

**LEGISLATION AND GOVERNMENTAL ORGANIZATION COMMITTEE  
ASSOCIATION OF BAY AREA GOVERNMENTS**

**Thursday, May 20, 2004**

**Summary Minutes**

**Members Present:**

Councilmember Maria Alegria, City of Pinole, Vice Chair  
Mayor Irma Anderson, City of Richmond  
Councilmember Desley Brooks, City of Oakland  
Supervisor Scott Haggerty, County of Alameda  
Supervisor Rose Jacobs Gibson, County of San Mateo, Chair  
Councilmember Carol Klatt, City of Daly City  
Supervisor Barbara Kondylis, County of Solano  
Supervisor Peter McHugh, County of Santa Clara  
Mayor Julia Miller, City of Sunnyvale  
Councilmember Steve Rabinowitsh, City of Santa Rosa  
Councilmember Gwen Regalia, City of Walnut Creek  
Mayor Shelia Young, City of San Leandro

*Also Present:*

Patricia Jones – ABAG  
Kathleen Cha—ABAG  
Henry Gardner—ABAG  
Ceil Scandone—ABAG  
Alex Amoroso—ABAG

**1. Introductions:** Committee Chair, Supervisor Rose Jacobs Gibson, opened the meeting at 3:40 p.m.

**2. Minutes:** March 18, 2004, minutes were approved.

**3. REVIEW OF HOUSING ELEMENT LEGISLATION NEWLY AMENDED**

Alex Amoroso, ABAG Principal Planner, briefed the committee on newly amended legislation regarding reform of the housing element process, specifically addressing two bills: **AB 2158 (Lowenthal) Local Planning: Housing Elements** and **AB 2980 (Salinas) Housing Element: Self Certification**. These bills are the result of recommendations from the statewide Housing and Community Development Housing Element Working Group. Alex representing ABAG was a participant in the Working Group and summarized the final report of the Working group. This report, which has been presented to the Assembly and Senate Housing Committees, identifies six priority reform areas:

- the Regional Housing Needs Assessment Process (RHNA);
- identification of adequate site/land;
- increasing housing development certainty;
- performance based certification;
- enforcement; and
- the Department of Housing and Community Development (HCD) Review Process.

Alex indicated that in this 2004 Legislative Session bills were being introduced that focused on one or more of these specific reform areas. **AB 2158** reflects reform of the RHNA process and brings clarity, specified intent, and consistency to the housing needs process.

In the discussion of Salinas' **AB 2980** on Housing Element Self Certification, although there is support for Self Certification, many concerns were raised about the threshold for self certification and vagueness concerning the kind of housing production being measured. Clarifying language is still being worked on. Because the League and CSAC support the bill there was discussion about ABAG taking a position of Support rather than "Watch. However, because many questions about thresholds for self certification have not been answered, the Committee voted to continue to watch AB 2980 until they are addressed.

**Action:**        **The Committee moved to continue Watch AB 2980.**  
                      **The Committee moved to support the amended AB 2158.**

#### **4. REPORT ON NEW GREEN BUSINESS PROGRAM LEGISLATION**

Ceil Scandone, ABAG Senior Planner and Bay Area Green Business Program Regional Coordinator, briefed the Committee on **SB 1703 (Alarcon) California Certified Green Business**. This bill would establish an optional statewide local program based on ABAG's Bay Area Green Business Program. The program is already expanding throughout California using our very successful Bay Area Green Business Program model. SB 1703 would formalize what is occurring, and establish a framework for consistent implementation so that the Green Business program retains its integrity and credibility. The bill passed the Senate yesterday and is now in the House awaiting Committee assignment.

**Action:**        **The Committee voted to support SB 1703.**

#### **5. REVIEW OF LEGISLATION**

The Committee reviewed other new bills in the **2004 Legislative Session** and took the following positions.

**Action: Under the bill category of Housing and Land Use, the Committee recommended:**

<b>AB 723</b> (Matthews) Jobs-Housing Opportunity Zones:	<b>Support</b>
<b>AB 3065</b> (Kehoe) General Plan: Safety Element	<b>Oppose to Watch</b>
<b>SB 1625</b> (Hollingsworth) Jobs-Housing Balance	<b>Watch</b>
<b>SB 1702</b> (Battin) Housing Tax Credits	<b>Watch</b>
<b>SB 1777</b> (Ducheny) California Statewide Housing Plan	<b>Watch</b>
<b>SB 1815</b> (Johnson) Building Permits	<b>Oppose</b>

**In the Local Government Category, the Committee recommended:**

<b>SB 1212</b> (Ducheny) Local Government Finance & Local Government Revenue Balancing	<b>Watch</b>
<b>SB 1774</b> (Johnson and Torlakson) Local Government Finance	<b>Oppose</b>
<b>AB 2450</b> (Canciamilla) Sexually Violent Predators: Notice Bill	<b>Support</b>
<b>SB 1366</b> (Denham) Sexually Violent Predators: Conditional Release	<b>Support</b>
<b>SB 1866</b> (Annestad/Romero) Peace Officer Motor Vehicle Pursuit	<b>Oppose</b>

**Action: The Committee also took a support position on Federal Legislation: TEA-21, Transportation Reauthorization Bill** (which includes critical funding for projects like the Bay Road in East Palo Alto.)

#### **6. DISCUSSION OF DRAFT LEGISLATION BY SENATOR TORLAKSON CONCERNING ABAG AND MTC JOINT POLICY COMMITTEE: SB 849**

After a long discussion about the newly amended SB 849 (Torlakson) regarding ABAG and MTC Joint Policy Committee: the majority of the Committee reaffirmed that including Bay Area Air Quality Management District at this time in the Joint Policy Committee was premature at these beginning stages of the Joint Policy Committee. There was consensus that it would be an important step later in the process.

**Action:**        **The Committee moved an "Oppose unless Amended" position on SB 849.**

**8. Adjourn:** The meeting adjourned at 5:00 p.m.

**Next Meeting: July 15, 2004, 3:30 - 5 p.m., Joseph B. MetroCenter, ABAG Conference Room B**