

AGENDA

Legislative Committee

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

Date: Thursday, August 11, 2016 - 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 May 12, 2016.	Action (Gordon)	Pages 1-4
3	Update from Shaw/Yoder/Antwih	Information (Shaw/Yoder/Antwih)	
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 5- 7
5	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
May 12, 2016**

At 5:32 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, Matt Fabry - C/CAG Staff
Kim Springer – San Mateo County Office of Sustainability
Bill Chang – PG&E

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

None

2. Approval of Minutes from March 10, 2016.

Member O’Connell moved and Member Garbarino seconded approval of the March 10, 2016 minutes. Motion passed unanimously.

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

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

The State Budget May revise is scheduled to be released on Friday May 13, 2016. June 15 is the deadline for passing the Budget bill. The Governor is looking to propose a more aggressive funding proposal for transportation. Senator Beall has revised his transportation funding proposal to raise estimated revenues by a billion dollars. It doesn’t appear that any of the proposals will be passed this year since it is an election year. The only real new revenue appears to be Cap and Trade and everyone is fighting to use this to fund their individual transportation desires.

Member Gordon asked if there was anything that C/CAG could do relative to this issue. Matt R. responded that this is part of the strategy of Lobby Day. Matt is trying to set up meetings with republican delegates so this group can try to gain support for the transportation proposals.

There is a scramble in Sacramento to get things done before the legislature breaks for summer recess from July 1 to August 1.

Member Carlton asked about the trailer bill approval process and why it gets to bypass the

regular bill approval process. Trailer bills are hidden in the budget approval process and therefore are not subjected to the regular bill hearing requirements. They have the ability to bypass normal processes and get enacted very quickly.

A question was raised about AB 779 and whether or not C/CAG supports that bill. This bill deletes level of service as a measurement in the Congestion Management Program. This is a bill that all Bay Area Congestion Management Agencies, including C/CAG staff, are watching closely at this time. The status should be modified to watch.

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 were two letters of opposition recommended for action.

SB 885 (Wolk) - This bill would require local governments to front attorney's fees for consultant design professionals on public works contracts if an action arises on a project for which the engineering firm is found partially at fault. The League of California Cities and California State Association of Counties (CSAC) are opposed to this bill as it would result public dollars being used to defend private entities.

Member Nihart moved and Member Papan seconded a recommendation to send a letter of opposition unless the Bill is modified to safeguard local agency interest. Motion passed unanimously.

SB 1170 (Wieckowski) - This bill would prohibit public agencies from delegating storm water pollution prevention plans (SWPPPs) to a contractor on public works contracts. It would also prohibit public agencies from requiring contractors to assume responsibility for the completeness and accuracy of a plan developed by that entity.

Member Papan moved and Member O'Connell seconded a recommendation to send a letter of opposition. Motion passed unanimously.

Two items were discussed for recommendations to be made by the Legislative Committee

SBX1 1(Beall) – This is a transportation funding proposal that the C/CAG Board already supports. Because the bill has been modified there was question if the C/CAG Board can continue to support the funding proposal. The changes consolidate some ideas from other funding proposals that C/CAG already supported in the past.

Member Nihart moved and Member Carlton seconded a recommendation to continue to support SBX1 1. Motion passed unanimously.

The County of San Mateo Office of Sustainability is requesting a letter of support from C/CAG for a trailer bill (RN 16 12792) / AB 2293 (Garcia) to fund the California Green Business Network Program from the Cap and Trade, Greenhouse Gas Reduction Fund (GGRF) or

Affordable Housing and Sustainable Communities Program (AHSC).

Discussions arose regarding support for the concept but not at the expense of the AHSC program. Member Carlton and member Nihart expressed concern about funding coming from the AHSC program. Member Gordon and member O'Connell requested to revise the language of the support letter to express support but to state that it is preferred that funding not come from the AHSC program.

Member O'Connell moved and Member Garbarino seconded a recommendation to send a letter a letter of support for (RN 16 12792) / AB 2293 (Garcia) with modifications to the letter adding that C/CAG would prefer that funding not come from the AHSC program.

5. Discussion of "Lobby Day" Logistics

Lobby Day has been set for June 8, 2016 which was the backup day as many lawmakers are arriving to Sacramento from their districts on June 6th which made scheduling meetings more difficult.

Per an earlier suggestion from the committee, Matt R. is trying to set up lobby day meetings with republican delegates so the group can try to gain support for the transportation proposals. He is also trying to set up meetings with staff from the Governor's office.

In reviewing the talking points, member Papan requested to add a talking point requiring that transit agencies to work more cooperatively together under state supervision. Member Nihart warned about the unintended consequences of more state oversight. Chair Gordon modified the talking point to advocate for a concept of collaboration among transit agencies.

Member Carlton asked if there are long range or short range legislative goals for Lobby Day. The goal is to look at both short term legislation and setting up issues for next year.

Logistic information will be emailed to attendees after the meeting.

6. Adjournment

The meeting adjourned at approximately 6:30 P.M.

Legislative Committee 2015 Attendance Record

Agency	Name	Jan 14	Feb 11	March 10	April 14	May 12	June 9	July	August 11	Sept 8	Oct	Nov	Dec 8
Menlo Park	Catherine Carlton		x	x		x							
Millbrae	Gina Papan		N/A			x							
Pacifica	Mary Ann Nihart	Canceled	x	x	Canceled	x	Canceled						
Pacifica	Karen Ervin			x		x							
Portola Valley	Maryann Moise Derwin (C/CAG Vice Chair)		N/A	N/A		x							
Redwood City	Alicia Aguirre (C/CAG Chair)		x	x		x							
San Bruno	Irene O'Connell		x	x		x							
Sounth San Francisco	Richard Garbarino			x		x							
Woodside	Deborah Gordon (Leg Chair)		x	x		x							

 no meeting

C/CAG AGENDA REPORT

Date: August 11, 2016

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 state legislature summer recess began on July 1, 2016 and reconvened on August 1, 2016.

ATTACHMENTS

1. August 2016 Legislative update from Shaw/ Yoder/ Antwih, Inc.
2. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>



DATE: August 1, 2016

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 – August 2016

Legislative Update

The Legislature reconvened from Summer Recess on August 1 and will adjourn the 2015-16 session on August 31. In this report we discuss the latest on transportation funding and highlight the most relevant bills – bills on which the Board has adopted a position – introduced in the second half of the 2015-16 Regular Session; please see ***Bills of Interest***, below.

Transportation Funding Proposals Merging

Senate Transportation and Housing Committee Chair Jim Beall (D-San Jose) and Assembly Transportation Committee Chair Jim Frazier (D-Oakley) have been working for the past several weeks to merge their separate transportation funding proposals – SBX1 1 and AB 1591 – in to one proposal they hope both Houses of the Legislature can support, at the required 2/3 vote threshold. In an effort to attract enough individual legislators to attain that necessary supra-majority, the Chairs will likely include in their consolidated proposal various policy provisions important to Republican members; however, we won't know how successful that effort will be until after the measure comes out in print – we are sure that additional discussions will ensue once it is released. Some of the major issues that the Chairs are discussing include: CEQA exemptions for highway projects; advanced project mitigation; good movement funding; public private partnerships; and, the size and scope of any new transit funding.

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 2016, to address issues of deferred maintenance on state highways and local streets and roads, as well as provide new funding for public transit. 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; increase Cap and Trade funding for transit; increase the sales tax on diesel by 3.5% for the State Transit Assistance Program, limit the borrowing of weight-fee revenues, and repay outstanding

transportation loans. As a result, transportation funding would increase by approximately \$6-\$6.5 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

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 516 (Mullin) Temporary License Plates – SIGNED BY THE GOVERNOR ON JULY 25

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 2126 (Mullin) Alternative Project Delivery

This bill would increase the number of projects for which Caltrans has the authority to use the construction manager/general contractor (CM/GC) method of procurement from six to 12. **The Board is in SUPPORT of this bill.**

SB 1128 (Glazer) Bay Area Commute Benefit Policy

Current law authorizes, until January 1, 2017, the Metropolitan Transportation Commission and the Bay Area Quality Management District to jointly adopt and enforce an ordinance requiring employers to take a more active role in providing commute benefits to their employees, with the goal of attracting new riders to public transit; and, delivering air quality benefits, traffic congestion relief and additional fare revenue to help sustain and grow quality public transit service. Under this ordinance, impacted employers were required to offer their employees one of a series of commute benefits. This bill would indefinitely extend the statutory authorization for the Bay Area commute benefit ordinance. **The Board is in SUPPORT of this bill.**

SB 1170 (Wieckowski) Stormwater Pollution Prevention Plans

This bill prohibits a public entity, charter city, or charter county from delegating to a contractor the development of a plan used to prevent or reduce water pollution or runoff on a public works contract and prohibits from requiring a contractor on a public works contract that includes compliance with a plan to assume responsibility for the completeness and accuracy of a plan developed by that entity. **The Board STRONGLY OPPOSES this bill.**