

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

Thursday, July 17, 2008

**Summary Minutes**

**Members Present:**

Vice Mayor Dave Cortese, City of San Jose, ABAG Immediate Past President  
Councilmember Carole Dillon Knutson, City of Novato, **Vice Chair**  
Councilmember Dan Furtado, City of Campbell  
Supervisor Rose Jacobs Gibson, County of San Mateo, ABAG President  
Supervisor Scott Haggerty, County of Alameda  
Councilmember Kasie Hildenbrand, City of Dublin  
Supervisor Mike Kerns, County of Sonoma  
Supervisor Mark Luce, County of Napa  
Supervisor Pete McHugh, County of Santa Clara, **Chair**  
Mayor Gwen Regalia, City of Walnut Creek  
Councilmember Arne Simonsen, City of Antioch  
Mayor Mark Green, Union City, ABAG Vice President

*Staff Present:*

Henry Gardner—ABAG  
Patricia Jones—ABAG  
Ken Moy—ABAG  
Kathleen Cha – ABAG  
Wendy Sommers—StopWaste.org

1. **Introductions:** Santa Clara County Supervisor Pete McHugh, L&GO Chair opened the meeting at 3:40.
2. **Minutes:** May 15, 2008, minutes were approved.

**3. Update on AB 2954 Lieber & Hancock: San Francisco Bay Restoration Authority**

As recommended at the May 15th L&GO Committee meeting, a sub committee was formed to follow-up on AB 2954 regarding the creation of the San Francisco Bay Restoration Authority and clarification of concerns related to ABAG responsibilities. The subcommittee, comprised of President Rose Jacobs Gibson, Supervisors John Gioia and Scott Haggerty, Mayor Gwen Regalia, and Councilmembers Carol Dillon Knutson and Arne Simonsen, met by teleconference on June 4<sup>th</sup>. After detailed discussion, the subcommittee voted unanimously to support the bill. It was reported that SB 2954 was currently in the Senate Appropriations Committee awaiting a hearing on August 4<sup>th</sup>.

**4. 2008 Legislative Session—Bills for Review**

The Committee reviewed and discussed six new bills, and examined amendments to five bills previously considered for potential change of position.

**Under new bills:**

**AB 2280 (Saldana & Caballero) Density Bonus** Support  
This bill resolves conflicts, clarifies requirements, and restores local government approval balance to state's current Density Bonus Law.

**SB 303 (Ducheny) Local Government: Land Use Planning** Oppose  
There are major concerns with giving land use and transportation planning control to California Air Resources Board and their ability to modify regional plans.

**AB 2513 (Caballero) Housing and Emergency Shelter Trust Fund of 2006—Allocation of Funds—Regional Housing Need Share** Support

Bill stipulates giving additional grant/funding points to jurisdictions for achieving at least 75% of allocated housing need.

**AB 2347 (Ruskin) Mercury-added Thermostats—Collection Program** Support

Bill would require manufacturers to reduce the largest source of mercury waste by setting up a collection and recycling program for thermostats.

**AB 2939 (Hancock) Building Standards: Green Buildings—Local Variances** Support

Gives jurisdictions the authority to make changes or modifications to implement green building standards, guidelines, and/or rating systems. Current California Building Standards Law preempt local governments from setting building standards different from the state code.

**AB 1654 (Huffman) Integrated Regional Water Management Planning Act** Watch

It was agreed that the water planning concept was good, but clarification and more specific language was needed, especially regarding the timing of the Integrated Regional Water Management Planning, and how it would occur along with proposed study of current programs and grant funding.

**The following bills, which had been reviewed at prior meetings, were considered again because of recent major changes and amendments to the bills.** After review the committee still recommended the following positions:

- *Oppose for AB 842 (Jones) on Regional Plans and Traffic Reductions* because the amendments didn't change the issues and problems associated with using reduction of VMT (vehicle miles traveled) as the ranking priority for funding as proposed in the bill.
- *Oppose AB 1634 (Levine) California Healthy Pets*—Even though this bill was significantly changed, it is still remains an unfunded mandate that adds layers to Animal Control Department issues without adequately resolving the animal overpopulation issue. Previous position was Watch.
- *Oppose AB 2069 (Jones) Local Planning* because it goes beyond a technical bill and doesn't provide support for the potential zoning costs and potential for CEQA issues.
- *Oppose AB 2093 (Jones) General Plan—Mandatory Elements* because it is considered premature to set general plan policies as this bill proposes until current state committees/global warming policy studies are concluded.
- *Oppose SB 1118 (Negrete McLeod) Airports—Airport Land Use Commission* because Committee wants to retain scope of local authority regarding airport land use commission.

**Update on AB 2094 (DeSaulnier & Laird) San Francisco Bay Conservation and Development**

**Commission:** A compromise position was reached regarding the amendment that seven representatives appointed by BCDC to the Joint Policy Committee would have a majority of elected officials. It was agreed that the stipulation regarding BCDC appointments to the Joint Policy Committee be comprised of a majority of elected official would take effect January 1, 2011.

**4. Adjourn:** The meeting adjourned at 5 p.m.

The next meeting is scheduled for **September 18, 2008.**