

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

**Thursday, November 17, 2011  
Summary Minutes**

**Members Present:**

Supervisor Susan Adams, County of Marin, ABAG Vice President  
Councilmember Desley Brooks, City of Oakland  
Supervisor Dave Cortese, County of Santa Clara  
Councilmember Carole Dillon Knutson, City of Novato, *Vice Chair*  
Supervisor Rose Jacobs Gibson, County of San Mateo  
Mayor Jack Gingles, City of Calistoga  
Mayor Mark Green, Union City, ABAG President  
Supervisor Scott Haggerty, County of Alameda  
Supervisor Barbara Kondylis, County of Solano  
Supervisor Mark Luce, County of Napa, **Chair**  
Vice Mayor Pete McHugh, City of Milpitas  
Councilmember Julie Pierce, City of Clayton

*Staff Present:*

Ezra Rapport – ABAG  
Patricia Jones – ABAG  
Kathleen Cha – ABAG

**1. Introductions:** Supervisor Mark Luce, L&GO Chair, called the meeting to order at 3:40.

**2 Minutes:** September 15, 2011, minutes were approved.

**3. 2012 LEGISLATIVE PRIORITIES AND FINAL OUTCOME OF BILLS  
CONSIDERED DURING 2011 LEGISLATIVE SESSION**

**The committee recommended** continuing Legislative Priorities used during 2011 for guidance, during the 2012 Legislative Year. They include:

- **Pursuing State and Federal Legislation addressing focused integrated planning and environmentally healthy communities**
- **Pursuing legislative and state support for Resources and incentives**
- **Supporting the Long Term Financial Disaster Recovery Planning Initiative**
  - That includes seeking related funding needed to support regional and local government hazard mitigation and disaster recovery efforts
- **Pursuing Finance legislation that includes balanced revenue streams and fiscal reform**
- **Seeking State and federal legislation to establish innovative financing and project delivery mechanisms.**

**4. DISCUSSION OF A PROPOSED PILOT FUNDING BILL TO IMPLEMENT SB 375**

ABAG Executive Director Ezra Rapport presented to the committee a draft of potential legislation authorizing Pilot Project providing funding for Regional EIR and Local Specific Plans. The proposed measure would authorize funding for ABAG as a pilot program to support regional environmental review and allocate grants to local government or the purpose of implementing growth in Priority Development Areas.

**The committee recommended** that Ezra move forward with efforts to fully develop the measure. Initial discussions with Senator Joe Simitian (San Mateo County) indicate that he might be willing to carry legislation for ABAG.

## **5. UPDATE ON RESEARCH OF “GUT AND AMEND” PRACTICES IN OTHER STATES**

At the request of the Committee, staff researched practices in other states. It was reported that policies for amendments at the end of legislative sessions are in place throughout the 50 states to guide each chamber of the state legislature from making last minute “gut and amend” actions.

However, last minute gut and amend actions do occur because the legislature can rescind current policies/practices if they have the majority votes to approve this last minute action or change. The exceptions are states with constitutional amendments stating that any change must be in print and public for a stated time, and/or all bill changes must be germane or relevant to the single topic proposed.

As part of the discussion of how to address “gut and amend” issues, the newly drafted ballot measure proposed by California Forward Action Fund was briefly examined because it contains a proposed provision to curb “gut and amend” practices. The Ballot Proposal, entitled *The Government Performance and Accountability Act*, is a proposal to reform California’s fiscal and governance issues through constitutional amendments. It includes provisions for shifting to a two-year budget, for community-driven problem solving, and for curbing last-minute legislative amendments “to give transparency and sunshine to legislative process.”

**The Committee recommended** that a presentation on this ballot measure be given to the Executive Board and that it would include full discussion of its implications for state and local government processes.

**6. Update on planning for a 2012 State Legislative Reception:** The planning has begun to set up an afternoon workshop with legislators and regulators in Sacramento, concluding with a Reception. Time to meet with legislators in person will also be part of the scheduling. Partnering with CalCOG is part of the planning.

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

The next meeting will be held on **January 19, 2012.**