

AGENDA

Legislative Committee

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

Date: Thursday, December 10, 2015 - 5:30 p.m. to 6:30 p.m.
 Place: San Mateo County Transit District Office¹
 1250 San Carlos Avenue
2nd 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 October 8, 2015.	Action (Gordon)	Pages 1-3
3	Update from Shaw/Yoder/Antwih	Information (Shaw/Yoder/Antwih)	Pages 4-7
4	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)	Page 8
5	Review and recommend approval of the C/CAG Legislative Policies for 2016	Action (Higaki/ Fabry)	Page 9-13
6	Review and approval of the 2016 C/CAG Legislative Committee calendar.	Action (Higaki)	Page 14-15
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.

¹From 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
October 8, 2015**

At 6:00 P.M. Chair Gordon called the Legislative Committee meeting to order in the 2nd Floor auditorium at the San Mateo Transit District Office.

Guests or Staff Attending:

Matt Robinson - Shaw/ Yoder/ Antwih Inc.
Sandy Wong, Jean Higaki, - C/CAG Staff
Jessica Osborn, San Mateo County Health

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

None

2. Approval of Minutes from September 10, 2015.

Member Garbarino moved and Member Kiesel seconded approval of the September 10, 2015 minutes. Motion passed unanimously.

3. Update from Shaw/ Yoder/ Antwih (SYA).

Matt Robinson, from Shaw/ Yoder/ Antwih provided an update from Sacramento.

This month has been pretty uneventful. There is no high impact bills expected to be signed by the Governor's signature deadline of October 11, 2015.

There are two bills that C/CAG has an interest in and that appear to be moving forward for the Governor's signature. These are:

- AB 194 (Frazier), a bill regarding the authorization of managed lanes is still moving forward. This bill would be important to C/CAG if there is a determination in the future that high occupancy toll lanes are warranted and desired on the US 101 corridors.

Secretary Kelly is looking to see a comprehensive plan for the US 101 corridor that includes all modes. The tech companies have been effective in bringing attention to the US 101 corridor at the highest levels of state government.

- SB 705 (Hill), a bill specific to San Mateo County and Monterey County, was signed on October 7, 2015. SB 705 will allow the County to raise sales tax by 0.5% for transportation.

Another bill of interest AB 24 – (Levine and Ting) would reorganize the Metropolitan Transportation Commission (MTC) into a Bay Area Transportation Commission. This Commission would be composed of elected official instead of appointed officials. There would be one commissioner per district and each district would be comprised of 750,000 residents. Districts within the boundaries of a toll bridge would have two commissioners. This bill would also delete the Bay Area Toll Authority (BATA) and merge that into the Bay Area Transportation Commission. It is unclear if this bill would get a hearing.

Regarding the special session, there is a conference committee formed to develop a transportation funding proposal to go to the full legislature in January. Two members on this committee are from the Bay Area, Senator Beall and Assembly Member Mullin.

The legislature reconvenes on January 4, 2016 for the second year of the two year session.

4. 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 was a question about if a C/CAG delegation should make another trip to Sacramento next year. Matt suggested that the group consider meeting delegates outside of the Bay Area and also pursuing including business with common interest.

A question was asked about bills to look out for next year. A transportation funding proposal, proposals for Cap and Trade allocations, SB 32 regarding global warming solutions, and Prop 218 reform for stormwater.

5. Adjournment

The meeting adjourned at approximately 6:20 P.M.

Legislative Committee 2015 Attendance Record

Agency	Name	Jan 8	Feb 12	March 12	April 2	May 14	June 4	July	Aug 13	Sept 10	Oct 8	Nov	Dec 10
San Bruno	Irene O'Connell								x		x		
Foster City	Art Kiesel (Leg Vice Chair)	x	x	x	x	x	x		x	x	x		
Woodside	Deborah Gordon (Leg Chair)	x	x	x		x			x	x	x		
Pacifica	Mary Ann Nihart (C/CAG Chair)		x	x	x	x			x	x	x		
Hillsborough	Laurence May	x							x		N/A		
Pacifica	Karen Ervin	x	x	x	x	x			x	x	x		
South San Francisco	Richard Garbarino	x		x	x	x	x		x		x		
Menlo Park	Catherine Carlton	x				x	x						
Menlo Park	Kirsten Keith	x	x		N/A	N/A	N/A		N/A	N/A	N/A		
Redwood City	Alicia Aguirre (C/CAG Vice Chair)		N/A	N/A		x				x	x		

 no meeting



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

DATE: November 24, 2015
TO: Board Members, City/County Association of Governments, San Mateo County
FROM: Andrew Antwih and Matt Robinson, Shaw / Yoder / Antwih, Inc.
RE: STATE LEGISLATIVE UPDATE – December 2015

Legislative Update

The Legislature is in the midst of its interim recess and will reconvene on January 4, 2016 to begin the second year of the two-year legislative session. On or before January 10, the Governor will release the Administration’s proposed 2016-17 budget. Below, under ***Bills of Interest***, we have provided a status update on bills we have been tracking for the C/CAG Board.

Transportation Special Session

After several informational and policy hearings, the special session on transportation, called by the Governor on June 16, failed to produce a comprehensive transportation funding plan for consideration. In the final days of the legislative session, Governor Brown announced a \$3.6 billion proposal that would fund state highways, goods movement, local streets & roads, public transit, and complete streets, as well as \$890 million in one-time funding from early loan repayments. The ongoing proposal would be paid for using a mix of fuel excise tax increases, increased vehicle registration fees, and Cap and Trade revenue.

Governor Brown’s proposal failed to gain any traction in the waning days of the session and it was ultimately decided that the Legislature would convene a conference committee, made-up of 10 members of the Legislature, including **Senators Beall (D-San Jose, Co-Chair)**, Allen (D-Santa Monica), Leyva (D-Chino), Cannella (R-Ceres), and Gaines (R-El Dorado Hills) and Assembly Members Gomez (D-Los Angeles, Co-Chair), **Mullin (D-South San Francisco)**, Burke (D-Inglewood), Melendez (R-Lake Elsinore) and Obernolte (R-Big Bear Lake). The conference committee held its first two hearings on October 16 (Sacramento) and October 21 (Ontario). The hearings were primarily focused on the needs of state highways and local streets & roads, but there was some discussion of the Governor’s proposal to fund transit and how the Cap and Trade funding would be appropriated. It is rumored that the Conference Committee members have been meeting behind closed doors with the goal of finding a solution. As mentioned above, the Legislature reconvenes in early January and at that time, could consider the plan developed by the Conference Committee should one materialize.

Cap and Trade

The Legislature has yet to propose a spending plan for the majority of the remaining 40 percent of the Cap and Trade revenues that aren't subject to continuous appropriation. As part of his January 2015 Budget, the Governor proposed investments in clean transportation, sustainable forestry, clean energy, water efficiency, and waste diversion. With the release of his proposed transportation funding plan, the Governor pivoted slightly and included a significant level of additional investment in transit and complete streets. The Legislature and the Governor will revisit Cap and Trade funding when they return in January and a plan may be included as part of the January 2016 budget release.

The Air Resources Board conducted its second auction of the 2015-16 Fiscal Year on November 17, the result of which is unknown at this time. However, approximately \$650 million in revenue was generated for the state at its August 18 auction and it is reasonable to assume a similar amount could be generated from the November auction.

Special Session Bills

ABX1 1 (Alejo) Vehicle Weight Fees

This bill would undo the statutory scheme that allows vehicles weight fees from being transferred to the general fund from the State Highway Account to pay debt-service on transportation bonds and requires the repayment of any outstanding loans from transportation funds by December 31, 2018. **The Board is in SUPPORT of this bill.**

SBX1 1 (Beall) Transportation Funding

This bill, like the author's SB 16, would increase several taxes and fees, beginning in 2015, to address issues of deferred maintenance on state highways and local streets and roads. Specifically, this bill would increase both the gasoline and diesel excise taxes by 12 and 22 cents, respectively; increase the vehicle registration fee by \$35; create a new \$100 vehicle registration fee applicable to zero-emission motor vehicles; create a new \$35 road access charge on each vehicle; and repay outstanding transportation loans. As a result, transportation funding would increase by approximately \$3-\$3.5 billion per year. **The Board is in SUPPORT of this bill.**

ABX1 7 (Nezarian) and SBX1 8 (Hill) Cap and Trade Increase for Rail and Transit

This bill would increase the amount of funding continuously appropriated to two Cap and Trade programs dedicated to transit - 20% of the annual proceeds to the Transit and Intercity Rail Capital Program and 10% of the annual proceeds to the Low Carbon Transit Operations Program. **The Board is in SUPPORT of these bills.**

Regular Session Bills of Interest

(The Governor signed bills listed in green. Bills listed in red were vetoed.)

ACA 4 (Frazier) Lower-Voter Threshold for Transportation Taxes

This bill would lower voter approval requirements from two-thirds to 55 percent for the imposition of special taxes used to provide funding for transportation purposes. **The Board is in SUPPORT of this bill.**

AB 194 (Frazier) Managed Lanes (Signed on 10/9/15)

This bill would authorize a regional transportation agency to apply to the California Transportation Commission to operate a high-occupancy toll (HOT) lane. This bill further requires that a regional transportation agency “consult” with any local transportation authority (e.g. C/CAG) prior to applying for a HOT lane if any portion of the lane exists in the local transportation authority’s jurisdiction. This bill also specifically does not authorize the conversion of a mixed-flow lane into a HOT lane. **The Board is in SUPPORT of this bill.**

AB 227 (Alejo) Vehicle Weight-Fees

This bill would undo the statutory scheme that allows vehicles weight fees from being transferred to the general fund from the State Highway Account to pay debt-service on transportation bonds and requires the repayment of any outstanding loans from transportation funds by December 31, 2018. **The Board is in SUPPORT of this bill.**

AB 378 (Mullin) US 101 Congestion Relief

This bill is a placeholder for legislation that will eventually target congestion relief on US 101. The author began meeting with stakeholder groups, including C/CAG, to discuss solutions to the US 101. This will be an ongoing effort and the bill may not move until next year.

AB 464 (Mullin) Local Sales Tax Limit Increase (Vetoed on 8/17/15)

This bill would increase, from 2 percent to 3 percent, the statewide cap on sales tax at the local level. Currently, the statewide sales tax may not exceed 9.5 percent when combined with any local sales tax. This would increase the overall limit to 10.5 percent. **The Board is in SUPPORT of this bill.**

AB 516 (Mullin) Temporary License Plates

This bill would, beginning January 1, 2017, require the Department of Motor Vehicles (DMV) to develop a temporary license plate to be displayed on vehicles sold in California and creates new fees and penalties associated with the processing and display of the temporary tag. **The Board is in SUPPORT of this bill.**

AB 779 (Garcia) Congestion Management Programs

This bill would delete the level of service standards as an element of a congestion management program in infill opportunity zones and revise and recast the requirements for other elements of a congestion management program.

AB 1098 (Bloom) Congestion Management Plans

This bill would delete the level of service standards as an element of a congestion management planning and revise and recast the requirements for other elements of a congestion management program by requiring performance measures to include vehicle miles traveled, air emissions, and bicycle, transit, and pedestrian mode share.

AB 1362 (Gordon) Constitutional Stormwater Definition

The Constitution requires a majority vote of impacted property owners vote or a two-thirds vote of all voters living within a designated area in order to impose a property-related fee. Exempt from these provisions are fees for sewer, water, and refuse collection services. Fees for these services follow a protest procedure wherein if a majority of property owners write in protest of the new fee, it shall not be imposed. To interpret the Constitution, statute defines

certain terms. This bill would add a definition of “stormwater” in anticipation of a Constitutional Amendment to add it to the fees subject to protest process as opposed to seeking voter approval.

SB 16 (Beall) Transportation Funding

This bill would increase several taxes and fees for the next five years, beginning in 2015, to address issues of deferred maintenance on state highways and local streets and roads. Specifically, this bill would increase both the gasoline and diesel excise taxes by 10 and 12 cents, respectively; increase the vehicle registration fee; increase the vehicle license fee; redirect truck weight fees; and repay outstanding transportation loans. As a result, transportation funding would increase by approximately \$3-\$3.5 billion per year. **The Board is in SUPPORT of this bill.**

SB 321 (Beall) Stabilization of Gasoline Excise Tax

The gas tax swap replaced the state sales tax on gasoline with an excise tax that was set at a level to capture the revenue that would have been produced by the sales tax. The excise tax is required to be adjusted annually by the BOE to ensure the excise tax and what would be produced by the sales tax remains revenue neutral. This bill would, for purposes of adjusting the state excise tax on gasoline, require the BOE to use a five-year average of the sales tax when calculating the adjustment to the excise tax. **The Board is in SUPPORT of this bill.**

SB 705 (Hill) San Mateo County Sales Tax-Limit Increase (Signed on 10/7/15)

This bill would authorize the County of San Mateo, for the purpose of submitting to the voters for approval an additional sales tax measure for transportation programs, to exceed the existing 2 percent limit placed on local jurisdictions enacting local sales tax measures. **The Board is in Support of this bill.**

C/CAG AGENDA REPORT

Date: December 10, 2015

To: C/CAG Legislative Committee

From: Sandy Wong, Executive Director

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

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

RECOMMENDATION

That the C/CAG Legislative Committee recommend the C/CAG Board to take a position on any legislation or direct staff to monitor any legislation for future positions to be taken.

FISCAL IMPACT

Unknown.

SOURCE OF FUNDS

NA.

BACKGROUND

The C/CAG Legislative Committee receives monthly written reports and oral briefings from the C/CAG's State legislative advocates. Important or interesting issues that arise out of that meeting are reported to the Board.

The Legislative session will adjourn for interim recess on September 11, 2015. Special sessions, called by the Governor, do not have a specified adjournment dates. The legislative session will reconvene on January 4, 2016.

ATTACHMENTS

1. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>

C/CAG AGENDA REPORT

Date: December 10, 2015
To: C/CAG Legislative Committee
From: Sandy Wong, Executive Director
Subject: Review and recommend approval of the C/CAG Legislative Policies for 2016

(For further information or response to questions, contact Jean Higaki at 650-599-1462)

RECOMMENDATION

It is recommended that the Legislative Committee review and recommend approval of C/CAG Legislative Policies for 2016.

FISCAL IMPACT

Many of the policies listed in the attached document have the potential to increase or decrease the fiscal resources available to C/CAG member agencies.

SOURCE OF FUNDS

New legislation

BACKGROUND

Each year, the C/CAG Board adopts a set of legislative policies to provide direction to its Legislative Committee, staff, and legislative advocates. In the past, the C/CAG Board established policies that:

- Clearly defined a policy framework at the beginning of the Legislative Session.
- Identified specific policies to be accomplished during this session by C/CAG's legislative advocates.
- Limited the activities of C/CAG to areas where we can have the greatest impact.

The adoption of a list of policies will hopefully maximize the impact of having legislative advocates represent C/CAG in Sacramento and will also significantly reduce the amount of C/CAG staff time needed to support the program.

ATTACHMENTS

1. Attachment A: C/CAG Legislative Policies for 2016

Attachment A

C/CAG LEGISLATIVE POLICIES FOR ~~2015~~2016

Policy #1 -

Protect against the diversion of local revenues.

- 1.1 Support League and CSAC Initiatives to protect local revenues.
- 1.2 Provide incentives to local government to promote economic vitality and to alleviate blighted conditions.
- 1.3 Support the reinstatement of state funding for economic development and affordable housing.

Policy #2 -

Protect against increased local costs resulting from State action without 100% State reimbursement for the resulting costs.

~~2.1 — Oppose State action to restrict the ability of local jurisdictions to contract for services.~~

- 2.21 Require all State actions to take into consideration the fiscal impact to local jurisdictions, by ensuring that adequate funding is made available by the State, for delegated re-alignment responsibilities and by ensuring that all State mandates are 100% reimbursed.

Policy #3 -

Support actions that help to meet municipal stormwater permit requirements and secure stable funding to pay for current and future regulatory mandates.

- 3.1 Primary focus on securing additional revenue sources for both C/CAG and its member agencies for funding state- and federally mandated stormwater compliance efforts.
 - a. Support additional efforts to exempt storm sewers from the voting requirements imposed by Proposition 218, similar to water, sewer, and refuse services; or efforts to reduce the voter approval threshold for special taxes related to stormwater management.
 - b. Advocate for inclusion of ~~Include~~ water quality and stormwater management as a priority for funding in new sources of revenues (e.g. water bonds) and protect against a geographically unbalanced North-South allocation of resources.
 - c. Advocate for ~~Support efforts to coordinate funding to integrate~~ stormwater management quality concerns with ~~other~~ statewide and regional efforts to reduce achieve greenhouse gas reductions emissions and implement climate change adaptation strategies.
 - d. Track and advocate for resources for stormwater quality management in State and Federal grant and loan programs.

~~e. Support stormwater fee reform to 1) ensure regulatory permit fees are used to support Regional Water Quality Control Board staff resources, 2) eliminate fee setting under emergency regulations and coordinate process with local budgeting procedures, and 3) ensure fees are consistent with level of service provided by state agencies.~~

~~f.e. Support efforts to identify regulatory requirements that are unfunded state mandates and ensure provision of state funding for such requirements.~~

~~g.f. Pursue and support efforts that address stormwater issues at statewide or regional levels and thereby reduce the cost share for C/CAG and its member agencies and limit the need to implement such efforts locally. ~~provide additional funding from Federal, State, or local governments outside the San Mateo County to regional or statewide associations of stormwater quality agencies (i.e., BASMAA—regional and CASQA—statewide) for programs and projects that reduce or eliminate the need for C/CAG and its member agencies to fund and implement similar programs and projects locally.~~~~

3.2 Pursue statewide legislation mandating abatement of polychlorinated biphenyls (PCBs) in building materials prior to demolition of relevant structures, in accordance with requirements in the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit.

~~3.23.3 Pursue and support efforts that control pollutants at the source and extend producer responsibility, especially in regard to trash and litter control.~~

3.4 Support efforts to place the burden/ accountability of reporting, managing, and meeting municipal stormwater requirements on the responsible source rather than the cities or county, such as properties that are known pollutant hot spots and third party utility purveyors.

~~3.3~~

~~3.43.5 Advocate for the development of integrated, prioritized, and achievable statewide stormwater regulations policies that establish consistent and practical approaches for stormwater regulatory and management programs that help protect water quality and beneficial uses and account for limitations on municipal funding.~~

~~3.53.6 Pursue and support pesticide regulations that protect water quality and reduce pesticide toxicity.~~

~~3.6 Track stormwater-related regulatory initiatives that may impact member agencies, such as the proposed statewide trash policy, Caltrans stormwater permits, special exceptions for Areas of Special Biological Significance, and the Phase II Municipal Stormwater Permit for smaller rural municipalities.~~

Policy #4 -

Support lowering the 2/3rd super majority vote for local special purpose taxes and fees.

4.1 Support bills that reduce the vote requirements for special taxes and fees.

4.2 Oppose bills that impose restrictions on the expenditures, thereby reducing flexibility, for special tax category.

4.3 Support modification or elimination of the Proposition 26 two-thirds requirements.

***Policy #5-
Protect and support transportation funding.***

- 5.1 Oppose the transfer of additional State transportation funds to the State General Fund and support the redirection of truck weight fees to the State Highway Account
- 5.2 Support additional revenues for transportation funding.
- 5.3 Protect existing funding and support additional funding for maintenance of streets and roads and oppose the any negative adjustments by the Board of Equalization to the excise tax on gasoline.
- 5.4 Monitor ~~recommendations of the~~ implementation of the “Road User Charges.””.
- 5.5 Protect existing funding and support new funding for the State of California SHOPP program, which provides resources for maintenance of State highways.
- 5.6 Support revisions in the Peninsula Joint Powers Agreement that provide equitable funding among the Caltrain partners.
- 5.7 Support a dedicated funding source for the operation of Caltrain.
- 5.8 Support efforts to secure the appropriation and allocation of “cap and trade” revenues to support San Mateo County needs.
- 5.9 Support or sponsor efforts that finance and/ or facilitate operational improvements on the US 101 corridor.
- 5.10 Support the development of an expenditure plan for a potential countywide sales tax measure to fund transportation in San Mateo County.

***Policy #6 -
Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/
Counties***

- 6.1 Support measures to ensure that local governments receive appropriate revenues to service local communities.

***Policy #7 -
Support reasonable climate protection action, Greenhouse Gas reduction, and energy conservation legislation***

- 7.1 Support incentive approaches toward implementing AB32.
- 7.2 Oppose climate legislation that would conflict with or override projects approved by the voters.

- 7.3 Support funding for both transportation and housing investments, which support the implementation of SB 375, so that housing funds are not competing with transportation funds.
- 7.4 Alert the Board on legislation that would require recording of vehicle miles of travel (VMT) as part of vehicle registration.
- 7.5 Support local government partnerships to foster energy conservation, as well as the generation and use of renewable and/ or clean energy sources (wind, solar, etc.)

***Policy #8 -
Protection of water user rights***

- 8.1 Support the Bay Area Water Supply and Conservation Association (BAWSCA) efforts in the protection of water user rights for San Mateo County users.

***Policy #9 –
Other***

- 9.1 Support/sponsor legislation that identifies revenue to fund airport/land use compatibility plans.
- 9.2 Support efforts that will engage the business community in mitigating industry impacts associated with stormwater, transportation congestion, greenhouse gas emissions, and energy consumption.

C/CAG AGENDA REPORT

Date: December 10, 2015
To: C/CAG Legislative Committee
From: Sandy Wong, Executive Director
Subject: Review and approval of the 2016 C/CAG Legislative Committee calendar.

(For further information or response to questions, contact Jean Higaki at 650-599-1462)

RECOMMENDATION

That the C/CAG Legislative Committee review and approve the 2016 C/CAG Legislative Committee calendar.

FISCAL IMPACT

None

SOURCE OF FUNDS

N/A

BACKGROUND

The C/CAG Legislative Committee generally meets just before the C/CAG Board meeting. The C/CAG Board does not meet in July and the State Legislature begins summer recess (July 1 - August 1) therefore no meeting is planned for July. The 2016 proposed Legislative session is scheduled to end on September 11, 2015 so it is proposed to hold no Legislative Committee meetings in October and November.

ATTACHMENTS

1. Proposed 2016 Legislative meeting calendar

**C/CAG Legislative Committee
2016 Calendar**

**City / County Association of Governments
of San Mateo County (C/CAG)**

Time: 5:30 p. m. to 6:30 p.m.

Location: 2nd Floor Auditorium
San Mateo County Transit District
1250 San Carlos Avenue
San Carlos

January 14

February 11

March 10

April 14

May 12

June 9

July - No meeting scheduled

August 11

September 8

October - No meeting scheduled

November - No meeting scheduled

December 8

NOTE: This schedule is subject to change should significant issues arise or develop over the course of the year.