ABAG

ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area

LEGISLATION
2008 State Legislative Session
Legislation & Governmental Organization Committee
July 2, 2008

Bill Author	Subject	Status	Staff Recommendation	L&GO Position	Legislation Summary
*NEW BILLS					**Bold Face/Shading in Legislation Summary indicates change/ amendments.**
	Bills to be reviewed are listed in numeric order with Assembly bills listed first, followed by Senate bills				
	ASSEMBLY BILLS				
AB 38 Nava	**State Agencies: Department of Emergency Services and Homeland Security**	**SEN Appropriations Committee**	Support CSAC Support LCC Support	**Support**	The bill would consolidate the offices of Emergency Services and Homeland Security and create in state government a new Department of Emergency Services and Homeland Security, to be headed by a Secretary of Emergency Services and Homeland Security. Would streamline governance of existing OES and OHS functions. Vests new department with responsibility of overseeing and coordinating emergency preparedness, response, recovers, and homeland security activities. This would also allow persons employed by the new department to have access to state summary criminal history information maintained by Department of Justice, and exempt certain documents maintained by the new department. ***Recommendation being considered: bill be amended to require that as part of the 2009-10 Budget, the Dept. of Emergency Services and Homeland Security propose a spending and staff consolidation plan***
AB 842 Jones	**Regional Plans: Traffic Reduction**	**SEN Appropriations Com. Hearing 7/7/08**	Oppose MTC Oppose unless amended CSAC Pending LCC Watch	**OPPOSE** Oppose (9/20/07)	**Amended 6/24/08:** *Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the Department of Housing and Community Development to administer the Infill Incentive Grant Program of 2007, to fund selected capital improvement projects that are an integral part of, or necessary to facilitate the development of, a qualifying infill project or a qualifying infill area, and specifies the conditions that a qualifying infill project or qualifying infill area must meet to receive a capital improvement project grant award.* **This bill would additionally require the department to rank applicants for the award of capital improvement project grants**

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					based upon a reduction of vehicle miles traveled as a result of the project, as specified. Two Year Bill: amended 1/17/08 Would require the California Transportation Commission (CTC) to update its guidelines for preparation of regional transportation plans, including a requirement that each regional Transportation Plan provide for a 10% reduction in the growth increment of vehicle miles traveled. Requires the Department of Housing and Community Development (HCD) give priority to projects located in jurisdictions or regions that have adopted plans that will reduce the amount of vehicle miles traveled by at least 10% when awarding grants under the Infill Incentives Grant Program and the Transit Oriented Development Implementation Program. *(One issue: unclear how HCD is supposed to determine whether particular local or regional plan will in fact reduce VMT by 10%)*
AB 1634 Levine	**California Healthy Pets Act**	**SEN** Appropriations	Watch CSAC Watch LCC Watch	**WATCH**	**Amended 7/1/08: This bill would increase the fines for a nonspayed or unneutered dog to $50 for the first occurrence, $100 for the 2nd occurrence, and would require spaying or neutering of the dog at the owner's expense on the 3rd occurrence. The bill would increase fines for a nonspayed or unneutered cat to $50 on the first occurrence and would require spaying or neutering of the cat at the owner's expense on the 2nd occurrence.** **This bill would also provide that the owner of a nonspayed or unneutered dog or cat that is the subject of a complaint to a local animal control agency, as specified, may be cited and, if cited, shall pay a civil penalty to the local animal control agency within 30 days. It would require a local animal control agency to waive the civil penalty if, within 14 business days of the citation, the pet's owner presents written proof from a licensed veterinarian that the dog or cat was spayed or neutered. By increasing the enforcement responsibility of local agencies, this bill would create a state-mandated local program.** Two Year Bill: Would prohibit a person from owning a cat or dog that is over six months old unless the animal has been spayed or neutered, or unless the person has an "intact permit." Intact permits are defined as a locally issued annual document that allows a person to own an unaltered cat or dog and are issued by local officials. Six conditions and other exemptions are listed that would qualify owners for an intact permit. Would require local animal control agencies to enforce, conduct outreach efforts, and administer AB 1634 provisions; requires local officials to establish

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					a free and low-cost spay and neuter program (to the extent financing available). Bill requires that civil penalties and permit funding must be used for finance administration, outreach and enforcement activities.
***AB 1654 Huffman & Wolk**	**Integrated Regional Water Management Planning Act**	**SEN Com. on Rules**	Watch		**This bill would declare the intent of the Legislature to establish principles to guide the implementation of the initiative bond act. The bill would require applicants for funding for projects that assist local public agencies to meet the long-term water needs of the state to identify the manner in which the proposed project will contribute to meeting the performance standards included in the applicable integrated regional water management plan. The bill would require the Department of Water Resources to conduct a study, consistent with an existing provision of the initiative bond act, to determine the status and effectiveness of groundwater management plans and programs. The bill would define administrative costs for the purposes of the initiative bond act. The bill would require the Secretary of the Resources Agency to prepare and submit to the Legislature an annual report with regard to the expenditure of funds pursuant to the initiative bond act.** **(2) The Integrated Regional Water Management Planning Act of 2002 authorizes a regional water management group, as defined, to prepare and adopt a regional water plan meeting specified requirements. This bill would repeal these provisions of law and enact the Integrated Regional Water Management Planning Act. Regional water management groups, as defined, would be authorized to prepare and adopt integrated regional water management plans meeting specified requirements. The department would be required to develop and adopt guidelines for the preparation of integrated regional water management plans meeting specified requirements. The bill would establish a specified funding preference for regional projects and programs identified in an integrated regional water management plan.**
AB 1756 Caballero	**Local Infrastructure Development—Public-Private Partnerships**	**ASM Business & Professions Com.** ***Failed passage; reconsideration granted***	Support CSAC Watch	**WATCH**	Amended 4/3/08: Would require the Secretary of Business, Transportation and Housing to establish the Office of Local Public-Private Partnerships in the agency to inform local agencies and other interested stakeholders of the role that public-private partnerships can play in financing, constructing, operating, maintaining or managing any combination thereof, fee-producing local infrastructure projects.

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AB 2000 Mendoza	**General Plan: Housing Element**	**SEN Read Second Time; Amended, to Third Reading**	Support in Concept LCC Support in Concept CSAC Pending	**SUPPORT**	**Amended 6/24/08: This bill would allow a local government in which housing units *newly* constructed *during a planning period* exceeded, during a planning period, its share of the regional housing need for a particular income level as allocated to that local government for that planning period, or as set forth in the local government's housing element, to count any housing units *newly* constructed in excess of its share of the regional housing need for an income level toward meeting its share of the 96 regional housing need for that same or a higher income level for the period covered by the subsequent planning period.** Previously read: Would allow a local government in which housing units constructed exceeded, during a housing element planning period, its share of the regional housing need for a particular income level as allocated, or in the local government's housing element, to count any housing units constructed in excess of its share of the regional housing need for an income level *toward meeting its share of the regional housing need for that same or a higher income level for the period covered by the next planning period.*
AB 2016 Committee on Housing & Community Develop-ment	**Housing Omnibus Bill**	**SEN Appropriations**	Watch CSAC Watch LCC Watch	**WATCH**	**Amended 5/28/08** 1. Would require council of governments or delegate subregion to adjust allocations of regional housing needs in the proposed final allocation plan based on the results of a specified revision request process. 2. Would authorize grant funds allocated under the CalHome Program to be used for homeownership counseling. 3. Would delete obsolete provisions, correct erroneous, cross references, and make various other technical changes in existing law relating to housing and local land use planning.
AB 2069 Jones	**Local Planning: Residential Development**	**SEN Third Reading**	Watch **CSAC Support** **LCC Support**	OPPOSE UNLESS AMENDED	**Amended: 6/17/08:** *In addition to housing element law, the "no-net-loss zoning" law requires a city or county to maintain an inventory of adequate sites throughout the housing element planning period and prohibits a city or county from downzoning or permitting a lower residential density on a site that has been identified in the housing element unless the city or county adds zoning capacity for a comparable number of units elsewhere (upzones) or makes findings that the reduction is consistent with the housing element and that remaining sites are adequate to accommodate the jurisdiction's housing need.* **This bill amends the no-net-loss zoning law to clarify that upzoning or findings are required if fewer units are approved for a particular site than were counted for the site in the housing element.**

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					Specifically, this bill clarifies the no-net-loss zoning law to specify that the law's provisions are triggered: 1) In cities and counties with compliant housing elements when the approval of a project on a site on which the zoning permits residential use results in fewer housing units on the site than were projected in the housing element. 2) In cities and counties with non-compliant housing elements when a project is approved on a residentially zoned site at a density that is lower than 80% of the maximum allowable residential density for that site or when a project is approved on a site that allows both residential and nonresidential uses that would result in the development of fewer than 80% of the number of residential units that would be allowed under the maximum residential density for the site. Would redefine lower residential density of parcels based on adoption of housing element plan and if council of governments fails to complete final housing need allocation, and other stipulations.
AB 2093 Jones	**General Plan: Mandatory Elements—Climate Change**	**SEN** **Local Government—Set First Hearing, Failed passage—Reconsideration granted**	Watch CSAG Oppose LCC Oppose	**OPPOSE**	**Amended 6/19/08: This bill would require climate change to be considered in the general plan in policies to achieve the greenhouse gas emission reductions of the California Global Warming Solutions Act of 2006. It would require a city or county to meet the above requirement in any mandatory element or combination of mandatory elements on or before specified dates. This new requirement would not be considered to be an additional element that requires the Office the Planning and Research to adopt guidelines within six months of the effective date of this act. By adding to the elements that local officials are required to include in a general plan, this bill would impose a state-mandated local program.** Was: Bill requires that six of the seven mandatory elements of a city or county's general plan give consideration to policies that reduce the emission of greenhouse gases. Additional provisions would be required by the date of the local government's next general plan update or within one year after the next housing element revision is due.
AB 2094 DeSaulnier & Laird	**San Francisco Bay Conservation and Development Commission**	**SEN** **Appropriations**	Support LCC Watch CSAC Watch	**SUPPORT With AMENDMENTS**	**Amended: 6/17/08 and 7/1/08: This bill would require the San Francisco Bay Conservation and Development Commission to be represented on the joint policy committee with an equal number of committee members as other represented agencies by January 1, 2009, and would require that a majority of the commission's representatives on the committee, on and after January 1, 2011, be locally elected officials. The bill would include the San Francisco Bay Conservation and Development**

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					Commission in coordinating the development and drafting of major planning documents prepared by the member agencies. Would require by January 1, 2009, that the San Francisco Bay Conservation and Development Commission (BCDC) be represented on the ABAG/MTC/BAAQMD Joint Policy Committee. Would include BCDC in the coordination and drafting of major planning documents. In coordination with other JPC members, other agencies and interested parties would be authorized to develop regional strategies for addressing the impacts of, and adapting to, the effects of sea level rise and other impacts of global climate change on the San Francisco Bay. State mandated local program
AB 2182 Caballero	**New bill title: School Facilities** *Was Urban and Community Center Revitalization Program* *Was Local Land Use Planning* *Was Regional and Local Land Use Plans*	**SEN Local Government** **Withdrawn from committee; re-referred to Com. on Rules**	Support CSAC Pending LCC Watch CALCOG support in concept CSAC Watch	**OPPOSE UNLESS AMENDED**	**Amended 6/23/08: Bill addresses under School Facilities Act State Allocation Board construction funding actions/stipulations.** *AMENDED 4/22/08 and 3/12/08*: This bill would establish the Urban and Community Center Revitalization Program within the Department of Conservation, and would allocate unspecified sums from the $90,000,000 made available under the act to the Director of Conservation for distribution as grants to local governments that meet specified criteria. The bill would authorize the director to award grants for specific plans, master environmental impact reports, and charettes. The bill would also require the State Clearinghouse in the Governor's Office of Planning and Research to prepare and develop proposed specified regulations for the implementation of this program *Would establish the Sustainable Communities Regional and Local Land Use Planning Program with the Office of Planning and Research, and would allocate unspecified sums from the $90million made available under the act for planning grants and incentives for the development of specified regional and local land use plans, for grants and loans to local governments, councils of governments, and other public agencies, subject to specified criteria.*
***AB 2280 Saldana & Caballero**	**Density Bonus**	**SEN** **Read Second Time**	Support **CSAC Support** **LCC Support** **APA Support**	**POSITION PENDING FURTHER REVIEW**	**Amended 6/18/08: This bill would impose certain procedures on the application for a density bonus and other incentives or concessions.** **The bill would require a city, county, or city and county to grant a concession or incentive requested by the applicant under existing law unless the city, county, or city and county makes a written finding, based upon substantial evidence, that, among other things, the concession or incentive would be contrary to state or federal law.** **The bill would delete a requirement that an applicant for a**

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					waiver or reduction of development standards show that the waiver or modification is necessary to make proposed housing units economically feasible. **The bill would require, as a condition for the granting of a density bonus to a developer in exchange for donating land to a city, county, or city and county for very low income housing, that the local agency identify a source of funding for the very low income units.** Contains a number of substantive provisions as well as technical changes aimed at resolving conflicts, clarifying requirements, and restoring balance under the state's Density Bonus Law. For example, clarifies that the density bonus law only applies where a city does not have an inclusionary ordinance or where the developer agrees to include affordable units over and above the inclusionary ordinance. The legislation also adds 10 percent across the board to the threshold of affordable units which must be built to get a local "incentive or concession." Bill only applies to for-profit developers and would not impact nonprofit affordable housing developers.
***AB 2347 Ruskin**	**Mercury-added thermostats: Collection Program**	**SEN** Appropriations	Support LCC Support CSAC Support		**6/19/08: This bill would enact the Mercury Thermostat Collection Act of 2008 and would require a manufacturer, that owns or owned a name brand of mercury-added thermostats sold in this state before January 1, 2006, to establish and maintain a collection and recycling program for out-of-service mercury-added thermostats.**
AB 2466 Laird	**Government Energy Producers**	**SEN** Appropriations	Support LCC Watch	**SUPPORT**	**Amended 6/12/08** Would authorize a city, county, city and county, or joint powers agency formed by those jurisdictions to receive a bill credit (as defined) to a benefiting account (as defined) for electricity supplied to the electric grid by an eligible renewable generating facility and requires the Public Utilities Commission to adopt a rate tariff for the benefiting account.
***AB 2513 Caballero**	**Housing and Emergency Shelter Trust Fund of 2006: Allocation of Funds—Regional Housing Need Share**	**ASM** Appropriations Held under submission	Support ABAG Sub-Committee Support		**Bill would require the Department of Housing and Community Development (HCD) when awarding grants or loans from the Housing and Emergency Shelter Trust Fund to give additional consideration to projects within jurisdictions that have met at least 75% of it total need under the previous regional housing need for the previous housing element planning period as demonstrated by housing units permitted.** **Sponsor is City of San Jose**

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AB 2596 **Jones**	**California Global Warming Solutions Act of 2006: Cities and Counties**	**ASM** **Appropriations** **Set Second hearing; held under submission**	Support LCC Oppose CSAC Pending	**WATCH**	**Amended 4/22/08:** ***This bill would require the*** **California Air Resources board** ***to quantify a baseline level of greenhouse gas emissions generated by land use and transportation activities in 2009 for each city and county with a population of at least 50,000. The state board would also be required to develop and make available to cities and counties a model that cities and counties may use to quantify the projected level of greenhouse gas emissions for the period from January 1, 2011, through January 1, 2020, that will be generated from land use and transportation activities for each city and county.*** *(Was:* Would require the California Air Resources board, on or before January 1, 2011, and January 1, 2020, to quantify the projected annual greenhouse gas emissions generated by each city and county, based on land use and transportation activity data from 2009. Would authorize a city or county, to the extent it reduces its greenhouse gas emissions by 25% of the state board projections, to sell, exchange, or auction its incremental emissions reduction in any open market-based compliance mechanism established by the state board.)
AB 2744 **Huffman**	**Metropolitan Transportation Commission: Fee—Motor Vehicle Fuel**	**ASM** **Transportation Com.** **Failed passage; reconsidera-tion granted 4/14/08**	Watch MTC- No Position CSAC Watch LCC Watch	**WATCH**	Would authorize MTC to impose a fee on each gallon of motor vehicle fuel, as defined, delivered into the fuel supply tank or tanks of a motor vehicle in the Bay Area region, excluding motor vehicle fuel used to power aircraft, for a 25-year period. Would require MTC to adopt a regional transportation/climate protection expenditure plan for the revenues derived from the fee, if it is imposed. Fee would be levied at a rate established by MTC, but not exceeding $0.10 per gallon.
AB 2870 **DeSaulnier**	**Land Use: Environmental Quality**	**SEN Local Government Set, first hearing—cancelled at request of author**	Support CSAC Pending LCC Watch	**SUPPORT WITH AMENDMENT**	**Amended 6/19/08 and 5/23/08: Proposes an 11-member Council with one of the six members appointed to come from the Metropolitan Transportation Commission or the Association of Bay Area Governments, who shall be a member of the governing body for both the Metropolitan Transportation Commission and the Association of Bay Area Governments. It would specify that the California Blueprint Implementation council would perform functions and duties only to the extent that funding is available for that purpose, require the council to seek and authorize it to receive funding from state and nonstate resources, and require the Governor's Office of Planning and Research to provide administrative assistance and support staff to the council.** Amended 4/10/08: The bill would create the California Blueprint Implementation

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					Council and would also require the Council to report to the Legislature on state planning matters and specified regional performance measures. The bill would authorize a municipal planning organization or council of governments to adopt a resolution to impose a $1 motor vehicle registration surcharge on vehicles registered in the entity's jurisdiction that would be collected by the Department of Motor Vehicles and, after deducting its administrative costs, would be transmitted to the entity imposing the surcharge. The bill would require that the surcharge revenue be expended to develop and implement a regional blueprint plan and would specify that 5% of the surcharge revenue be transmitted to the council for performance of its functions. The Council consisting of designated members that would, in part, facilitate implementation of regional blueprint projects. Sponsor is CA Association of Council of Governments
***AB 2939 Hancock**	**Building Standards: Green Buildings—Local Variances**	**SEN Read Second Time, amended, re-re-referred to Appropriations Com.**	Support Support Stopwaste.org		**This bill would specifically authorize a city, county, or city and county to make changes or modifications in the building standards proposed by the department and approved by the commission, to permit the city, county, or city and county to implement one or more green building standards, guidelines, and rating systems, as defined, if the change or modification does not permit use of a building standard that is less stringent than those otherwise permitted under existing law.**
***AB 2954 Lieber & Hancock**	**San Francisco Bay Restoration Authority**	**SEN Appropriations Com.**	Watch/ Support; Need Clarification LCC Watch	**Proposed an ABAG sub-committee to clarify and address bill concerns**	**Amended 71/08 and 6/12/08: The act would establish a governing board of the authority composed of a resident of the San Francisco Bay Area, as defined, who would be required to serve as chair, and specified local governmental officials, impose membership requirements for the board, and require the board to, among other things, establish policies for the operation of the authority and convene a Bay Restoration Advisory Committee to assist and advise the board in carrying out its functions.** **Under definitions adds "(e) "Elected official" means an elected member of a city council or an elected member of a county board of supervisors."** Establishes the San Francisco Bay Restoration Authority as an entity or regional government to raise and allocate resources for the restoration, enhancement, protection and enjoyment of wetlands and wildlife habitat in San Francisco Bay and along its shoreline. Sponsor is Save the Bay.

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AB 3005 Jones	**Community Development: Mitigation Fees**	**ASM Third Reading**	Watch LCC Oppose	**OPPOSE**	**Amended 7/1/08: This bill would require a local agency, when establishing, increasing, or imposing as a condition of approval of a development project an impact fee for mitigating vehicular traffic impacts of a housing development, to set the fee, or the portion thereof relating to vehicular traffic impacts, at a rate that reflects a lower rate of automobile trip generation if the housing development meets specified criteria.** Was: Would require a local agency when assessing traffic impact fee for a housing development, establish the fee at a rate that reflects a reduction of automobile trip generation if the housing development meets specified criteria, unless the local agency finds that the development would not significantly reduce automobile trip generation.
ACA 10 Feuer	**Bonded Indebtedness: Local Government—Transportation Infrastructure**	**ASM To Committees Local Government and Appropriations**	Support CSAC Support LCC Watch	**SUPPORT**	Would create an additional exception to the 1% limit on ad valorem tax on real property for a city, county or city and county to pay bonded indebtedness, incurred to fund specified transportation infrastructure that is approved by 55% of the voters within the jurisdictions. Would lower to 55% the voter approval threshold for city, county, city and county to impose, extend, or increase any special tax for the purpose of paying the principal, interest, and redemption charges on bonded indebtedness incurred to fund specified transportation infrastructure.
AB 94 Levine	**Public Utilities: Local Publicly Owned Electric Utilities—Renewable Energy Resources** Was Renewable Energy	**SEN Com. Energy Utilities & Commerce**	1/17 with amendments —No Position *(Before amendments: Support in Concept)* LCC Watch CSAC Watch	No Position	**Amended 6/10/08** and 1/7/08: Eliminates and amends sections of the Public Utilities Code that reference the Public Utilities Holding Company Act of 1935 (PUHCA), which was repealed by the federal energy Policy Act of 2005. This is a code clean-up bill and makes a number of technical changes to various provisions of the state law relating to public utilities. In addition clarifies that any reference to Energy Commission means the State Energy Resources, Conservation and Development Commission, its formal name. (Committee Hearing 1/14—it was stated that all provision are non-substantive and without opposition, and that relevant regulatory agencies have been consulted and expressed no concerns.) *Would revise intent language of Renewable Energy Resources Program so that the amount of electricity generated per year from eligible renewable energy resources is increased from at least 20% to at least 33% by 12/31/2020. Would require that each retail seller increase its total procurement of eligible renewable energy resources by at least an additional 1% of retail sales so that 33% or its retail sales are procured from eligible renewable energy resources no later than December 31, 2020.*

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	SENATE BILLS				
***SB 303 Ducheny**	**Local Government: Land Use Planning**	**ASM Read Second Time; amended; re-referred to Appropriations Committee**	**Watch** **CSAC Oppose unless amended (6/9)**		**Amended 7/1/08: This bill would require a transportation planning agency with a population exceeding 200,000 persons, (A) to prepare an initial planning scenario, as specified, and an alternative planning scenario, as specified, (B) to adopt and publish procedures governing the preparation and adoption of the initial planning scenario and the alternative planning scenario, as specified, and (C) to submit, at least 90 days prior to circulation of the draft regional transportation plan, the initial planning scenario and the alternative planning scenario and accompanying report to the State Air Resources Board, as specified. These additional duties would impose a state-mandated local program. The State Air Resources Board would be required to hold a public hearing and issue a written report determining whether either the initial planning scenario or the alternative planning scenario will inhibit the state from achieving its goals under the California Global Warming Solutions Act of 2006. A city or county would be authorized to create one or more transportation infill areas, as specified.** **This bill would revise the time period for the statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing. The timeframe for calculating and distributing the 4th and subsequent revisions of the housing element would be revised, as specified. Each local government within a regional transportation planning agency or a local transportation commission instead would be required to revise the housing element, as appropriate but not less than every 8 years, to reflect the adoption of the regional transportation plan. Every other local government would be required to revise the housing element not less than every 10 years to reflect the adoption of the regional transportation plan.**
SB 375 Steinberg	**Transportation Planning: Improved travel models—Sustainable Communities Strategy—Environmental Review**	ASM: Appropriations Committee	**2008: recommend Support** **MTC Support** (was Watch 2007) CSAC 8/17/07	**Support if amended** Changed to WATCH 7/19 Was SUPPORT IN CONCEPT	<u>Amended 3/24/08</u> **Would require the California Transportation Commission by July 2009 to adopt guidelines for travel demand models used in the development of regional transportation plans (RTP); would require the RTP for specified regions to include a sustainable communities strategy designed to achieve certain goals for the reduction of greenhouse gas emission from automobiles and light trucks in a region. Would require certain transportation planning and programming activities by affected regional agencies to be consistent with the sustainable communities**

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			oppose LCC Oppose 8/9/07		**strategy, but would state that certain transportation projects programmed for funding on or before December 31, 2011, are not required to be consistent with the sustainable communities strategy. To the extent the sustainable communities strategy is unable to achieve the greenhouse gas emission reduction targets, the bill would require that the affected regional agencies to prepare a supplement to the strategy that would achieve the targets through alternative development patterns or additional transportation measures.** *As amended 9/12/07 with additional clarifying amendments expected in February:* This bill provides a framework for regional transportation and land use planning, with the overall goal of reducing greenhouse gas emissions attributable to the transportation sector in California. Key provisions require the larger regional transportation planning agencies to develop more sophisticated transportation planning models and regional development patterns, and better account for how changes in transportation investments and land use affect reduction of greenhouse gas emissions.
SB 900 Corbett	**Mobilehome Parks: Conversion**	**ASM Housing and Community Development** **Hearing 6/11 for testimony**	Support LCC Support CSAC Support	**SUPPORT**	**Amended 5/27/08: SB 900 would extend rent protections that are provided to low-income non-purchasing residents under existing law to median income households and prevent post conversion pass-through costs from being passed on to these non-purchasing residents. Non-purchasing residents who are above moderate income would be given six years rather than the four years currently required under existing law before their rent reached market rate. Additionally, HCD's income guidelines would be used to determine eligibility for those residents who decide not to purchase their lot. The author states, SB 900 strikes a much needed balance by allowing owner and resident initiated conversions while continuing to permit local regulation of such conversions and providing stronger state rent protections for non-purchasing residents.** This bill would close a loophole within rental to resident ownership conversion of mobile homes, but maintain current reporting requirements which are subject to local approval. Currently some mobilehome park owners are abusing the resident-conversion exemption as a loophole that allows them to subdivide and sell their lots without being subject to adequate local scrutiny. Additionally, the appraisal methods used by some owners, under the current law, allow them to inflate the true cost of the lots that are being converted. As a result, after the first lot is sold, the

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					property is no longer subject to local rent control and the costs of the lots are usually well beyond a resident's ability to afford. Eliminating the loophole would allow local rent control ordinances to keep mobile homes at an affordable rate.
SB 1118 Negrete McLeod	**Airports: Airport Land Use Commissions**	**ASM Appropriations Committee** **Hearing 7/1/08**	Watch CSAC Watch LCC Watch	**OPPOSE**	**Amended 6/12/08: This bill would eliminate the authority of the board of supervisors of a county in which an airport is located that is operated for the benefit of the general public that is not served by a scheduled airline, to adopt a resolution declaring that the county is exempt from establishing an airport land use commission. The bill would provide that if a county has only one airport that (1) is not served by a scheduled airline, (2) is operated for the benefit of the general public, and (3) is owned by a city, then the city owning the airport is required to establish the airport land use commission and the bill would provide for the composition of the commission. The bill would limit the authority of a board of supervisors and city selection committee of mayors to designate a body to assume the planning responsibilities of an airport land use commission. The bill would make other conforming changes and would delete certain obsolete provisions. By eliminating the authority of the board of supervisors to adopt a resolution declaring that the county is exempt from establishing an airport land use commission and limiting the authority of a board of supervisors and city selection committee of mayors to designate a body to assume the planning responsibilities of a commission, the bill would impose a state-mandated local program by requiring a higher level of service.** **Amended 4/23/08 and** Amended 3/12/08: The bill would, *beginning January 1, 2010, limit* the authority of a board of supervisors and city selection committee of mayors to designate a body to assume the planning responsibilities of an airport land use commission. The bill would make other conforming changes and would delete certain obsolete provisions. By eliminating the authority of the board of supervisors to adopt a resolution declaring that the county is exempt from establishing an airport land use commission and *limiting* the authority of a board of supervisors and city selection committee of mayors to designate a body to assume the planning responsibilities of a commission, the bill would impose a state-mandated local program by requiring a higher level of service. 1/24/08: Would eliminate the authority of the board of supervisors of a county in which an airport is located that is

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					operated for the benefit of the general public that is not served by a scheduled airline, to adopt a resolution declaring that the county is exempt from establishing an airport land use commission. Would repeal the authority of a board of supervisors and city selection committee of mayors to designate a body to assume the planning responsibilities of an airport land use commission; and makes other conforming changes. Would impose a state-mandated local program by requiring a higher level of service.
SB 1124 Committee on Local Govern-ment	**Local Government Omnibus Act of 2008**	ASM Local Government Committee	Watch LCC Watch CSAC Neutral	**NO POSITION**	**Amended 5/1/08** Would combine into one bill a number of "minor, non-controversial statutory changes relating to local government." For example: would repeal requirement of local governments to provide annual statements of investment policies and quarterly investment reports to the California Debt and Investment Advisory Commission; would designate an entity formed by the regional planning authority as a nonprofit public benefit corporation, designated as a consolidated transportation services agency, under the Social Service Transportation Improvement Act, for the purposes of liability; would delete a series of special tax authorizations and instead authorize local governments to levy voter-approved special taxes as specified for the same purposes. Would also extend authorizations to issue securitized limited obligation notes, address exemptions from requirements of Subdivision Map Act, and authorize a special business license tax.
SB 1165 Kuehl	**Environment: Environmental Impact Report**	**SEN Third Time; refused passage**	Watch CSAC Pending LCC Oppose	**OPPOSE**	Amended 5/10/08 Would require communications between project applicant and the public agency or the preparers of EIR to be in writing, or recorded in writing. Would authorize the public agency to make available to members of the public preliminary drafts of EIR, negative declaration or mitigated negative declarations that are circulated among the project applicant and any public agencies prior to their official release for public comments. Would require a lead agency or a responsible agency to prepare a subsequent or supplemental EIR for a project if the certification of the prior EIR is more than 5 years old. Would be required to treat this old EIR as an uncertified, draft EIR that must be re-circulated for public review and comment. Would increase the level of service provided by a local agency, thereby imposing a state-mandated local program. No reimbursement is required.
SB 1508 Corbett	**Seismic Safety Standards: Strengthening Standards**	**ASM Appropriations** **Hearing 7/2/08**	Support LCC Watch CSAC Watch	**SUPPORT**	**Amended 6/19/08: This bill requires the Department of Housing and Community Development (HCD) to prepare guidelines and standards for the seismic strengthening of sill plates and cripple walls for light wood frame residential buildings. Specifically, the bill:** **1) Requires the guidelines and standards to be prepared prior**

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					to January 1, 2010. **2) Requires that HCD prepare the guidelines in consultation with the Building Standards Commission, Division of the State Architect, the Contractors' State Licensing Board, the California Council of American Institute of Architects, and a variety of other organizations.** **3) Requires that the guidelines be submitted to (a) the International Code Council by July 1, 2010 for consideration and adoption into the model codes, and (b) to the Building Standards Commission by January 1, 2012 for approval.** **4) Requires the Contractor's Licensing Board to update examinations for both a general contractor's license and a carpentry and framing license to ensure that applicants have sufficient knowledge to perform a the seismic strengthening of cripple walls.** Would require HCD, in consultation with designated entities, to develop guidelines and standards prior to January 2, 2010, for seismic repairs of cripple walls of residential buildings and to publish a commentary explaining the guidelines and standards by that date. Would require the California Building Standards Commission to adopt, approve, codify, and publish the guidelines and standards in the California Building Standards Code prior to July 2, 2011, and to submit them to the International Code Council prior to August 1, 2011; Would also require the Contractors' State License Board to adopt a training and testing program prior to August 1, 2011, for special license classification for the seismic retrofit of cripple Walls. Would appropriate an unspecified amount from the Earthquake Loss Mitigation Fund to HCD for the purposes of developing the seismic retrofit guidelines and standards. *Bill sponsored by City of Oakland with ABAG*
SB 1731 Yee	**Vehicles: Fees—Metropolitan Transportation Commission—Congestion Mitigation**	**SEN Third Reading** **Refused passage; motion to reconsider granted**	Support MTC Support	**SUPPORT**	Authorizes MTC to add a $1 surcharge to the motor vehicle registration fee for congestion mitigation purposes in the nine Bay Area counties. Sponsor is MTC.
***SB 1732 Romero**	**Local Agencies**	**Enrolled 6/24 to Governor**	Watch CSAC Watch LCC Watch	**POSITION PENDING**	**6/20/08: Prohibits a majority of the members of a legislative body from using a series of communications of any kind, directly or through intermediaries, to discuss, deliberate or take action on any item of business that is required by the Ralph M. Brown Act (Brown Act) to be conducted in public. Specifically, this bill:** **1)States, under the Brown Act, that "meeting" means any**

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					congregation of a majority of the members of a legislative body at the same time and location, including teleconference locations as permitted, to hear discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. **2) Prohibits a majority of the members of a legislative body from through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.** **3)Specifies that the prohibition listed above shall not be construed as preventing an employee or official of a local agency from engaging in separate conversations or communications outside of a Brown Act meeting with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.** **4) States that the Legislature declares that it disapproves the court's holding in Wolfe v. City of Fremont (2006) 144 Cal. App.4th 533, 545, fn.6, to the extent that it construes the prohibition against serial meetings by a legislative body of a local series of individual meetings by members of a body actually result in a collective concurrence to violate the prohibition rather than collective concurrence as a violation of the prohibition.** **5) States that it is the intent of the Legislature that changes made in this measure supersede the court's holding in Wolfe.** **6) Prohibits a local agency from discriminating between, or among, members of a legislative body with regard to accessing a writing of the body or of the agency.** Amended 4/24/08 Would prohibit a majority of members of a legislative body of a local agency from using a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Would state the Legislature's declaration that it disapproves the holding of the appellate court in Wolfe v. City of Fremont (2006), "to the extent that it construes the prohibition on serial meetings and would state its intention that the changes made in this bill supersede the holding."