene O'Connell (City of San Bruno)  
Deborah Gordon (Town of Woodside)  
Art Kiesel (City of Foster City)  
Mary Ann Nihart (City of Pacifica)  
Karen Ervin (City of Pacifica)

**Guests or Staff Attending:**

Andrew Antwih, Shaw/ Yoder/ Antwih Inc.  
Matt Robinson, Shaw/ Yoder/ Antwih Inc.  
Sandy Wong, Jean Higaki, Wally Abrazaldo, C/CAG Staff  
Jim Bigelow, Redwood City Chamber of Commerce

**1. Public comment on related items not on the agenda.**

None

**2. Approval of Minutes from December 12, 2013.**

Member O'Connell moved and member Kiesel seconded approval of the December 12, 2013 minutes. Motioned passed unanimously.

**3. Update from Advocation & Shaw/ Yoder/ Antwih.**

Andrew Antwih and Matt Robinson from Shaw/Yoder/Antwih provided a verbal and written update of legislative issues from Sacramento. Some of the topics covered included the following:

A number of the 2013 bills on the C/CAG watch list were 2 year bills that fell to the wayside. If authors want to move forward with the bills they have to reintroduce the bills by 2/21/14. This is the deadline for new bill introductions. About a thousand bills are expected to be introduced next week. Andrew and Matt will have a better idea of the bills of interest to C/CAG in the next couple of weeks.

The Governor's budget proposal was on introduced on January 8 and was well received. If the

legislature approves the proposal there will be a ballot initiative to increase the rainy day fund. Surplus revenues are expected and estimates are conservative. The Budget expects to appropriate about \$850 mil in Cap and Trade dollars this year. Member Gordon asked about the methodology CARB uses in calculating the projections for Cap and Trade but it appears not easy to obtain from CARB. Cap and Trade main expenditure categories include:

- Strategic Growth Council for implementing SB375 and Sustainable Communities Strategies projects.
- Air Resources Board (ARB) for low carbon cargo, passenger, and freight projects.
- Rail modernization and High Speed Rail projects
- Natural Resource Protection projects
- Energy Efficiency projects

The Governor's budget proposal also includes a kind of replacement for redevelopment by revamping the Infrastructure Financing Districts (IFD) structure. There has been mixed support from the Cities and a lot of critique of the proposal. The proposal would lower the vote threshold to 55% and expand the type of projects that the IFD can fund but there are many strings attached. Member Gordon asked that this issue be presented in detail to the whole C/CAG Board. Several members would like to know the difference from what Cities can already do now with tax increment financing.

Other budget items include appropriation of the remaining \$160 mil Prop 1B funds for inner city rail, \$800 mil for State Transit Assistance (STA) transit projects, a \$351 mil loan repayment for local streets and roads, highway repair projects, ATP, and \$618 mil for water action planning and the Integrated Regional Water Management Program (IRWMP).

On February 5<sup>th</sup>, the State Transportation Agency Secretary's infrastructures priorities working group released a report titled, "California Transportation Infrastructure Priorities: Vision and Interim Recommendations." This report highlights priorities in the areas of rail modernization, fix it first, and active transportation programs (ATP). Longer term recommendations included seeking to lower thresholds for local taxes, using a vehicle miles traveled (VMT) fee in lieu of gas tax, and a re-examination of the state transportation improvement program (STIP).

The California State Transportation Agency (CalSTA), also released a report of an external review of Caltrans conducted by the State Smart Transportation Initiative (SSTI). This report examined a restructuring of Caltrans and the STIP process. Both reports will be distributed to the legislative committee.

#### **4. Update on Stormwater Funding Initiative Enabling Legislation (AB 418) and other related potential funding initiatives.**

Matt Robinson reported that AB 418 has been heard at the Senate Governance and Finance Committee and passed with a vote of 5-1. The next stop is the Senate floor, which will require a 2/3 vote approval due to the urgency clause. He is confident that the vote can pass. From there it moves to the Assembly Policy Committee and then the Assembly floor. He estimates the best case is passage at the end of May or early June and worst case is passage by July or August.

AB 418 was amended to include the recommended “watershed” terminology as well as some clarification from Senate Governance and Finance Committee that this bill is specific to C/CAG only. Organizations in opposition include Howard Jarvis and CalTAX. Assembly member Mullin is also planning to introduce a bill that will give all Joint Powers Agencies (JPA) taxing authorities identical to the entities that make up the JPA e.g. Cities and County.

Member Ervin asked if there were concerns about the water bond that will be on the ballot. It is hoped that the AB 418 will be out ahead of the water bond on the ballot.

Water bond related AB 1331 SB 848 both contain a storm water component. Senator Steinberg is trying to amend SB 731 to include streamlining for drought projects. Matt Fabry is looking at some proposed water bond language to see if there is a way to make it more competitive for C/CAG.

Matt Fabry reported that he has not received support letters from all of the jurisdictions and he continues to ask that support letters be submitted. He is concerned that some jurisdictions may not submit a support letter and that there is a need to identify any issues that individual jurisdictions may have regarding moving forward with an actual funding initiative.

Matt Fabry also mentioned that the water bond issue may not be that much of a concern as local initiatives tend to fare better among voters than statewide initiatives. However, there is a concern regarding the SF Bay Restoration Authority who might submit a competing initiative with similar messaging as C/CAG’s message for safe clean water. Member Nihart is not sure if the SF Bay Restoration Authority is in a position politically and/ or financially to make a November ballot initiative.

**5. Review and recommend approval of the C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified).**

The Legislative Committee did not take an action at this time. It was decided to wait until after the 2/21/14 deadline for new bill introductions and upon further development of legislation.

**6. Review and recommend approval of the Draft C/CAG Legislative Policies for 2014**

Member O’Connell moved and member Kiesel seconded approval of the Draft C/CAG Legislative Policies for 2014. Motioned passed unanimously.

**7. Adjournment**

The meeting informally adjourned at approximately 6:15 P.M.

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS  
LEGISLATIVE COMMITTEE**

**MEETING MINUTES  
March 13, 2014**

At 5:35 P.M. Vice Chair Kiesel called the Legislative Committee meeting to order in the Second Floor Auditorium at the San Mateo Transit District Office.

**Committee Members Attending:**

Art Kiesel (City of Foster City)  
Mary Ann Nihart (City of Pacifica)  
Karen Ervin (City of Pacifica)

**Guests or Staff Attending:**

Andrew Antwih, Matt Robinson, Shaw/ Yoder/ Antwih Inc. (call in)  
Chuck Cole, Advocation Inc. (call in)  
Sandy Wong, Jean Higaki, Matt Fabry, C/CAG Staff  
Jim Bigelow, Redwood City Chamber of Commerce  
Jeremy Dennis, Assembly Member Gordon's Office  
Marc Hershman, Senator Hill's Office  
Richard Garbarino, Vice Mayor - City of South San Francisco

**1. Public comment on related items not on the agenda.**

None

**2. Approval of Minutes from February 13, 2014.**

Minutes could not be approved as a quorum was not met.

**3. Update from Advocation & Shaw/ Yoder/ Antwih.**

Andrew Antwih and Matt Robinson, from Shaw/Yoder/Antwih, and Chuck Cole, from Advocation Inc., provided a verbal and written update of legislative issues from Sacramento. Some of the topics covered included the following:

AB 418: AB 418 passed the Senate Floor with a 2/3 vote 27-8. It will be headed to Assembly Local Government Committee on April 2 for a hearing. After that it will go to the Assembly Floor where it will need a 2/3 vote again.

Cap and Trade: Member Gordon asked about Cap and Trade estimate calculations at the last meeting. Using allowance information multiplied by an average price per allowance they can estimate a rough revenue amount. The Bay Area Congestion Management Agency (CMA)

Association (of which C/CAG is a member) is supporting a sustainable communities program, but is requesting revisions, as well as a funding increase for the program. Since it is estimated that FY14/15 will generate \$1.4 billion in revenue, the CMAs would like to see the \$100 million, proposed by the Governor's office, increased. CMAs are advocating for more regionalized distribution of funding as well as additional eligible types of projects/ programs such as local streets and roads rehabilitation, complete streets improvements, and transit operations.

SB 1156: SB 1156 would remove transportation fuels from the Cap and Trade program, and instead impose a carbon tax on suppliers of fossil fuels to be deposited in the Carbon Tax Revenue Special Fund to be rebated to taxpayers. Member Ervin asked about the effect of this on Cap and Trade. Since transportation fuels are a big part of Cap and Trade dollars (~40%) there is high opposition from Cap and Trade supporters.

Infrastructure Financing Districts (IFD): The Governor's budget proposal includes a kind of replacement for redevelopment by revamping the Infrastructure Financing Districts (IFD) structure. The proposal would lower the vote threshold to 55% and expand the type of projects that the IFDs can fund, after resolving all outstanding issues with the state surrounding the dissolution of a former redevelopment area. The Legislative Analyst Office (LAO) is having an issue with the proposal saying that IFDs are not a separate entity and therefore are subject to City rules which dictate a 2/3 vote.

Budget subcommittee hearing: The Committee approved Prop 1B (PTMISEA account) for transit and intercity rail funds. \$793 mil is for transit and \$160 mil is for intercity rail. The Committee is holding, for further discussion, a \$351 mil loan repayment for local streets and roads, highway repair projects, ATP. It is thought that more funding should go towards state facilities. The Committee approved 16 positions at Caltrans to staff the Devil Slide tunnel (in Pacifica) for fire safety.

Water Bond and drought packages: The current water bond proposal is thought to be too big to put before the voters so there are proposals to rewrite water bond expenditures to a smaller more reasonable size, below \$10 billion. SB 848 is focused on delta restoration and AB 1331 adds water storage facilities. The Legislature also acted fast and passed SB 103 and SB 104 for communities severely impacted by the drought. The Legislature also passed Proposition 1E geared to fund flood control projects. Member Nihart asked about a breakdown of expenditures for SB 103 and SB 104 to look for potential conflicts with AB 418 among the above mentioned bills.

Back up for AB 418: It was requested that C/CAG support AB 2170 which clarifies that parties to a Joint Powers Agreement may exercise any power common to the contracting parties, including, the authority to levy a fee or tax. Member Ervin asked if there would be any problems if one bill passes and another doesn't. AB 418 is much further along in the process so the fate of AB 418 would be known well in advance of AB 2170 and it should reinforce vs. hurt the AB 418 effort.

AB 2403: AB 2403 would change the definition of "water" under the Proposition 218 Omnibus Implementation Act to include recycled water and stormwater intended for water service. Matt

Fabry is working with them to amend the bill so that it can benefit C/CAG in its storm water interests.

Rich Gordon's Office: Jeremy Dennis gave an overview of 3 bills that they are seeking C/CAG support on:

1. AB 1690 will expand the zone opportunities to provide very low income and low income housing associated with RHNA allocations. Currently half must be located in residential only zones. This will add mixed use zones to add more flexibility for the Cities.
2. AB 1970 would steer Cap and Trade funds to fund competitive grants for GHG reduction projects implemented by local jurisdictions.
3. AB 2516 would require the natural resources agency to create a sea level rise database to use as a resource. The database would house all sea level rise related studies in the state and include adaptive project examples. It would be required to be updated monthly.

Letter protecting Highway Trust Fund from insolvency: The Highway Trust Fund is not in good financial shape. A joint letter was sent out to encourage the Congress to take measures to keep it solvent. The letter needed a quick turnaround, to hand deliver in Washington DC, and was approved by the Chair as it is consistent with adopted C/CAG policies.

#### **4. Update on Stormwater Funding Initiative Enabling Legislation (AB 418) and other related potential funding initiatives.**

Matt Fabry reported that he has not received support letters from all of the jurisdictions and he continues to ask that the legislative committee recommend to the Board to encourage that support letters be submitted. He has received letters from 13 out of 21 jurisdictions.

Member Nihart mentioned that some jurisdictions may not submit a support letter. Member Ervin asked about jurisdictions that haven't responded. Matt responded that a couple jurisdictions said they would not send a letter but that other jurisdictions remain silent.

#### **5. Review and recommend approval of the C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified).**

There is no quorum so no recommendation is made. Jeremy Dennis said that the bills they are requesting support from can wait until May.

#### **6. Recommend that the C/CAG Board consider an action regarding the San Francisco Bay Restoration Authority's (SFBRA) mission to restore, enhance, and protect the wetlands and wildlife habitat in the San Francisco Bay and along its shoreline; and request that SFBRA staff coordinates messaging and outreach efforts**

Sandy and Matt met with staff from Save the Bay and also Supervisor Pine. Save the Bay and Supervisor Pine have asked if C/CAG would support SFBRA's activities. Their messaging and the C/CAG messaging will be the same or very similar. If C/CAG's schedule is ahead of the November ballot then the SFBRA outreach might help C/CAG efforts. Member Nihart

requested an analysis of what is different and complimentary about the two messaging efforts.

## **7. Adjournment**

The meeting informally adjourned at approximately 6:35 P.M.

# C/CAG AGENDA REPORT

**Date:** May 8, 2014  
**To:** City/County Association of Governments Board of Directors  
**From:** Sandy Wong, Executive Director  
**Subject:** Receive update on potential countywide funding initiative for stormwater compliance activities

(For further information or questions contact Matthew Fabry at 650 599-1419)

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## **RECOMMENDATION**

That the C/CAG Board receives an update on the potential countywide funding initiative for stormwater compliance activities.

## **BACKGROUND/DISCUSSION**

C/CAG staff has been working with a consultant team lead by SCI Consulting Group since January 2013 on preliminary efforts to evaluate the potential for a countywide funding initiative to assist member agencies in meeting compliance costs associated with municipal stormwater runoff requirements mandated in the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit. In March, staff indicated it would bring a variety of documents back to the C/CAG Board for approval in May, in anticipation of seeking approval to move ahead with a potential property-related fee process in June. Since March, however, staff has been discussing the various aspects of the potential initiative with individual member agencies and C/CAG's Stormwater Committee and has received unanimous support for not aggressively pursuing an initiative in 2014. Staff supports this approach given there are significant remaining activities that need to be addressed before asking the C/CAG Board to make a decision on whether to move forward on an initiative.

Staff plans to bring the results of the public opinion research to the Board in June along with an updated timeline for completing the various steps that need to occur in advance of a C/CAG Board decision on an initiative.

## **ATTACHMENTS**

None

# C/CAG AGENDA REPORT

**Date:** May 8, 2014  
**To:** C/CAG Legislative Committee  
**From:** Sandy Wong, Executive Director  
**Subject:** Recommend that the C/CAG Board send support letters for AB 2170, AB 2194, and AB 1690.

(For further information or questions contact Jean Higaki at 599-1462)

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## **RECOMMENDATION**

That the C/CAG Legislative Committee recommend that the C/CAG Board send support letters for AB 2170, AB 2194, and AB 1690.

## **FISCAL IMPACT**

Unknown.

## **SOURCE OF FUNDS**

NA.

## **BACKGROUND/DISCUSSION**

At the March 13, Legislative Committee meeting, our legislative advocated requested that C/CAG support two bills introduced by Assembly Member Mullin imitated as a “back up” strategy for C/CAG’s AB 418 effort, in the event that AB 418 did not pass

- AB 2170 which clarifies that parties to a Joint Powers Agreement may exercise any power common to the contracting parties, including, the authority to levy a fee or tax. AB 418 is much further along in the legislative process so the fate of AB 418 would be known well in advance of AB 2170. AB 2170 is more general in nature and should reinforce the AB 418 effort.
- AB 2194 would amend the Mello-Roos Community Facilities Act to allow a community facilities district to finance stormwater management, including compliance with state and federal stormwater permit requirements.

On March 13, 2014, Rich Gordon’s Office: Jeremy Dennis gave an overview of bills that they are seeking C/CAG support on.

- AB 1690 will expand the zone opportunities to provide very low income and low income housing associated with RHNA allocations. Currently half must be located in residential only zones. This bill will add mixed use zones to add more flexibility for the Cities. Staff recommends supporting AB 1690 as it appears to support Cities in their effort to provide affordable housing in San Mateo County.
- AB 1970 would steer Cap and Trade funds to fund competitive grants for GHG reduction projects implemented by local jurisdictions. AB 1970 may warrant more discussion regarding consistency with the joint Congestion Management Agency (CMA) support letter submitted to the Senate Committee on Budget and Fiscal Review on February 12, 2014.

SB 990 was introduced as Disadvantaged Communities Funding for Transportation. This bill would require at least 5% of funds programmed in the regional transportation improvement program to be spent in disadvantaged small communities. This bill defines disadvantaged small community as having 25,000 or fewer people and a median household income less than 80 percent of the statewide median household income.

### **ATTACHMENTS**

- Draft letter of support for AB 2170
- Draft letter of support for AB 2194
- Draft letter of support for AB 1690
- Legislative information for AB 1970

# C/CAG

## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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May 9, 2014

Honorable Kevin Mullin  
California State Assembly  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0022

RE: Assembly Bill 2170 – Joint Powers Authorities

Dear Assembly Member Mullin:

I am writing to express SUPPORT for AB 2170, which would affirm that a joint powers agency has authority to levy taxes or fees as long as all of its members have that authority. The City/County Association of Governments of San Mateo County (C/CAG) is a joint powers agency consisting of San Mateo County and the 20 cities and towns, all of which have existing authority to levy taxes or fees. Another one of your bills, AB 418, which C/CAG is sponsoring, is intended to affirm C/CAG's authority in this regard to support funding specific to stormwater pollution prevention programs. As you are aware, C/CAG's member agencies are facing ever-increasing costs under municipal stormwater regulations. Significant new funding streams are necessary for our member agencies to continue protecting our receiving water bodies and their associated beneficial uses and remain in compliance with these important state and federal requirements.

AB 2170 is consistent with C/CAG's adopted legislative policies in regard to supporting legislation that provides C/CAG flexibility to levy taxes, assessments, or fees to address storm water regulatory mandates. While ultimate approval of any new taxes or fees still rests with voters and property owners pursuant to the State Constitution, AB 2170 will affirm joint powers agencies' ability to implement coordinated approaches to seeking such approval consistent with the member agencies' existing authorities. We appreciate your leadership in seeking solutions for important local funding issues and urge the Legislature to SUPPORT AB 2170.

Please feel free to contact me with any questions or concerns.

Sincerely,

Mary Ann Nihart, Chair  
City/County Association of Governments of San Mateo County

Cc: Senator Jerry Hill  
Assembly Member Richard Gordon

# C/CAG

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May 9, 2014

Honorable Kevin Mullin  
California State Assembly  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0022

RE: Assembly Bill 2194 – Mello Roos Districts for Stormwater Management Activities

Dear Assembly Member Mullin:

I am writing to express SUPPORT for AB 2194, which would allow Mello Roos Community Facilities Districts to be used as a means of financing stormwater management activities, including compliance with state and federal stormwater permit requirements. The City/County Association of Governments of San Mateo County (C/CAG) is a joint powers agency consisting of San Mateo County and the 20 cities and towns, all of which are facing ever-increasing costs under municipal stormwater regulations. Significant new funding streams are necessary for our member agencies to continue protecting our receiving water bodies and their associated beneficial uses and remain in compliance with these important state and federal requirements.

AB 2194, while limited to situations in which a Community Facilities District is established, provides additional flexibility to municipalities struggling to fund stormwater management programs. We appreciate your leadership in seeking solutions for important local funding issues and urge SUPPORT AB 2194.

Please feel free to contact me with any questions or concerns.

Sincerely,

Mary Ann Nihart, Chair  
City/County Association of Governments of San Mateo County

Cc: Senator Jerry Hill  
Assembly Member Richard Gordon

# C/CAG

## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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May 9, 2014

Honorable Richard Gordon  
California State Assembly  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0022

RE: Assembly Bill 1690 – Low- and Very Low-Income Housing: Mixed Use

Dear Assembly Member Gordon:

I am writing to express SUPPORT for AB 1690, which would allow our member agencies to better plan for accommodating low- and very low-income housing on sites designated for mixed-uses. The City/County Association of Governments of San Mateo County (C/CAG) serves as the Congestion Management Agency (CMA) for San Mateo County. As a CMA, C/CAG supports transit oriented development and multi modal transportation in communities. C/CAG also supports our member agencies in updating their general plan housing elements which must address with the Regional Housing Needs Assessments – RHNA allocations.

Current law restricts the accommodation of at-least 50% of its low-income and very low-income housing needs assessment to residential only areas. Urban jurisdictions tend to apply multiple uses to areas and “residential only” areas are scarce. AB 1690 will allow local cities and counties additional flexibility in this planning process, to help them site new low- and very low-income housing near jobs and services. This approach also supports transit oriented development and promotes the use of multi-modal transportation.

We appreciate your leadership in seeking solutions for our member agencies and SUPPORT AB 1690.

Sincerely,

Mary Ann Nihart, Chair  
City/County Association of Governments of San Mateo County

Cc: Senator Jerry Hill  
Assembly Member Kevin Mullin



*California*  
LEGISLATIVE INFORMATION

**AB-1970 California Global Warming Solutions Act of 2006: Community Investment and Innovation Program.** (2013-2014)

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE— 2013–2014 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1970**

**Introduced by Assembly Member Gordon**

**February 19, 2014**

An act to add Chapter 3.6 (commencing with Section 39680) to Part 2 of Division 26 of the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 1970, as amended, Gordon. California Global Warming Solutions Act of 2006: Community Investment and Innovation Program.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.

This bill would create the Community Investment and Innovation Program and would require moneys to be available from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature, for purposes of awarding ~~local assistance~~ grants and other financial assistance to eligible ~~grant~~ applicants, as defined, who submit plans to develop and implement integrated community-level greenhouse gas emissions reduction projects in their region. The bill would require the Strategic Growth Council, in ~~coordination~~ *consultation* with the state board, to administer the program, as specified. ~~The bill would require 25% of the moneys appropriated for purposes of the program be awarded to eligible grant applicants whose projects include and specifically benefit environmental justice communities, as defined.~~

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** The Legislature finds and declares all of the following:

(a) The reduction of greenhouse gas emissions is critical to public health, safety, the economy, and the natural ~~environment that residents rely on~~ *environment*.

(b) The scoping plan prepared by the State Air Resources Board pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) encourages local governments to adopt greenhouse gas ~~emissions~~ *emission* reduction goals consistent with the state's overall goal of reducing statewide emissions to 1990 levels by 2020. In addition, the scoping plan recognizes local governments as critical partners in achieving the state's goals to reduce greenhouse gas emissions.

(c) Local and regional governments have broad influence and, in some cases exclusive authority, over activities that contribute to significant direct and indirect greenhouse gas emissions through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. Many of the measures in the scoping plan to reduce greenhouse gas emissions rely on local government actions.

(d) State investments in local and regional greenhouse gas emission reduction projects in this state help local communities thrive, support the state's emission-reduction and clean-energy targets, lower the statewide unemployment rate, and spur new job growth.

(e) Providing incentives to local governments to plan and implement their own greenhouse gas emission reduction efforts will assist the state to reach its emission-reduction targets faster and more efficiently.

(f) Local greenhouse gas emission reduction initiatives ~~best~~ recognize the particular reduction opportunities at the local level and provide an opportunity to enhance the environment and economy of local and regional places through multibenefit projects.

(g) Local governments are well suited to coordinate and aggregate micro-, small-, community-, and regional-scale projects that will help the state reach its environmental targets while providing incentives for investments and job growth at the local level.

(h) It is the intent of the Legislature to promote investments in local and regional greenhouse gas emission reduction projects.

**SEC. 2.** Chapter 3.6 (commencing with Section 39680) is added to Part 2 of Division 26 of the Health and Safety Code, to read:

**CHAPTER 3.6. Community Investment and Innovation Program**

**39680.** (a) The Community Investment and Innovation Program is hereby created.

(b) Moneys shall be available from the Greenhouse Gas Reduction Fund, created by Section 16428.8 of the Government Code, upon appropriation by the Legislature, for purposes of carrying out this chapter.

(c) ~~(1)The Strategic Growth Council, in coordination~~ *consultation* with the state board, shall ~~administer the Community Investment and Innovation Program.~~

~~(2)The Strategic Growth Council, in coordination with the state board, shall establish~~ *administer* the Community Investment and Innovation Program to provide ~~local assistance~~ grants and other financial assistance to eligible ~~grant~~ applicants who submit plans to develop and implement integrated community-level greenhouse gas emissions reduction projects in their region.

(d) For purposes of this chapter, ~~the following terms have the following meanings:~~

~~(1)"Eligible grant~~ *"eligible* applicant" means a city, county, city and county, charter city, charter county, *district*, special district, ~~regional energy network, environmental justice community,~~ or a collection of cities, counties, *districts*, or special districts, *including, but not limited to, a regional energy network.*

~~(2)"Environmental justice community" means a community that has been in the top 10 percent of statewide community scores under the latest version of the California Communities Environmental Health Screening Tool published by the Office of Environmental Health Hazard Assessment.~~

**39681.** The Strategic Growth Council, in consultation with the state board, shall develop guidelines for the implementation of this chapter consistent with Division 25.5 (commencing with Section 38550) and Chapter 4.1 (commencing with Section 39710). The guidelines shall do all of the following:

(a) Allow for project implementation by eligible ~~grant~~ applicants, as well as metropolitan planning organizations, regional climate authorities, ~~regional energy networks~~, joint powers authorities, ~~districts~~, regional collaboratives, or nonprofit organizations working in coordination with the eligible ~~grant~~ applicant.

(b) Provide for a portfolio of projects to be implemented that reduce greenhouse gases and maximize the ability to achieve one or more of the following:

- (1) Decrease air or water pollution.
- (2) Reduce the consumption of natural resources or energy.
- (3) Provide opportunities to ~~achieve greenhouse gas emissions reductions in ways that~~ increase localized energy resources.
- (4) Promote public-private partnerships to implement energy efficiency and clean energy projects.
- (5) Promote financing incentives for residential and commercial facilities.
- (6) Increase the reliability of local water supplies.
- (7) Increase solid waste diversion from landfills.
- (8) Increase electric vehicle infrastructure.
- (9) ~~Achieve greenhouse gas emissions reductions in ways that reduce~~ Reduce vehicle miles traveled.
- (10) Prevent *the* conversion of agricultural, forest, and open-space lands to uses that result in higher greenhouse gas emissions.

(c) Maximize the development of community-level projects that reduce greenhouse gas emissions.

~~(d) Ensure projects are consistent with Chapter 4.1 (commencing with Section 39710).~~

~~(e)~~

*(d)* Provide opportunities for both small- and large-population participants and take into consideration regional context when determining project eligibility.

~~(f)~~

*(e)* Provide incentives for projects that are in addition to projects already being implemented at the local level.

~~(g)~~

*(f)* Provide opportunities for the development and implementation of innovative projects that create new systems or technologies.

~~(h)~~

*(g)* Provide opportunities for existing, proven greenhouse gas emissions reducing or sequestering projects, including, but not limited to, those projects and programs already adopted by local agencies.

~~(i)~~

*(h)* Provide for the aggregation of community- and regional-scale emissions reduction or sequestration projects.

~~(j)~~

*(i)* Ensure projects funded pursuant to this chapter maximize moneys appropriated, provide environmental benefits, create jobs, and are consistent with law.

*(j)* Provide for the allocation of moneys appropriated by the Legislature for the purposes of this chapter consistent with Chapter 4.1 (commencing with Section 39710), including, but not limited to, the allocation of moneys to disadvantaged communities required pursuant to Section 39713.

**39682.** In evaluating potential projects to be funded pursuant to this chapter, the Strategic Growth Council, in ~~coordination~~ consultation with the state board, shall give priority to projects that demonstrate one or more of the following characteristics:

~~(a) Regional integrated implementation.~~

~~(b)~~

(a) The ability to leverage additional public and private funding.

~~(c)~~

(b) The potential for cobenefits or multibenefit attributes.

~~(d)~~

(c) The potential for the project or program to be replicated and to create best practices to serve as a model for communities across the state ~~and region.~~

~~(e) Consideration of geographic and socioeconomic issues.~~

~~(f)~~

(d) Demonstration of innovative strategies and approaches to reducing greenhouse gas emissions.

~~39683.(a)(1) Twenty five percent of the moneys appropriated by the Legislature for purposes of this chapter shall be set aside for projects from eligible grant applicants that include and specifically benefit environmental justice communities.~~

~~(2) A project is only eligible for the set aside if it meets both of the following requirements:~~

~~(A) One or more of the applicants is a city, county, city and county, or special district.~~

~~(B) The project is located in whole or in part in an environmental justice community and directly benefits an environmental justice community.~~

~~(b) Of the moneys to be appropriated pursuant to this section, the eligible grant applicant may use a portion of the moneys to provide technical assistance to environmental justice communities for purposes of preparing competitive projects and plans to be submitted to the Strategic Growth Council.~~



ADVOCATION



SHAW/YODER/ANTWIH, *inc.*  
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

**DATE:** May 8, 2014

**TO:** Board Members, City/County Association of Governments, San Mateo County

**FROM:** Matt Robinson and Andrew Antwih, Shaw / Yoder / Antwih, Inc.  
Chuck Cole, Advocaton, Inc.

**RE:** STATE LEGISLATIVE UPDATE – May 2014

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**Legislative Update**

On April 21, the Legislature returned from Spring Break and begin the rush hear bills in policy committees before the May 9 deadline for committees to hear bills introduced in the same house. Most of May will be spent in the Appropriations Committees as May 30 marks the “house of origin” deadline. The budget bill must be sent to the Governor by June 15.

We continue to monitor and engage members on bills on C/CAG’s behalf, none more important than AB 418 [Mullin] which would clarify C/CAG's authority to submit a property-related fee to the voters for stormwater management programs. AB 418, which requires a two-thirds vote due to the bill’s urgency clause, is currently on the Assembly Floor.

**Cap and Trade and the Steinberg Plan**

Over the last several weeks, the Senate and Assembly budget committees have held numerous hearings on the Governor’s FY 2014-15 budget proposals, including his proposal to spend \$850 million in Cap and Trade revenues on a myriad of programs in 2014-15. The Governor’s plan proposes \$100 million for sustainable communities implementation, to be administered by the Strategic Growth Council as a competitive grant program funding affordable housing, transit capital, active transportation, transit-oriented development, agricultural land preservation projects, as well as sustainable communities planning. The Bay Area Congestion Management Agency Association, of which C/CAG is a member, is advocating to have these funds flow directly to MTC, add additional eligible uses such as complete streets, goods movement & transit operations, and increase the size of the program to \$500 million.

On April 14, Senate President Pro Tem Darrell Steinberg announced a complementary Cap and Trade proposal that would begin in FY 2015-16 and appropriate some funding on an annual basis for programs identified by the Governor promoting energy efficiency, emissions reduction through clean vehicles and effective natural resources management, as well as a climate dividend program. Of the remaining Cap and Trade revenues, the proposal calls for an ongoing investment in transportation by directing 40 percent toward sustainable communities and affordable housing near transit, 30 percent to transit agencies for uses related to GHG emission reduction and sustainable communities goals, 20 percent to rail modernization, and 10 percent for road rehabilitation and complete streets projects that reduce GHG emissions. The proposal by Senator Steinberg sets the stage for a discussion between both houses of the Legislature and the Governor’s office as the budget comes together. We continue to work with both the Governor, Senator Steinberg, and other members of the Legislature & Administration to ensure the proposed programs are successfully implemented.

### **Water Bonds and the Drought Package**

Finally, multiple water bonds continue to move through the Legislative process. SB 848 (Wolk) passed the Senate Governance and Finance Committee on February 26 and AB 1331 (Rendon), after being significantly amended, passed the Senate Natural Resources and Water on March 25. A couple of newcomers to the water bond discussion are Assembly Members Perea and Senator Hueso, who introduced AB 2686 (Perea) and SB 1250 (Hueso), respectively, which propose a larger bond with an emphasis on storage projects. All of these bills are included in C/CAG's bill matrix. On a recent visit to Sacramento, C/CAG staff had an opportunity to visit with Assembly Member Rendon's office and discuss AB 1331's impacts in San Mateo County.

As we reported in February, in addition to the water bonds mentioned above, the Governor signed SB 103 [Committee on Budget and Fiscal Review, Chapter 2, Statutes of 2014] and SB 104 [Committee on Budget and Fiscal Review, Chapter 3, Statutes of 2014] to provide \$677.3 million for drought relief programs throughout the state. At its February meeting, the Committee requested a breakdown of the funding provided in the drought relief package, which we provide below:

- \$549 million for infrastructure grants for local and regional projects that are already planned or partially completed to increase local reliability, including recapturing of storm water, expanding the use and distribution of recycled water, enhancing the management and recharging of groundwater storage and strengthening water conservation.
- \$30 million from the Greenhouse Gas Reduction Fund to the Department of Water Resources (DWR) for direct expenditures and grants to state and local agencies to improve water use efficiency, save energy and reduce greenhouse gas emissions from state and local water transportation and management systems.
- \$14 million for groundwater management across the state, including assistance to disadvantaged communities with groundwater contamination exacerbated by the drought.
- \$10 million from the Greenhouse Gas Reduction Fund for the California Department of Food and Agriculture to invest in irrigation and water pumping systems that reduce water use, energy use and greenhouse gas emissions.
- \$15 million from the General Fund for the Emergency Drinking Water Fund to address emergency water shortages due to drought.
- \$13 million from the General Fund to augment the California Conservation Corps and local community conservation corps to expand water use efficiency and conservation activities and to reduce fuel loads to prevent catastrophic fires.
- \$25.3 million from the General Fund for food assistance, which will be structured to maximize the potential federal drought assistance that can be provided to provide food assistance to those impacted by the drought.
- \$21 million from the General Fund and federal funds for housing related assistance for individuals impacted by the drought.

## **Bills of Interest**

### **AB 418 [Mullin] – Property-Related Fee for Storm Water Management**

**Summary:** This bill would enable San Mateo City/County Association of Governments (C/CAG) to put a special tax or property related fee before the voters for stormwater management activities consistent with C/CAG's joint powers agreement. Any action must be consistent with the California Constitution. **C/CAG is the sponsor of this bill.**

**Status:** This bill is on the Assembly Floor.

### **AB 1970 [Gordon] – Cap and Trade Funding for Community Investment**

**Summary:** This bill would create the Community Investment and Innovation Program and would require moneys to be available from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature, for purposes of awarding grants and other financial assistance to eligible applicants, as defined, who submit plans to develop and implement integrated community-level greenhouse gas emissions reduction projects in their region. The bill would require the Strategic Growth Council, in consultation with the state board, to administer the program, as specified.

**Status:** This bill passed the Assembly Local Government Committee by a vote of 8-0 on April 23. It is now in the Assembly Appropriations Committee.

### **AB 2170 [Mullin] – Clarification of a JPA's Authority**

**Summary:** This bill would clarify that parties to a Joint Powers Agreement may exercise any power common to the contracting parties, including, the authority to levy a fee or tax. **C/CAG is in support of this bill.**

**Status:** This bill passed the Assembly Floor by a vote of 41-20 on April 28.

### **AB 2194 [Mullin] – Mello-Roos Financing for Stormwater**

**Summary:** This bill would amend the Mello-Roos Community Facilities Act to allow a community facilities district to finance stormwater management, including compliance with state and federal stormwater permit requirements.

**Status:** This bill passed the Assembly Local Government Committee by a vote of 9-0 on April 23. It is now on the Assembly Floor.

### **AB 2197 [Mullin] – Temporary License Plates**

This bill would require the DMV to develop a temporary license plate system to enable vehicle dealers and lessor-retailers to affix temporary license plates to vehicles.

**Status:** This bill passed the Assembly Transportation Committee by a vote of 10-1 on April 21. It is now in the Assembly Appropriation Committee.

### **AB 2403 [Rendon] – Proposition 218 Clarification**

**Summary:** This bill would change the definition of "water" under the Proposition 218 Omnibus Implementation Act to include recycled water and stormwater intended for water service. The Act defines terms used in Articles XIII C and XIII D of the Constitution.

**Status:** This bill is scheduled to be heard in the Assembly Local Government Committee on May 7.

**SB 391 [DeSaulnier] – Real Estate Transaction Fee for Affordable Housing**

**Summary:** This bill would impose a fee, beginning January 1, 2014, of \$75 on every real estate instrument, paper, or notice that is required or permitted by law, excluding real estate instruments, papers, or notices recorded in connection with a transfer subject to a documentary transfer tax. Revenue from this fee would be used to fund projects and programs that support the development, acquisition, rehabilitation, and preservation of housing affordable to low- and moderate-income households, emergency shelters and rapid rehousing services, among other identified, related projects.

**Status:** This bill is on the Assembly Appropriations Suspense File and may still be moved.

**SB 556 [Corbett] – Identification of Non-Governmental Employees**

**Summary:** This bill would prohibit a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform labor or services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo that reasonably could be interpreted as implying that the labor or services are being provided by employees of the public agency, unless the vehicle or uniform conspicuously displays a disclosure.

The bill was last amended on September 4, 2013 to further narrow the bill so that their proposed notice requirements would only apply to health and public safety services that are contracted out by a public agency. Despite the latest amendments, many public agencies around the state remained opposed to the bill.

**Status:** This bill is on the Assembly Floor Inactive File and may still be moved.

**SB 731 [Steinberg] – CEQA Relief for Infill Development Projects**

**Summary:** This bill would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, on an infill site, within a transit priority area, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas

**Status:** This bill is in the Assembly Local Government Committee and has not been set for hearing.

**SB 990 [Vidak] – Disadvantaged Communities Funding for Transportation**

This bill would require at least 5% of funds programmed in the regional transportation improvement program to be spent in disadvantaged small communities. This bill defines disadvantaged small community as having 25,000 or fewer people and a median household income less than 80 percent of the statewide median household income.

**Status:** This bill is scheduled to be heard in the Senate Transportation and Housing Committee on April 29.

**SB 1077 [DeSaulnier] Vehicle Miles Traveled Pilot Program**

This bill would the California State Transportation Agency (CalSTA) to develop a pilot program designed to assess specified issues related to implementing a mileage-based fee (MBF) in California to replace the state's existing fuel excise tax by January 1, 2016. The bill would require the CalSTA to assess certain issues related to implementing an MBF, including different methods for calculating mileage and collecting road use information, processes for managing, storing, transmitting, and destroying data to protect the integrity of the data and ensure drivers' privacy, and costs associated with the implementation and operation of the MBF system.

**Status:** This bill is scheduled to be heard in the Senate Transportation and Housing Committee on April 29.

**SB 1156 [Steinberg] – Carbon Tax to Fund Earned Income Tax Credits and Transit**

**Summary:** Under the Cap and Trade program, the manufacturers of transportation fuels are required to begin purchasing GHG emissions allowances on January 1, 2015. The revenues from the sale of these emissions would be available for the state for programs that reduce GHG emissions. This bill would remove transportation fuels from the Cap and Trade program, and instead impose a carbon tax on suppliers of fossil fuels to be deposited in the Carbon Tax Revenue Special Fund to be rebated to taxpayers. While there is no mention of mass transportation funding in the current version of the bill, Senator Steinberg has stated his intention to provide a third of the revenues collected to mass transportation.

**Status:** This bill is in the Senate Governance and Finance Committee and has not been set for hearing.

# C/CAG Priority Bill Matrix as of 4/28/2014

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 418</a> <a href="#">Mullin D</a>  Local government: special tax, assessment, or property-related fee.	ASSEMBLY UNFINISHED BUSINESS 4/3/2014 - From committee: That the Senate amendments be concurred in. (Ayes 7. Noes 2.) (April 2).  4/28/2014 #11 ASSEMBLY UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS	Existing law, until January 1, 2013, authorized the City/County Association of Governments of San Mateo County to impose a fee of up to \$4 on motor vehicles registered within San Mateo County for a program for the management of traffic congestion and stormwater pollution within that county.  This bill would authorize the City/County Association of Governments of San Mateo County, in accordance with specified provisions of the California Constitution, to impose a parcel tax or a property-related fee for the purpose of implementing stormwater management programs, as prescribed. This bill contains other related provisions.  <b>Last Amended on 2/10/2014</b>	Sponsor
<a href="#">AB 471</a> <a href="#">Atkins D</a>  Local government: redevelopment: successor agencies to redevelopment agencies.	ASSEMBLY CHAPTERED 2/18/2014 - Chaptered by the Secretary of State, Chapter Number 1, Statutes of 2014	Existing law authorizes the creation of infrastructure financing districts, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to the division of taxes and voter approval requirements. Existing law prohibits an infrastructure financing district from including any portion of a redevelopment project area.  This bill would delete that prohibition and would authorize a district to finance a project or portion of a project that is located in, or overlaps with, a redevelopment project area or former redevelopment project area, as specified. This bill contains other related provisions and other existing laws.  <b>Last Amended on 1/29/2014</b>	
<a href="#">AB 1331</a> <a href="#">Rendon D</a>  Clean, Safe, and Reliable Drinking Water Act of 2014.	SENATE E.Q. 4/21/2014 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.  5/7/2014 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, HILL, Chair	Existing law, the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, if approved by the voters, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. Existing law provides for the submission of the bond act to the voters at the November 4, 2014, statewide general election.  This bill would repeal these provisions. This bill contains other related provisions and other existing laws.  <b>Last Amended on 4/21/2014</b>	

# C/CAG Priority Bill Matrix as of 4/28/2014

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 1937</a> <a href="#">Gordon D</a></p> <p>Natural Gas Pipeline Safety Act of 2011: school and hospital notification of maintenance and testing of gas pipelines.</p>	<p>ASSEMBLY U. &amp; C. 4/21/2014 - In committee: Set, second hearing. Hearing canceled at the request of author.</p> <p>4/28/2014 3 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND COMMERCE, BRADFORD, Chair</p>	<p>Existing federal law requires the Pipeline and Hazardous Materials Safety Administration (PHMSA) within the United States Department of Transportation, to adopt minimum safety standards for pipeline transportation and for pipeline facilities, including an interstate gas pipeline facility and intrastate gas pipeline facility, as defined. Existing law authorizes the United States Secretary of Transportation to prescribe or enforce safety standards and practices for an intrastate pipeline facility or intrastate pipeline transportation to the extent that the safety standards and practices are regulated by a state authority that submits to the secretary annually a certification for the facilities and transportation. Existing law authorizes a state authority that has submitted a current certification to adopt additional or more stringent safety standards for intrastate pipeline facilities and intrastate pipeline transportation only if those standards are compatible with the minimum standards prescribed by the PHMSA.</p> <p>This bill would require a gas corporation to provide not less than 3 working day's notice, as specified, to the administration of a school or hospital prior to undertaking nonemergency gas pipeline maintenance or testing when the work is located within 500 feet of the school or hospital. The bill would require the gas corporation to maintain a record of the date and time of any notification provided to the administration of a school or hospital and any subsequent contacts with the administration and actions taken, if any, in response to those subsequent contacts. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 4/3/2014</b></p>	
<p><a href="#">AB 1970</a> <a href="#">Gordon D</a></p> <p>California Global Warming Solutions Act of 2006: Community Investment and Innovation Program.</p>	<p>ASSEMBLY APPR. 4/24/2014 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 23). Re-referred to Com. on APPR.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.</p> <p>This bill would create the Community Investment and Innovation Program and would require moneys to be available from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature, for purposes of awarding grants and other financial assistance to eligible applicants, as defined, who submit plans to develop and implement integrated community-level greenhouse gas emissions reduction projects in their region. The bill would require the Strategic Growth Council, in consultation with the state board, to administer the program, as specified.</p> <p><b>Last Amended on 4/10/2014</b></p>	

# C/CAG Priority Bill Matrix as of 4/28/2014

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 2090</a> <a href="#">Fong D</a>  High-occupancy toll lanes: Santa Clara County.	ASSEMBLY THIRD READING 4/10/2014 - Read second time. Ordered to third reading.  4/28/2014 #30 ASSEMBLY ASSEMBLY THIRD READING FILE	Existing law authorizes the Santa Clara Valley Transportation Authority (VTA) to conduct, administer, and operate high-occupancy toll (HOT) lanes, under which single-occupancy vehicles may use high-occupancy vehicle lanes by paying a toll, on 2 state highway corridors within the county. Existing law requires that implementation of the HOT lanes ensure that specified levels of service, described as Level of Service C or D, as specified, be maintained at all times in the high-occupancy lanes and that unrestricted access to the lanes by high-occupancy vehicles be available at all times. This bill would delete the reference to Level of Service C or D, and instead would require VTA to establish, with the consent of the Department of Transportation, appropriate performance measures, such as speed or travel times, for the purpose of ensuring optimal use of the HOT lanes by high-occupancy vehicles without adversely affecting other traffic on the state highway system. The bill would provide that high-occupancy vehicles may be required to have an electronic transponder or other electronic device for enforcement purposes. <b>Last Amended on 3/27/2014</b>	
<a href="#">AB 2170</a> <a href="#">Mullin D</a>  Joint powers authorities: common powers.	ASSEMBLY THIRD READING 4/7/2014 - Read second time. Ordered to third reading.  4/28/2014 #19 ASSEMBLY ASSEMBLY THIRD READING FILE	Existing law provides that 2 or more public agencies, by agreement, may form a joint powers authority to exercise any power common to the contracting parties, as specified. This bill would provide that the parties to the agreement may exercise any power common to the contracting parties, including, but not limited to, the authority to levy a fee or tax, as specified.	Support
<a href="#">AB 2194</a> <a href="#">Mullin D</a>  Mello-Roos Community Facilities Act of 1982.	ASSEMBLY THIRD READING 4/28/2014 - Action From SECOND READING: Read second time.To THIRD READING.  4/28/2014 #5 ASSEMBLY ASSEMBLY SECOND READING FILE	The Mello-Roos Community Facilities Act of 1982 authorizes a community facilities district to finance various services, including, but not limited to, flood and storm protection services, as specified. This bill would additionally authorize the financing of storm water management.	
<a href="#">AB 2197</a> <a href="#">Mullin D</a>  Vehicles: temporary license plates.	ASSEMBLY APPR. 4/24/2014 - Re-referred to Com. on APPR.	Existing law requires the Department of Motor Vehicles (DMV), upon registering a vehicle, to issue to the owner 2 license plates, as specified. Existing law also requires that the license plates be securely fastened to the vehicle for which they are issued, and makes a violation of this requirement a crime. This bill would require the DMV to contract with a private industry partner for the development of a temporary license plate system to enable vehicle dealers and lessor-retailers to print temporary license plates on weatherproof paper or other media selected by the DMV. The bill would require the DMV to ensure that the system is operational on or before January 1, 2016. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/23/2014</b>	
<a href="#">AB 2250</a> <a href="#">Daly D</a>  Toll facilities: revenues.	ASSEMBLY APPR. 4/24/2014 - Read second time and amended.	Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law authorizes tolls to be imposed on certain facilities that are part of the state highway system, including toll roads, toll bridges, and high-occupancy toll lanes. Existing law, in certain cases, provides for the toll facilities to be administered by local agencies. This bill would require the department, when entering into a cooperative agreement with a local agency for a managed lane, as defined, on the state highway system, to ensure that any toll revenues generated from the managed lane that is administered by the local agency remain available for expenditure within the respective corridor in which the managed lane is located. <b>Last Amended on 4/24/2014</b>	

# C/CAG Priority Bill Matrix as of 4/28/2014

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 2403</a> <a href="#">Rendon D</a></p> <p>Local government: assessments, fees, and charges.</p>	<p>ASSEMBLY L. GOV. 4/21/2014 - Re-referred to Com. on L. GOV.</p> <p>5/7/2014 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair</p>	<p>Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines various terms for these purposes. This bill would modify the definition of water to specifically include recycled water and reclaimed stormwater for the provision of water service. The bill would also make legislative findings and declarations in this regard. <b>Last Amended on 4/10/2014</b></p>	
<p><a href="#">SB 1</a> <a href="#">Steinberg D</a></p> <p>Sustainable Communities Investment Authority.</p>	<p>SENATE 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2013)</p>	<p>The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies. This bill would authorize certain public entities of a Sustainable Communities Investment Area, as described, to form a Sustainable Communities Investment Authority (authority) to carry out the Community Redevelopment Law in a specified manner. The bill would require the authority to adopt a Sustainable Communities Investment Plan for a Sustainable Communities Investment Area and authorize the authority to include in that plan a provision for the receipt of tax increment funds provided that certain economic development and planning requirements are met. The bill would authorize the legislative body of a city or county forming an authority to dedicate any portion of its net available revenue, as defined, to the authority through its Sustainable Communities Investment Plan. The bill would require the authority to contract for an independent financial and performance audit every 5 years. This bill contains other related provisions and other existing laws. <b>Last Amended on 9/3/2013</b></p>	
<p><a href="#">SB 391</a> <a href="#">DeSaulnier D</a></p> <p>California Homes and Jobs Act of 2013.</p>	<p>ASSEMBLY APPR. SUSPENSE FILE 8/30/2013 - Set, first hearing. Referred to APPR. suspense file. Hearing postponed by committee.</p>	<p>Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, home ownership for very low and low-income households, and downpayment assistance for first-time homebuyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law. Existing law requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would enact the California Homes and Jobs Act of 2013. The bill would make legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. The bill would impose a fee, except as provided, of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded. By imposing new duties on counties with respect to the imposition of the recording fee, the bill would create a state-mandated local program. The bill would require that revenues from this fee be sent quarterly to the Department of Housing and Community Development for deposit in the California Homes and Jobs Trust Fund, which the bill would create within the State Treasury. The bill would provide that moneys in the fund may be expended for supporting affordable housing, administering housing programs, and the cost of periodic audits, as specified. The bill would impose certain auditing and reporting requirements. This bill contains other related provisions and other existing laws. <b>Last Amended on 8/8/2013</b></p>	

# C/CAG Priority Bill Matrix as of 4/28/2014

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 556</a> <a href="#">Corbett D</a></p> <p>Agency: ostensible: nongovernmental entities.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)</p>	<p>Existing law specifies the authority of agents in dealing with 3rd persons. Existing law states when an agency is ostensible for purposes of determining the authority of an agent. Existing law prohibits unfair methods of competition and unfair or deceptive acts or practices undertaken by a person in a transaction intended to result or which results in the sale or lease of goods to any consumer.</p> <p>This bill would prohibit a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform labor or services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo, as defined, that reasonably could be interpreted as implying that the labor or services are being provided by employees of the public agency, unless the vehicle or uniform conspicuously displays a disclosure, as specified.</p> <p><b>Last Amended on 9/4/2013</b></p>	

# C/CAG Priority Bill Matrix as of 4/28/2014

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 731</a> <a href="#">Steinberg D</a></p> <p>Environment: California Environmental Quality Act.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)</p>	<p>The California Environmental Quality Act, or CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, or EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the Office of Planning and Research to develop and prepare, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA by public agencies. CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. CEQA establishes time periods within which a person is required to bring a judicial action or proceeding to challenge a public agency's action taken pursuant to CEQA. This bill would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the office to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. The bill would require the office, on or before July 1, 2015, to prepare, develop, and transmit to the secretary recommended proposed changes or amendments to the guidelines establishing criteria for a lead agency to assess the need for translating specified notices into non-English languages and requirements for the posting of those notices in non-English languages. Because the bill would require the development of guidelines that would require a lead agency to translate notices into non-English languages and to post those translated notices, this bill would impose a state-mandated local program. The bill would require the office to produce a report on economic displacement and would require the office to publicly circulate a draft of the report. The bill would require the lead agency, in making specified findings, to make those findings available to the public at least 10 days prior to the adoption of the findings and to provide specified notice of the availability of the findings for public review. Because the bill would require the lead agency to make the draft finding available for public review and to provide specified notices to the public, this bill would impose a state-mandated local program. The bill would require the lead agency, at the request of a project applicant for specified projects, to, among other things, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects. Because the bill would require a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program. The bill would authorize the tolling of the time period in which a person is required to bring a judicial action or proceeding challenging a public agency's action taken pursuant to CEQA through a tolling agreement that does not exceed 4 years. The bill would authorize the extension of the tolling agreement.</p> <p><b>Last Amended on 9/9/2013</b></p>	

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<p><a href="#">SB 848</a> <a href="#">Wolk D</a></p> <p>Safe Drinking Water, Water Quality, and Water Supply Act of 2014.</p>	<p>SENATE APPR. 2/26/2014 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2. Page 2831.) (February 26). Re-referred to Com. on APPR.</p>	<p>Existing law creates the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. Existing law provides for the submission of the bond act to the voters at the November 4, 2014, statewide general election.</p> <p>This bill would repeal these provisions. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 2/20/2014</b></p>	
<p><a href="#">SB 990</a> <a href="#">Vidak R</a></p> <p>Transportation funds: disadvantaged small communities.</p>	<p>SENATE T. &amp; H. 4/21/2014 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. &amp; H.</p> <p>4/29/2014 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chair</p>	<p>Existing law generally provides for programming and allocation of funds for transportation capital improvement projects through the state transportation improvement program process administered by the California Transportation Commission. Existing law requires 25% of available funds to be programmed and expended on interregional improvement projects nominated by the Department of Transportation, and 75% of available funds to be programmed and expended on regional improvement projects nominated by regional transportation planning agencies or county transportation commissions, as applicable, through adoption of a regional transportation improvement program.</p> <p>This bill would require no less than 5% of funds available for regional improvement projects to be programmed in the regional transportation improvement program for disadvantaged small communities, as defined. In programming these moneys, the bill would require regional transportation agencies and county transportation commissions to prioritize funding congestion relief and safety needs. This bill contains other related provisions.</p> <p><b>Last Amended on 4/21/2014</b></p>	
<p><a href="#">SB 1062</a> <a href="#">Block D</a></p> <p>Elections: vote by mail ballots.</p>	<p>SENATE APPR. 4/25/2014 - Set for hearing May 5.</p> <p>5/5/2014 1 p.m. or upon adjournment of session John L. Burton Hearing Room (4203) SENATE APPROPRIATION S, DE LEÓN, Chair</p>	<p>Existing law sets forth the procedures by which a voter may apply for and receive a vote by mail ballot. Existing law requires an elections official to deliver to each qualified applicant the vote by mail ballot for the precinct in which the applicant resides and all supplies necessary for the use and return of the ballot. This bill would require the elections official to also deliver to each qualified applicant a return envelope with postage prepaid in which a vote by mail voter may return his or her ballot if the ballot is to be mailed within the territorial limits of the United States or the District of Columbia . By imposing additional duties on local elections officials, this bill would impose a state-mandated local program.</p> <p>This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 3/24/2014</b></p>	

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<p><a href="#">SB 1077</a> <a href="#">DeSaulnier D</a></p> <p>Vehicles: mileage-based fee pilot program.</p>	<p>SENATE T. &amp; H. 4/21/2014 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. &amp; H.</p> <p>4/29/2014 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chair</p>	<p>Existing law establishes the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.</p> <p>This bill would require the agency to develop, by January 1, 2016, a pilot program designed to assess specified issues related to implementing a mileage-based fee (MBF) in California to replace the state's existing fuel excise tax. The bill would require the agency, at a minimum, to assess certain issues related to implementing an MBF, including, among others, different methods for calculating mileage and collecting road use information, processes for managing, storing, transmitting, and destroying data to protect the integrity of the data and ensure drivers' privacy, and costs associated with the implementation and operation of the MBF system, as specified. The bill would also require the department to prepare and submit a specified report of its findings to the policy and fiscal committees of the Legislature no later than June 30, 2017. The bill would require the report to include, among other things, recommendations on how best to implement an MBF, as specified, and recommendations regarding public and private agency access to MBF data that ensures privacy rights as protected by the California Constitution. The bill would repeal these provisions on January 1, 2018.</p> <p><b>Last Amended on 4/21/2014</b></p>	
<p><a href="#">SB 1156</a> <a href="#">Steinberg D</a></p> <p>California Carbon Tax Law of 2014.</p>	<p>SENATE G. &amp; F. 4/2/2014 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. This bill, effective January 1, 2015, would impose a carbon tax of an unspecified amount per ton of carbon-dioxide-equivalent emissions on suppliers of fossil fuels. The bill would require the State Board of Equalization to administer and implement the carbon tax, and would require revenues from the tax to be deposited in the Carbon Tax Revenue Special Fund in the State Treasury. The bill would exempt suppliers of fossil fuels subject to the tax from regulations imposed by the State Air Resources Board under the California Global Warming Solutions Act of 2006 relative to the compliance obligation in the second compliance period under which suppliers of specified fuels are required to obtain allowances for carbon-dioxide-equivalent emissions under the cap-and-trade program adopted by the State Air Resources Board. The bill would state the intent of the Legislature that revenues from the carbon tax be rebated to taxpayers, particularly low- and medium-income taxpayers, of other taxes, and for implementation of the carbon tax to be revenue neutral. This bill contains other related provisions.</p>	

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<p><a href="#">SB 1183</a> <a href="#">DeSaulnier D</a></p> <p>Vehicle registration fees: surcharge for bicycle infrastructure.</p>	<p>SENATE T. &amp; H. 4/24/2014 - Set for hearing April 29 in T. &amp; H. pending receipt.</p> <p>4/29/2014 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chair</p>	<p>Existing law provides for the imposition of certain registration fees on motor vehicles, including certain fees imposed by local agencies for various specified purposes. This bill would authorize a city, county, or regional park district to impose, as a special tax, a motor vehicle registration surcharge of not more than \$5 for bicycle infrastructure purposes. The bill would provide for the Department of Motor Vehicles to administer the surcharge and to transmit the net revenues from the surcharge to the local agency. The bill would require the local agency to use these revenues for improvements to paved and natural surface trails, including existing and new trails, and for associated maintenance purposes. <b>Last Amended on 4/21/2014</b></p>	
<p><a href="#">SB 1260</a> <a href="#">DeSaulnier D</a></p> <p>Local government: affordable housing.</p>	<p>SENATE APPR. 4/11/2014 - Set for hearing April 28.</p> <p>4/28/2014 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>Existing law authorizes a city or county to establish infrastructure financing districts to finance specified types public facilities. This bill would eliminate the requirement of a district that constructs dwelling units to set aside not less than 20% of those units for the purpose described above. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#">SCA 4</a> <a href="#">Liu D</a></p> <p>Local government transportation projects: special taxes: voter approval.</p>	<p>SENATE APPR. 8/29/2013 - Re-referred to Com. on APPR.</p>	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. This measure would prohibit a local government from expending any revenues derived from a special transportation tax approved by 55% of the voters at any time prior to the completion of a statutorily identified capital project funded by revenues derived from another special tax of the same local government that was approved by a 2/3 vote. The measure would also make conforming and technical, nonsubstantive changes. <b>Last Amended on 8/28/2013</b></p>	
<p><a href="#">SCA 8</a> <a href="#">Corbett D</a></p> <p>Transportation projects: special taxes: voter approval.</p>	<p>SENATE APPR. 8/29/2013 - Re-referred to Com. on APPR.</p>	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. The measure would also make conforming and technical, nonsubstantive changes. <b>Last Amended on 5/21/2013</b></p>	