

AGENDA

Legislative Committee

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

Date: **Thursday, June 4, 2015 - 6:45 p.m. to 7:45 p.m.**
Place: San Mateo County Transit District Office¹
1250 San Carlos Avenue
4th Floor Dining Room
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 14, 2015.	Action (Gordon)	Pages 1-3
3	Update from Shaw/Yoder/Antwih	Oral Presentation (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)	Pages 4-7
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 14, 2015**

At 6:35 P.M. Chair Gordon called the Legislative Committee meeting to order in the 2nd Floor Auditorium at the San Mateo Transit District Office.

Committee Members Attending:

Art Kiesel (City of Foster City)
Deborah Gordon (Town of Woodside)
Mary Ann Nihart (City of Pacifica)
Karen Ervin (City of Pacifica)
Richard Garbarino (City of South San Francisco)
Catherine Carlton (City of Menlo Park)
Alicia Aguirre (City of Redwood City)

Guests or Staff Attending:

Matt Robinson - Shaw/ Yoder/ Antwih Inc. (called in)
Sandy Wong, Jean Higaki, Matt Fabry - C/CAG Staff
Jim Bigelow – Redwood City/ San Mateo County Chamber of Commerce

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

None

2. Approval of Minutes from April 2, 2015.

Member Garbarino moved and Member Ervin seconded approval of the April 2, 2015 minutes. Motion passed unanimously.

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

C/CAG staff Jean Higaki distributed a draft of the state budget “May Revision Overview”. Sacramento is looking at non-traditional funding sources for transportation. There is an increase Cap and Trade proceeds which doubles many of the cap and trade programs. It is estimated that Cap and Trade revenues could eventually be higher.

Committee member Ervin asked if Cap and Trade really incentivizes companies to adopt cleaner practices or do they just tend to pay fees. At this point there is not a clear answer to that.

On the transportation funding side, there are five letters of support drafted for the legislative committee to make a recommendation on. Senator Beall's SB 16 bill is anticipated to raise about \$3.5 billion a year in transportation revenues over 5 years to be split 47.5% for state highway preservation, 47.5% for local streets and roads, and 5% to incentivize more self-help counties. SB 16 needs 2/3 of the votes to approve the package and that might be difficult without help from the Governor's office. Two elected officials from his party did not support the bill. The assembly is also working on a similar proposal to SB 16 but timing may not make it a viable alternative.

There has not been much movement on the storm water side. The effort to change the Prop 218 requirements for storm water hasn't move much yet but it is not subject to the normal bill deadlines and can move on its own timeline.

Member Carlton asked about AB 1098 and how it works. C/CAG staff has been following this bill closely. Assembly member Bloom's office has been working with the state Office of Planning and Research (OPR) to reflect the new CEQA focus on vehicle miles traveled (VMT) instead of level of service (LOS). Assembly member Bloom's office wants to meet with the CMAs over the fall to discuss what this bill should be. The bill is not viable it has missed deadlines to move forward this year.

Chair Gordon asked about how express lanes work and how it is enforced. It may be mostly an honor system enforced by the highway patrol.

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).

Discussion regarding the letters of support for AB 194 (Frazier), AB 464 (Mullin), ACA 4 (Frazier), SB 16 (Beall), and SB 321 (Beall) is under Item 5.

It was noted that Matt Robinson followed up with the Sacramento elected officials and/ or staff to thank them for meeting with C/CAG officials for "Lobby Day" in April.

5. Review and recommend that the C/CAG Board send support letters for AB 194 (Frazier), AB 464 (Mullin), ACA 4 (Frazier), SB 16 (Beall), and SB 321 (Beall).

Draft letters of support were included in the packet for AB 194 (Frazier), AB 464 (Mullin), ACA 4 (Frazier), SB 16 (Beall), and SB 321 (Beall).

Chair Gordon asked if the language in the Bills could still change. Because the bills were still open to change, Chair Gordon requested that there be specific language added to the letters to specify that C/CAG support is for a bill, as written on May 14, 2015. Matt Robinson stated that C/CAG staff would be notified of any substantial changes to bill language, should it arise.

Member Aguirre moved and Garbarino seconded a recommendation that the C/CAG Board send letters of support for AB 194 (Frazier), AB 464 (Mullin), SB 16 (Beall), and SB 321 (Beall) with a correction to change Hillsdale to Town of Hillsborough in the AB 464 letter, and adding a

statement to all the letters, specifying that support is for the bill as written on May 14, 2015. Motion passed unanimously.

Note: The reference to Hillsdale and Hillsborough was deleted altogether from the letter as Hillsborough is not near the sales tax cap. Although Hillsdale Mall is near the sales tax cap, it is not a local jurisdiction and not a C/CAG member.

Member Aguirre moved and member Garbarino seconded a recommendation that the C/CAG Board send a letter of support for ACA 4 (Frazier), with the specification that support is for the bill as written on May 14, 2015. Motion passed 6-1. Committee member Carlton opposed.

6. Adjournment

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

C/CAG AGENDA REPORT

Date: June 4, 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.

ATTACHMENTS

1. May 26, 2015 State Legislative Update from Shaw/ Yoder/ Antwih Inc.
2. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>



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

DATE: May 26, 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 – June 2015

Legislative Update

The deadline for the Legislature to move bills out of the house of origin is June 5 and **the Legislature has until June 15 to send a budget bill to the Governor.** The new fiscal year begins July 1. The Legislature will break for Summer Recess on July 17. We have flagged several bills for C/CAG and discuss some of the more relevant bills under ***Bills of Interest***, below.

May Revise

In the May Revise, as we reported on May 14, the Governor doubled-down on his commitment to find additional funding for state highways, stating that “In considering new funding sources, the state must focus on the priorities that are the state’s core responsibility—maintaining and operating the state’s network of highways and interstates, and improving the highest priority freight corridors. Funding should come from pay-as-you-go transportation user fees, and be sustainable as gasoline consumption falls.” That being said, the Governor’s budget update does not consider any new options for funding highway maintenance, but does state that the Administration is working with the Legislature on its proposals to put together a funding package by the end of the year. One such proposal is **Senate Bill 16 (Beall)**, which would generate between \$3-\$3.5 billion for state highways and local streets & roads from a combination of revenue sources, including increased fuel taxes and vehicle registration fees. The Assembly has yet to release its proposal for funding transportation infrastructure.

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 194 (Frazier) Managed Lanes

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 (2-year Bill)

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

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 1098 (Bloom) Congestion Management Plans (2-year Bill)

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 32 (Pavley) Extension of the California Global Warming Solutions Act of 2006 (AB 32)

Under AB 32, ARB adopted a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990, to be achieved by 2020, and was authorized

to adopt regulations to achieve the GHG reduction-target, including a market-based compliance mechanism (e.g. Cap and Trade). This bill would require ARB to approve a GHG limit equivalent to 80% below the 1990 level to be achieved by 2050 and would authorize the continued use of the regulatory process to ensure the target is met.

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.**