LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE

Committee Chair: Councilmember Julie Pierce—City of Clayton
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Thursday, March 15, 2012 – 3:30 p.m. to 5:00 p.m.

ABAG Large Conference Room B, MetroCenter, 101 Eighth Street, Oakland

AGENDA*

1.	**OPEN AGENDA** Committee members may raise issues for consideration; members of the public may speak.	Information/ Action
2.	**APPROVAL OF MINUTES** Committee will review and approve the minutes of the January 19, 2012, L&GO meeting.	Information/ Action
3.	**2012 NEW AND RETURNING LEGISLATION** FOR CONSIDERATION:** **SB 1220 (Steinberg & DeSaulnier) Housing Opportunity Trust Fund Act of 2012** **SB 1545 (DeSaulnier) Bay Area Toll Bridges** **AB 441 (Monning) State Planning** **AB 484 (Alejo) Enterprise Zones: Expiration of Designation** **AB 710 (Skinner) Local Planning: Infill and Transit-oriented Development** **AB 1532 (Perez) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account** **AB 1585 (Perez) Redevelopment** **Status: Pilot Funding Bill to Implement SB 375**	Information/ Action
4	**REPORT ON 2012 LEGISLATIVE WORKSHOP AND RECEPTION** Update on Sacramento Workshop and Reception held on February 22nd	Information/ Action
5.	**UPDATE ON 2012 PROPOSED STATE BALLOT MEASURES**	Information
	ADJOURNMENT Next meeting is scheduled for **May 17, 2012.**	Action
	Agenda and other written materials are available at ABAG/Front Desk, 101 8th Street, Oakland, or at *http://www.abag.ca.gov/meetings* --	

* The Committee may take any action on any item on the agenda

** Full California Bill Texts and actions can be read and printed out from state website: **www.leginfo.ca.gov**.

ABAG

ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area

LEGISLATION
2012 State Legislative Session
Legislation & Governmental Organization Committee
March 2, 2012

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

	New Bills				
***SB 1220 Steinberg and DeSaulnier**	**Housing Opportunity Trust Fund Act of 2012**	**SEN From printer; may be acted upon on or after March 25**	Watch		**This bill would enact the Housing Opportunity Trust Fund Act of 2012. The bill would make several legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. The bill would impose a fee of $75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded. By imposing new duties on counties with respect to the imposition of the recording fee, the bill would create a state-mandated local program.** **--The bill would require revenues from this fee be sent quarterly to the Department of Housing and Community Development for deposit in the Housing Opportunity Trust Fund, which the bill would create within the State Treasury. The bill would provide that moneys in the fund may be expended for the purpose of supporting affordable housing, as specified. The bill would impose certain auditing and reporting requirements.** **--This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2⁄3 of the membership of each house of the Legislature.**
***SB 1545 DeSaulnier –CoAuthor Hancock**	**Bay Area Toll Bridges**	**SEN Read First Time**	Watch		**This bill would prohibit public money from being used on the development or improvement of an office building at 390 Main Street, San Francisco, until after the State Auditor has**

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					completed a specified audit relating to the move of the headquarters of the Metropolitan Transportation Commission. Upon completion of the audit, the bill would require the issues raised in the audit to be addressed and a report in that regard to be submitted to the Legislature prior to future expenditure of public money on the headquarters project. These provisions would apply to the Bay Area Toll Authority, the Metropolitan Transportation Commission, and the Bay Area Headquarters Authority. The bill would thereby impose a state-mandated local program.
***AB 441 Monning**	**State Planning**	**SEN Transporta-tion and Housing**	Watch		**Requires the California Transportation Commission (CTC) to include voluntary health issues in guidelines promulgated by CTC for the preparation of regional transportation Plans. Requires CTC to include at the next revision voluntary health and health equity factors, strategies, goals, and objectives in the regional transportation plan (RTP) guidelines.**
***AB 484 Alejo**	**Enterprise Zones: Expiration of Designation**	**SEN Com. on rules**	support		**This bill would authorize the jurisdiction of an expiring enterprise zone to send a letter to the department expressing the intent of the jurisdiction to reapply for a new enterprise zone designation prior to the expiration of the designation of the enterprise zone. The bill would provide that if that letter is sent and, if prior to the expiration of the designation of the enterprise zone, the department has not issued a request for proposal and has not conditionally designated the maximum number of enterprise zones within the state, then businesses within the geographic boundaries of the existing enterprise zone may continue to be eligible to receive all enterprise zone benefits until the department completes any regulatory or administrative review, issues a request for proposal, and issues conditional designation letters to the maximum number of enterprise zones within the state.**
***AB 710 Skinner**	**Local Planning: infill and transit-oriented development**	**Currently being reintroduced under a different 2012 bill number**		Was considered in 2011 Leg Session—took an “oppose” position	**This bill establishes parking standards for new transit-oriented development.** This bill would enacts the "Infill Development and Sustainable Community Act," and contains legislative declarations in support of its provisions. **For new development projects in transit intensive areas, this bill prohibits cities and counties from requiring a minimum parking standard greater than: One space per 1,000 square feet of nonresidential improvements, and One space per residential unit.** **This bill allows cities and counties to require higher**

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					minimum parking standards if they find that existing publicly available parking within a mile has a peak occupancy exceeding 85%. These findings require a parking utilization study completed within the last 24 months that reviews publicly owned on-street and off-street parking and privately owned off-street parking that's publicly accessible, excluding spaces on exclusively residential streets. **This bill's prohibition does not apply if the proposed project:** **1. And adjoining properties are restricted to development at a floor area ratio below 0.75;** **2 Is located on a parcel with dwelling units with rents that are restricted by recorded covenants or ordinances to levels affordable to low or moderate income persons and families where the units will be destroyed or removed. However, this exception does not apply if the proposed development includes an equal number of bedrooms that will be affordable in the same proportions as the former units. In that case, rental units must remain affordable for at least 55 years or the term remaining on recorded affordable housing covenants. Ownership replacement units shall be made available at affordable housing costs for at least 45 years;** **3. Is located on a parcel where the owner withdrew rental units from rental or lease pursuant to the Ellis Act; or** **4. If the property is covered by a specific plan adopted on or before December 31, 2011, and the plan sets off-street parking requirements that are lower than the parking requirements for similar uses outside of transit intensive areas.** **This bill defines a "transit intensive area" as an area that is within a mile of an existing major transit stop, as defined by the California Environmental Quality Act, or within one-quarter mile of the center line of a high-quality transit corridor of a planned major transit stop, as shown on a regional transportation plan.** **The bill declares that a project is within this -mile standard or mile of the center line if:** **All of the parcels have not more than 25% of their area more than a -mile of the transit stop or within mile of the center line of a transit corridor; and** **Not more than 10% of the residential units or 100 units (whichever is less) are more than miles from the transit stop or a mile of the center line of a corridor.** **This bill defines a "high-quality transit corridor" as a corridor with fixed route bus service with service intervals less than 15 minutes during peak commute hours.**

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***AB 1532 John A. Perez**	**California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account**	**ASM Com. on Natural Resources**	Watch		**This bill would create the Greenhouse Gas Reduction Account within the Air Pollution Control Fund. The bill would require moneys, as specified, collected pursuant to a market-based compliance mechanism be deposited in this account. The bill also would require those moneys, upon appropriation by the Legislature, be used for purposes of carrying out the California Global Warming Solutions Act of 2006. The bill would require the state board to award those moneys to measures and programs. This means measures and programs that reduce greenhouse gas emissions consistent with this division to achieve any of the following:** **(1) Clean and efficient energy, through energy efficiency, clean and renewable distributed energy generation, and related activities.** **(2) Low-carbon transportation, through the development of state-of-the-art systems to move goods and freight, deploy advanced technology vehicles and vehicle infrastructure, produce and use advanced biofuels, and increase the availability of low-carbon and public transportation.** **(3) Natural resource protection, through measures associated with water use and supply, land and natural resource conservation and management, and sustainable agriculture.** **(4) *Sustainable infrastructure development, through strategic planning and development of major infrastructure, including transportation and housing.***
***AB 1585 Perez, Atkins, Dickinson, Hill, Mitchell, Perea, and Torres**	**Redevelopment**	**ASM Com. on Housing and Community Development**	Support		**This bill would modify the scope of the term "enforceable obligation" and modify provisions relating to the transfer of housing funds and responsibilities associated with dissolved redevelopment agencies. The bill would provide that any amounts on deposit in the Low and Moderate Income Housing Fund of a dissolved redevelopment agency be transferred to specified entities. The bill would make conforming changes.** **Existing law provides that, upon a specified date, agreements, contracts, or arrangements between the city or county, or city and county that created the redevelopment agency and the redevelopment agency are invalid. Notwithstanding this provision, an agreement that provided loans or other startup funds for the agency that was entered into within 2 years of the formation of the agency is valid and binds the successor agency. The bill would expand this exception to include an agreement involving a loan specific to a project area and other specified obligations.** **--The bill would provide that other loan agreements entered into between the redevelopment agency and the city, county, or**

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					city and county that created it are deemed to be enforceable obligations, except as specified. **--The bill would further expand upon, and clarify, the scope of the successor agency's and the oversight board's responsibilities. This bill would declare that it is to take effect immediately as an urgency statute.**
	BILLS PREVIOUSLY CONSIDERED				
AB 57 Beall	**Metropolitan Transportation Commission**	**SEN Transporta-tion and Housing**	Support	**Continue Support as written** **Had Support Position in 2011 Legislative cycle**	This bill would, instead, require the Metropolitan Transportation Commission to consist of 21 members, including one member appointed by the Mayor of the City of Oakland and one member appointed by the Mayor of the City of San Jose. The bill would require the initial term of those 2 members to end in February 2015. The bill would, effective with the commission term commencing February 2015, prohibit more than 3 members of the commission from being residents of the same county, as specified. By imposing new requirements on a local agency, this bill would impose a state-mandated local program.
SB 654 Steinberg	**Redevelopment**	**ASM Read first time. Held at Desk**	Watch	**Watch**	**Amended 1/31/12. This bill would allow the host city or county of a dissolving redevelopment agency to retain the funds on deposit in the agency's housing fund and expands the types of agency loans from the host city or county that are considered enforceable obligations. Senate deleted urgency clause.** Would revise the definition of the term "enforceable obligation" and modify provisions relating to the transfer of housing funds and responsibilities associated with dissolved redevelopment agencies. The bill would provide that any amounts on deposit in the Low and Moderate Income Housing Fund of a dissolved redevelopment agency be transferred to specified entities, such as city, county, or city and county. Bill would make conforming changes
SB 659 (Padilla)	**Community Redevelopment**	**ASM Re-referred to Com on Rules**		**Support**	Would postpone the current February 1st deadline for dissolution of Redevelopment Agencies to April 15, 2012.
SB 878 DeSaulnier	**Regional Planning: Bay Area**	**ASM Read first time. Held at Desk**	Watch	**Watch**	Would require the Joint Policy Committee − a subcommittee of representatives from the Metropolitan Transportation Commission, the Association of Bay Area Governments, the Bay Area Air Quality Management District and the Bay Conservation & Development Commission — as well as its individual member agencies — to prepare a number of new reports related to the Sustainable Communities Strategy (SCS), including

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					recommendations on organizational reform (such as the creation of a new agency by statute or through a joint exercise of powers agreement or another institutional arrangement), regional economic development, and public and community outreach. Specifically Report on strategies for a. Developing and implementing a multiagency set of policies and guidelines for implementing the Bay Area's sustainable communities' strategies. b. Improving the efficiency and effectiveness of policy setting and managerial coordination among the regional agencies that constitute the JPC. c. Ensuring that the public in the nine county region has an opportunity to comment on the proposed policies and standards that the JPC will promulgate for implementing the sustainable communities strategies. d. Recommend organizational reform to implement the proposed methods and strategies, including creating a regional organization by legislation, a joint powers agreement or some other institutional arrangement specifying the terms of interagency collaboration.
SCA 4 **DeSaulnier and Wolk**	**Initiative Measures: Funding Source**	**SEN Third Reading**	Support CSAC Support	**Continue support as written** **Had Support Position in 2011 Legislative cycle**	This measure would prohibit an initiative measure that would result in a net increase in state or local government costs, (other than costs attributable to the issuance, sale, or repayment of bonds), from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.
	FEDERAL LEGISLATION				