

**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.