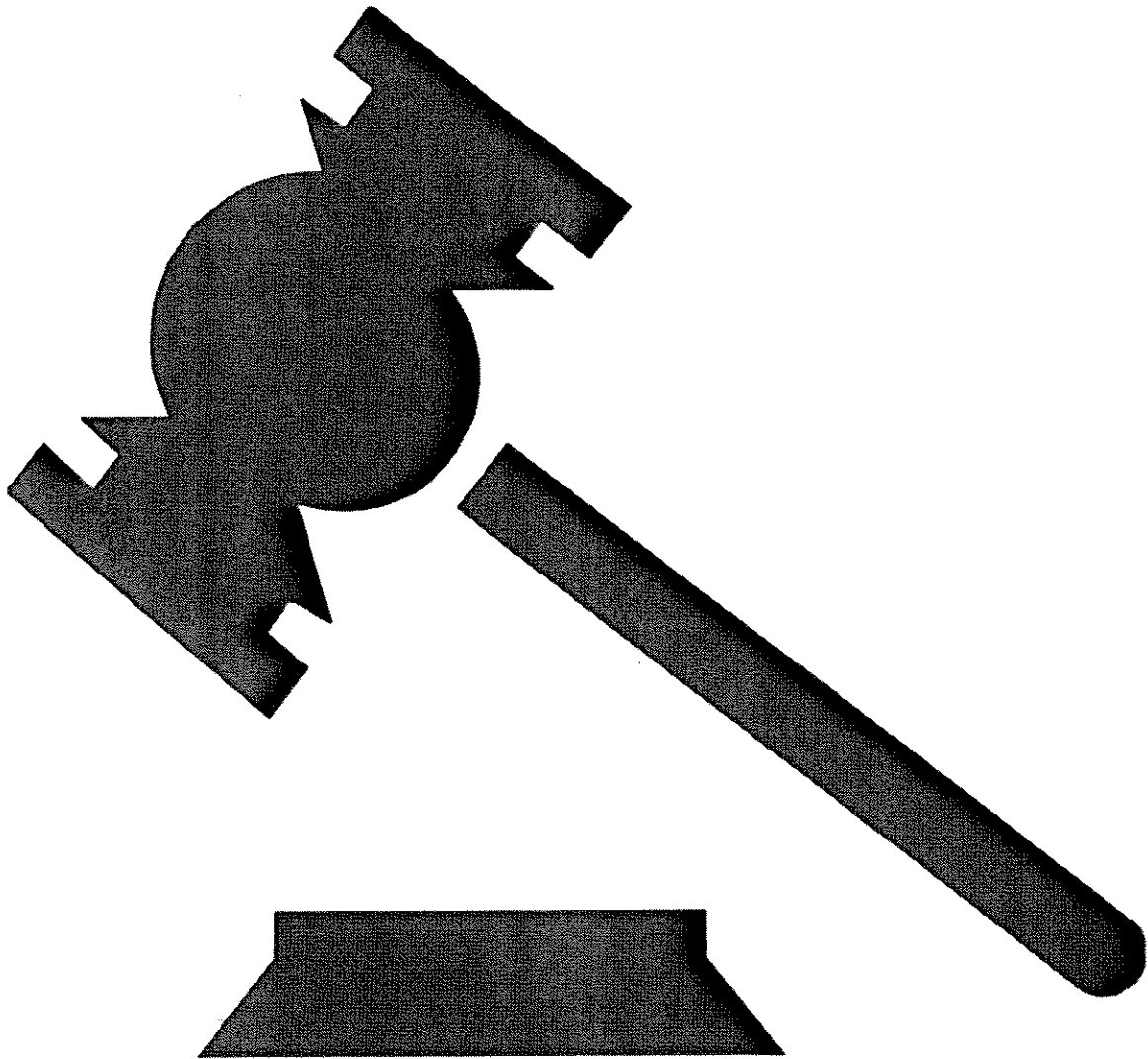




***ADMINISTRATIVE
CONSENT ITEMS
AGENDA ITEMS VI. A-E.***

**COUNCIL OF FRESNO COUNTY GOVERNMENTS
EXECUTIVE MINUTES**

Date: Thursday, September 18, 2008
Time: 5:30 p.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Present: Mayor Trinidad M. Rodriguez, City of Kerman, Chair
Mayor Dennis Lujan, City of Selma, V. Chair
Mayor Bob Whalen, City of Clovis
Councilmember Rico Aguayo, City of Fowler
Councilmember Cynthia Sterling, City of Fresno
Mayor Ramon Dominguez, City of Huron
Mayor Robert Silva, City of Mendota
Mayor Armando Lopez, City of Parlier
Mayor Pro Tem Steve Rapada, City of Reedley
Mayor Amarpreet Dhaliwal, City of San Joaquin
Mayor Mike Montelongo, City of Sanger
Supervisor Judy Case, County of Fresno

Sharri Ehler, Caltrans
Kevin Briggs, Legal Counsel
Tony Boren, Executive Director

QUORUM: At the start of the meeting there were 12 members present representing 94.85% of the population and there was a quorum. (Clovis, Fowler, Fresno, Huron, Kerman, Mendota, Parlier, Reedley, San Joaquin, Sanger, Selma and Fresno County)

There was a special time of prayer for the family of Scott Brockett (Reedley) led by Mayor Montelongo (Sanger).

Fresno COG Sitting As the Transportation Policy Committee

I. PRESENTATIONS

A. Public Presentations

This portion of the meeting is reserved for persons wishing to address the Board on items within its jurisdiction but not on this agenda. **Note: Prior to action by the Board on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

There were no public presentations.

B. Presentation – High Speed Rail – Eric Von Berg, URS Consulting

Eric Von Berg (URS) gave a Power Point presentation on the High-Speed Rail and explained how the High-Speed Rail will operate in California. Information is available on the COG website www.fresnocog.org.

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

II. TRANSPORTATION CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

- | | |
|---|-------------|
| A. Transportation Development Act (TDA) Trust FY 2007-08
Declaration of Surplus [BESHEARS] | Approve |
| B. 2008-09 Transportation Funding Claims [BESHEARS] | Approve |
| 1. FY 2008-09 City of Kerman, Resolution 2008-40 | |
| 2. FY 2008-09 City of Orange Cove, Resolution 2008-41 | |
| 3. FY 2008-09 City of Sanger, Resolution 2008-42 | |
| 4. FY 2008-09 City of Clovis, Resolution 2008-44 | |
| C. West Area Transportation Planning Study Update [TWEBSTER] | Information |
| D. Request for Proposal – Valley-wide Air Quality
Planning and Coordination [DAWSON] | Information |
| E. High Speed Rail Update [THOMPSON] | Information |

For a summary of these items, please see the September 18, 2008 Annotated Agenda.

Councilmember Aguayo (Fowler) requested that Agenda Item E. be pulled for further discussion.

After an expressed opportunity for public comment, a motion was made by Mayor Lujan (Selma) and seconded by Councilmember Aguayo (Fowler) to approve the Transportation Consent Items with the exception of Item E. – High Speed Rail Update. A vote was called for and the motion carried.

Item E. – High Speed Rail Update

Assembly Bill 3034 has been approved by the legislature and signed into law by the Governor. It replaces Proposition 1, the original Safe, Reliable High-Speed Passenger Train Bond Act that was developed in 2002 and originally scheduled to appear on the November 2004 ballot, with Proposition 1A on the November 4, 2008 ballot. Proposition 1A reflects activities and project design changes that occurred during the past six years and will, it is hoped by proponents of the high-speed train, increase the statewide appeal of the bond act. Proposition 1A will appear first on the ballot.

Request for Urgency Item – requires a 2/3 majority to declare an urgency item and place on the agenda.

Because of the pending election on November 4th and in order to consider support of Proposition 1A, Councilmember Aguayo wished to add the action to support as an urgency item and place it on the agenda for action. A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Silva (Mendota) to place this item on the agenda as an urgency item. A 2/3 majority is required to add an item as an urgency item. A vote was called for and the motion passed unanimously.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Montelongo (Sanger) to support Proposition 1A. A vote was called for and the motion carried.

III. TRANSPORTATION ACTION / DISCUSSION ITEMS

- A. Measure “C” Extension Update [BOREN]
 1. Regional Transportation Mitigation Fee (RTMF) Update [BOREN]

Tony Boren (COG) provided a verbal update on this item.

Mr. Boren informed the Board that the (FCTA) Fresno County Transportation Authority did not have a majority vote to pass the RTMF at their September 10, 2008 meeting. Pursuant to the outcome of that Meeting, and in an effort to keep from “passing” the Regional Transportation Mitigation Fee

(RTMF) back and forth between the Fresno COG and the FCTA, final consideration of the Regional Transportation Mitigation Impact Fee will be brought before a joint meeting of the Council of Fresno County Governments Policy Board and the Fresno County Transportation Authority Board on Thursday, October 9, 2008. **This Special Joint Meeting will be held in the Sequoia Conference Room at Fresno COG located at 2035 Tulare Street, Suite 201 and will begin at 5:30 p.m.** The RTMF will be the only item on the Agenda and each Board will vote independently of each other. Approval of an action by the Fresno COG Board requires 9 votes (majority of Fresno COG member agencies) + 40% (of total population in Fresno County) to pass. The FCTA Board requires a majority of the FCTA board (5 votes) to pass an item.

Bruce Rudd (Fresno) and Mayor Whalen (Clovis) emphasized they would like to see more emphasis and clarification regarding phasing (Option 3) and specifically to give this detail to the COG Board and the Fresno County Transportation Authority.

This was an information/discussion item only and required no further action by the Board.

B. Blueprint Related Sole Source Contract [STECK]

Barbara Steck (COG) presented this item. During Phase III of the Blueprint outreach presentations to all of our member agencies, Fresno COG staff realized that there is a serious concern with increasing densities to accommodate future population growth. While the majority of our cities are open to moving in this direction, staff believes that there is still have more work to do to promote the principles of "smart growth". The Local Government Commission (LGC) has an impressive track record in this arena. They have worked with several local cities and community organizations to help them address community design issues. COG has been in contact with LGC staff because of their expertise in creating community image surveys and hopes to enter into a contractual relationship with them in order to assist member agencies adapt the Blueprint principles into their local planning processes.

The Local Government Commission will work with the COG to develop a Community Image Survey (CIS) focused on housing and compact development. The CIS will include 40 to 60 images of different housing types at different densities. The CIS is an excellent educational tool that helps residents understand that the design of residential projects is a more significant factor than density. The CIS will be developed in such a way that it can be used in workshops using "clickers" to allow participants to rate each image. In order to insure that the images are appropriate to the town or city where it is being administered, LGC will prepare two versions of the CIS. One version will be appropriate for large and medium sized cities in the region; a second version will focus on small towns of under 15,000 people. The LGC will be responsible for meeting with an advisory committee (to be assembled and invited by the COG) to get input on the following:

- Types of housing to include
- Identify good and bad examples of higher density housing to photograph
- Assemble any photos that may already have been taken
- Take photographs in the San Joaquin Valley and other regions as needed to assemble a good collection of good and bad examples of higher density housing
- Assemble two versions of the draft CIS with 40 to 60 images each
- Administer both versions of draft CIS to Advisory Committee to get feedback
- Revise CIS based on feedback
- Work out logistics for administering CIS using clicker technology to record responses
- Train COG staff (and others if desired) in administering CIS

Staff believes that the Local Government Commission is the authority in developing Community Image Surveys and that it has extensive experience working with Valley communities to implement smart growth principles. Staff is confident that they can complete the tasks required within the COG's sole source contract requisites (\$10,000 or less).

After an expressed opportunity for public comment, a motion was made by Councilmember Aguayo (Fowler) and seconded by Councilmember Sterling (Fresno) to authorize the Executive Director to negotiate a sole source contract with the Local Government Commission to develop a Community Image Survey to assist member agencies with implementing the smart growth principles of the

Blueprint Planning Process. A vote was called for and the motion carried with one No vote from Selma.

C. Senate Bill 375 Update [Dansby]

Jennifer Dansby (COG) provided a verbal report on the status of SB 375 (Steinberg) and its overall implications to Fresno COG and our member agencies. She further asked the Board for support to recommend that the Policy Board consider amending their original position of "oppose" to SB 375 to a position of "support", which is consistent with the California Association of COGs, the California Association of Counties, the League of Cities, the California Building Industry, the California LAFCO Commissions, a variety of environmental and private industry groups, and others.

SB 375 proposes to link regional planning for housing and transportation with California's new greenhouse gas reduction goal (AB 32) enacted in 2006. The goal is to reduce greenhouse emissions to the 1990 level by 2050. This will require a 30% cut from projected emissions. SB 375 intends to help California reach this goal by requiring smart-growth planning in Regional Transportation Plans, aligning transportation and housing planning, and creating incentives for the implementation of smart-growth strategies that will reduce vehicle miles traveled by cars and light trucks, which are considered a significant contributor of greenhouse gas emissions. A summary of the bill is enclosed as well as the full text.

Since the Board last took a position on this bill in the summer of 2007, many amendments and compromises have been negotiated with Senator Steinberg for the positive, which has gained the support of most of the organizations that were originally opposed. There are some remaining amendments desired and clean-up language for SB 375 will likely be sought by Senator Steinberg in a bill next session. Staff will summarize these remaining issues at the meeting.

SB 375 has passed the Senate and Assembly and is enrolled to the Governor. There have been no indications from the Governor as to whether he intends to pass the bill or not but sponsors expect him to sign it once the state passes a budget.

There was concern expressed by some Board members that passage of this Bill would take away local control. After an expressed opportunity for public comment, a motion was made by Mayor Lujan (Selma) and seconded by Mayor Silva (Mendota) to take no position on the Bill. A roll call vote was called for and the motion failed with six (6) Ayes from Fresno County, Mendota, Parlier, Reedley, Sanger and Selma and six (6) No's from Clovis, Fowler, Fresno, Huron, Kerman, and San Joaquin.

A substitute motion was made by Councilmember Aguayo (Fowler) and seconded by Councilmember Sterling (Fresno) to support the Bill. A roll call vote was called for and the motion failed with six (6) Ayes from Clovis, Fowler, Fresno, Huron, Kerman, and San Joaquin and six (6) No's from Fresno County, Mendota, Parlier, Reedley, Sanger and Selma.

A substitute motion was made by Supervisor Case (Fresno County) and seconded by Mayor Lopez (Parlier) to take a neutral position on the bill. A roll call vote was called for and the motion carried unanimously.

D. Airport Land Use Commission Memorandum of Understanding [TWEBSTER]

Tom Webster (COG) reported on this item. On March 25, 2008 the Fresno County Board of Supervisors unanimously endorsed a request that Fresno COG accept administrative and staffing responsibilities for the Fresno County Airport Land Use Commission (ALUC). The ALUC is a statutorily defined body that advises the cities and the County on compatible land uses in the vicinity of the nine public airports in Fresno County.

At the present time, three Councils of Governments in California, the Association of Monterey Bay Area Governments, the Sacramento Area Council of Governments and the Santa Barbara County Association of Governments, administer Airport Land Use Commission functions. In addition, there are two counties within the state (San Diego and Kern) that address airport land use issues through administrative bodies other than the County land use agency. COG staff is currently in discussions

with the above listed COGs to identify the funding sources that each of them use to staff their respective ALUCs.

State Statute, Public Utilities Code 21670 requires the ALUC be made up of seven commissioners consisting of two city representatives, appointed by a city selection committee; two County representatives, appointed by the Board of Supervisors; two aviation experts, appointed by a selection committee comprised of the managers of the public use airports; and one representative of the general public appointed by the other six members of the Commission. Current membership would not change with approval of the recommended action. The formal transfer of administrative responsibilities for the ALUC from Fresno County to the COG would be accomplished by the creation and execution of a Memorandum of Understanding (MOU) detailing the responsibilities and obligations of each party. The MOU would be brought back through the COG Policy Board prior to enactment.

COG and County staff as well as COG and County Council have drafted and reviewed the MOU transferring the responsibilities from the County of Fresno to the Council of Fresno County Governments.

After an expressed opportunity for public comment, a motion was made by Mayor Whalen (Clovis) and seconded by Supervisor Case (Fresno County) to approve the MOU transferring administrative/staffing responsibilities for the Airport Land Use Commission from the County of Fresno to Fresno COG, with PL funds to be used, and that there be a review after a 12-month trial period. A vote was called for and the motion carried.

E. Caltrans Monthly Report [CALTRANS]

Shari Ehlert, (Caltrans) reported on the following Caltrans activities:

- Transportation Planning Grants
 - Environmental Justice for Tribal Governments - \$250,000 – Central Valley Collaborative through Kern COG
 - Partnership Planning Grant – City of Fresno – Build basic communication regarding multi modal transportation - \$276,000
 - Transit Grant/City of Fresno – Central Valley Transit Professional Development - \$50,000
- 180 West Ribbon Cutting was on September 12, 2008 but the highway is not yet open to traffic-- this will occur within a few weeks
- 180 East, Clovis - Temperance is 40% complete – with completion expected in October 2009
- 180 East – Temperance to Academy – design will be done by the end of 2008 and it will be shelf-ready.

This was an information/discussion item only and required no further action by the Board.

Fresno COG Sitting As the Council of Governments Policy Board

IV. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY COMMITTEE

A motion was made by Councilmember Aguayo (Fowler) and seconded by Supervisor Case (Fresno County) to reaffirm all actions taken while sitting as the Transportation Policy Committee. A vote was called for and the motion carried.

V. ADMINISTRATIVE CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Board or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Board concerning the item before action is taken.

- A. Executive Minutes of August 28, 2008
- B. FY 2007-08 Fourth Quarter Progress Report [BESHEARS]

Approve
Accept

- | | |
|---|-------------|
| C. Land Buffer Task Force Update [SOBRADO] | Information |
| D. Farmland Conservation Model Program Update [SOBRADO] | Information |
| E. Environmental Justice Update [SOBRADO] | Information |
| F. Monthly Legislative Update [DANSBY] | Information |
| G. Regional Clearinghouse [SOBRADO] | Information |

	Project	Applicant
1.	Waste Water Treatment Plant	City of San Joaquin
2.	Head Start Program –Training and Technical Assistance Supplemental Funding	Fresno County Economic Opportunities Commission

For a summary of these items, please see the September 18, 2008 Annotated Agenda.

After an expressed opportunity for public comment, a motion was made by Mayor Dhaliwal (San Joaquin) and seconded by Councilmember Aguayo (Fowler) to approve the Administrative Consent Calendar as presented. A vote was called for and the motion carried.

VI. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Appointment of PAC or COG member to the Fresno County Interagency Council for Children and Families [BOREN]

Tony Boren (COG) reported on this item. Chairman Perea (Fresno County) has requested this agenda item. Per the bylaws of the Fresno County Interagency Council for Children and Families, COG has a seat on the council to which it appoints a representative. The previous COG representative was also appointed as the rural representative to the Executive Committee of the Interagency Council. At the TTC/PAC meeting on September 12, it was confirmed that Gabriel Gonzalez (Mendota) had been previously appointed as the COG representative and that Cruz Ramos (San Joaquin) is the alternate. Mr. Gonzalez had been unable to attend the Interagency Council meetings due to short staffing in the city of Mendota, but will now be able to attend.

This was an information/discussion item only and required no further action by the Board.

B. 2009 Washington D.C. "One Voice" Call for Projects [STECK]

Barbara Steck (COG) reported on this item. It is again time to begin the process of planning for the annual "One Voice" trip back to Washington DC where the group will present a list of priorities for our region. Our trips over the past six years have been quite fruitful as noted in the Fresno COG "One Voice" 2008 Summary and 2009 Recommendations on our website at www.fresnocog.org.

The 2009 "One Voice" trip will take place February 7-12, 2009. In preparation, staff has been in communication with the D.C. lobbyist, Simon & Company, to discuss their recommendations for project selection criteria. As noted in their memo under **Project Selection**:

"As you know, the appropriations process continues to be controversial following a ban on earmarks in Fiscal Year 2007 and repeated attempts to pass a one-year moratorium on earmarks in appropriations bills. There has been significant discussion in Congress of delaying the Fiscal Year 2009 appropriations process until a new president has been elected, which will certainly have a tremendous impact on earmarks. You are also very familiar with the policy adopted by Congressman Devin Nunes and the number and size of earmarks are becoming increasingly unpopular.

With these factors in mind, staff would urge you once again to carefully choose projects that are regional in scope, but remain within the \$2 – 3 million request range. Staff also urges you to consider only four appropriations projects for the 2009 program, with a special emphasis on the reauthorization of SAFETEA-LU, which is discussed further below for your review."

In addition, staff is soliciting information on policy issues and regulatory reform that member agencies and community partners may be concerned with so that those issues can be raised with our Washington delegation and staff. The timeline for the 2009 project selection process is as follows:

- Kick-off Meeting – Thursday, September 11, 2008 @ 1:30 PM at COG

- Mail/Email Call for Projects – Monday, September 22, 2008
- Deadline for project submittal – Friday, October 10, 2008
- Project Selection Committee Meeting – Wednesday, October 22, 2008
- COG Policy Board Approval of Project List – Thursday, November 20, 2008

Ms. Steck requested that a sub-committee be formed to discuss regulatory issues. Mayor Whalen (Clovis) and Councilmember Aguayo (Fowler) volunteered to be on the sub-committee.

This was an information/discussion item only and required no further action by the Board.

C. Valley COG's Fall Policy Conference [DANSBY]

Jennifer Dansby (COG) reported on this item. It's time again for the annual Valley COG's Fall Policy Conference. This year's conference is titled, "One Voice, One Future" and is scheduled for the following:

What: Valley COG's Fall Policy Conference

When: October 2 from 7 a.m. – 6:30 p.m. and October 3 from 8 a.m. – 1 p.m.

Where: Visalia Convention Center

Why: This is a valuable opportunity for policy-makers and decision-makers throughout the Valley to meet and discuss critical issues. Congressman Devin Nunes and Tulare County Supervisor Connie Conway will speak at the conference.

Featuring presentations on key topics facing the San Joaquin Valley:

- The future of transportation funding
- Goods movement and rail
- Success stories in project partnering
- Next steps for the Blueprint
- Federal transportation legislation reauthorization

Registration, online payment and updates on the Schedule of Events can be found at tularecog.org or use the enclosed form and fax to Tulare County Association of Governments (TCAG). Please contact Elizabeth Wright or Jason Waters (559-733-6653) at TCAG if you have any further questions regarding the conference.

This was an information/discussion item only and required no further action by the Board.

D. Status Report on Sacramento Lobbying Activities—Steve Samuelian, California Consulting LLC [SAMUELIAN]

Steve Samuelian from California Consulting provided a legislative update to the Policy Board regarding lobbying activities in Sacramento. Mr. Samuelian provided a report at the TTC/PAC meeting on September 12 which was included in the agenda packet) summarizing their activities for September. An additional report was handed out at the meeting and is available on the COG website.

This was an information/discussion item only and required no further action by the Board.

E. San Joaquin Valley COG's Valleywide Coordinator Contract [BOREN]

Tony Boren (COG) reported on this item. There is strong consensus among the eight San Joaquin Valley Councils of Governments that there is a need to hire a consultant to help coordinate and facilitate the ever growing work activities of the COGs as it relates to "Valleywide" activities. These activities include: coordination of the Valley Regional Policy Council, coordination with the California Partnership for the San Joaquin Valley, Federal Transportation Act Reauthorization, State Route 99 coordination, San Joaquin Valley Blueprint implementation, high speed rail issues, etc. With these needs in mind, there has been a consensus decision among the eight SJV COGs to hire Barbara Goodwin to fill this role. Fresno COG has been tasked with drafting a contract (included in the agenda packet) to carry out the Scope of Services identified by the COGs. The position would be

funded at a not to exceed \$50,000 annually. Fresno COG's pro-rata share of the contract will be \$11,768.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Lopez (Parlier) to authorize the Executive Director to enter into a contract with Barbara Goodwin on behalf of the San Joaquin Valley COGs to serve as the San Joaquin Valley COG's Valleywide Coordinator. A vote was called for and the motion passed.

Fresno COG Sitting As the Abandoned Vehicle Abatement Authority

VII. ABANDONED VEHICLE ABATEMENT

A. FY 2007-08 Fourth Quarter Summary Report [THOMPSON]

Clark Thompson (COG) reported on this item. As stated in the 2003 Fresno County Abandoned Vehicle Abatement Service Authority Plan, the Fresno COG, as administrator of the AVA Program, shall submit a quarterly status report to the Fresno County Abandoned Vehicle Abatement Service Authority. The Service Authority has directed the quarterly status report first be presented to the Policy Advisory Committee for review and recommendation. Status reports are submitted quarterly to ensure proper distribution of funding to the member agencies. This status report contains the following information:

- The gross amount of money received by the Authority from the Abandoned Vehicle Trust Fund during the quarter.
- An itemized statement of the Abandoned Vehicle Trust Fund monies expended by the Authority during the quarter.
- An accounting of money expended for major purchases, if any.
- An accounting of unexpended revenues from the Abandoned Vehicle Trust Fund.
- An accounting of the total number of vehicles and parts thereof abated by the Authority during the quarter.

The enclosures for this item indicate the level of activity and distribution of funding to the member agencies. For the fourth quarter of FY 2007-08, a total of \$176,157.92 in current AVA revenues was received and available for distribution to member agencies and to the Fresno COG for program administration. During the quarter, member agencies expended \$178,712.53 conducting AVA activities and the Fresno COG claimed \$2,375.00 for program administration. Because expenses exceeded revenues during the quarter, the program's accumulated surplus was reduced. A total of 1,156 vehicles were abated this quarter, compared to 1,264 vehicles abated during the same quarter of the previous fiscal year.

After an expressed opportunity for public comment, a motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Dhaliwal (San Joaquin) to accept the Abandoned Vehicle Abatement FY 2007-08 Fourth Quarter Summary Report as presented. A vote was called for and the motion carried.

B. Adjustment to Hourly Rate for the City of Fresno [THOMPSON]

Clark Thompson (COG) reported on this item. Attention was called to a letter from the City of Fresno dated August 21, 2008, requesting an increase in its hourly rate from \$85.00 to \$100.00 and has submitted additional information in support of the requested increase. The City's increase is based on the annual revision to its Master Fee Schedule, effective July 1, 2008, which increased the hourly inspection rate for a Public Nuisance enforcement action from \$85.00 to \$100.00. The increase was needed to cover the costs of the investigation and enforcement of Public Nuisance violations, per the Fresno City Municipal Code, including abandoned and/or illegally stored inoperable vehicles.

After an expressed opportunity for public comment, a motion was made by Mayor Lopez (Parlier) and seconded by Councilmember Sterling (Fresno) to approve the City of Fresno's request. A vote was called for and the motion carried.

Fresno COG Sitting As the Council of Governments Policy Board

VIII. OTHER BUSINESS

A. Items from Staff

Tony Boren (COG) reported that on September 23rd at the Board of Supervisor's Meeting, COG staff will be present to discuss the payment of member dues and the consequences if the County does not pay their member dues. If not paid, the County would become a member "not in good standing" and would not have a vote on the COG as a member nor could they receive their Federal transportation funding through COG.

B. Items from Members

Steve Rapada, Mayor Pro Tem, Reedley expressed gratitude for all the sentiments and recognition expressed on behalf of Board member Scott Brockett who passed away last week in Reedley. He further announced that the viewing would be on Sunday from 11 a.m. to 7:00 p.m. and the funeral would be on Monday, 10:00 a.m. at the Reedley Mennonite Brethren Church.

Adjournment

There being no further business, the meeting was adjourned.

Respectfully Submitted,



TONY BOREN, Executive Director
Council of Fresno County Governments

\dw

Attachment A
Observers and Non-Members
COG Board Meeting
September 18, 2008

Eric Von Berg, URS Consulting
Jeffrey D. Webster, Fresno County Rural Transit Agency
Russell Clemings, Fresno Bee
Lynn Gorman, Fresno County Public Works
Bruce Rudd, City of Fresno
Steve Samuelian, California Consulting, LLC
Lauren Dawson, Fresno COG
Les Beshears, Fresno COG
Clark Thompson, Fresno COG
Brenda Lauchner, Fresno COG
Barbara Steck, Fresno COG
Jennifer Dansby, Fresno COG
Marla Day, Fresno COG
Dottie Wright, Fresno COG
Tom Webster, Fresno COG



**FRESNO COUNTY COUNCIL OF GOVERNMENTS AND
FRESNO COUNTY TRANSPORTATION AUTHORITY
SPECIAL JOINT BOARD MEETING
EXECUTIVE MINUTES**

DATE: Thursday, October 9, 2008
TIME: 5:30 pm
PLACE: Fresno COG, 2035 Tulare Street, Suite 201, Fresno, Ca.

FRESNO COG MEMBERS PRESENT:

Mayor Trinidad M. Rodriguez, City of Kerman, Chair
Mayor Dennis Lujan, City of Selma, V. Chair
Mayor Bob Whalen, City of Clovis
Mayor Trish Hill, City of Coalinga
Mayor Craig Knight, City of Firebaugh
Councilmember Rico Aguayo, City of Fowler
Mayor Alan Autry City of Fresno
Mayor Leland Bergstrom, City of Kingsburg
Mayor Victor Lopez, City of Orange Cove
Mayor Armando Lopez, City of Parlier
Mayor Pro Tem Steve Rapada, City of Reedley
Mayor Mike Montelongo, City of Sanger
Supervisor Henry Perea, County of Fresno

Sharri Ehlert, Caltrans
Kevin Briggs, Legal Counsel
Tony Boren, Executive Director

AUTHORITY MEMBERS PRESENT:

Harry Armstrong, Mayor Pro Tem, City of Clovis- Chair
Judy Case, Supervisor, County of Fresno
Henry Perea, Supervisor, County of Fresno
Trinidad Rodriguez, Mayor, City of Kerman
Alan Autry, Mayor, City of Fresno
Blong Xiong, Council Member, City of Fresno
Rico Aguayo, Council Member, City of Fowler
Joe Levy, Urban Public Member at Large
Kirk Hunter, Rural Public Member at Large

Ron Peterson, Executive Director
Kevin Briggs, Authority Counsel
Sherri Martin, Contracts Administrator

**I. APPROVAL OF OPTION 2 OF THE FRESNO REGIONAL TRANSPORTATION
MITIGATION FEE STUDY FINAL REPORT**

Kevin Briggs legal council for both Fresno COG and FCTA announced that there would be a single presentation given by Mr. Tony Boren, Executive Director of Fresno COG, but separate votes by each Board.

Mr. Boren then summarized the issue and updated both Boards on the outcome of the workshop held with BIA and the RTMF Steering Committee on September 29th. Mr. Boren also summarized a letter received from the BIA subsequent to the workshop which changed their position of support of Option 5 of the Regional Transportation Mitigation Fee Study to Option 2 with a modified phase in of the fee. The BIA phase in would result in a fee of \$1,200 per single family unit the first year \$1,450 the second and \$1,727 the third year and thereafter with similar phase in percentage reductions applying to all other land uses. A letter from Jeff Reid representing the Central California Development Council supporting the BIA proposal was also distributed.

During public comment Mr. Prandini stated that in addition to the phase in of fees the BIA proposal also asked that both boards direct staff to perform a full review of the fee calculations and project priorities within two years. He further requested that analysis and dialogue continue between staff and all other interested parties with any resulting modification to the fee structure made as soon as possible.

FRESNO COG AND FCTA
Executive Minutes
Page Two
October 9, 2008

Additional comments were given by Bruce Rudd, Assistant Fresno City Manager, asking that Fresno COG and the Authority consider indemnifying local jurisdictions in the event of a lawsuit regarding the fee. Kathy Millison, Clovis City Manager, asked that both Boards direct staff to review the issue of vested development maps that are in place which could represent a significant loss of funds to the regional program and attempt to resolve the issue.

Mayor Whalen, City of Clovis, then made a motion that the COG Board approve resolution 2008-46 and that staff be directed to continue discussions with stakeholders of the Regional Transportation Mitigation Fee; address the issue of vesting maps; and separately, develop an indemnification policy.

A voice vote was called with all members present with the exception of the City of Selma voting aye. Motion passed.

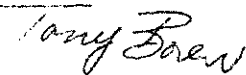
Mayor Rodriguez turned the meeting over to FCTA Chairman Armstrong who asked if there was a motion from the Authority Board. Supervisor Case referenced the motion made and approved by the COG board as the motion she was placing before the Authority Board and Mayor Rodriguez seconded the motion. A voice vote was called with all members present voting aye. Motion carried.

Meeting adjourned.

Sincerely,



Ron Peterson
Executive Director
Fresno County Transportation Authority



Tony Boren
Executive Director
Fresno County Council of Governments

Others Attending:

Jeffrey D. Webster, Fresno County Rural Transit Agency
Diana Sedigh-D – FCTA
Mike Prandini, Building Industry Association
Stan Nakagawa, Fresno County
Nicholas Don Paladino, Fresno Cycling Club
Brian Domingues, Sol Development
Randy Nelson, Coalition of Livable Fresno Communities
Ron Manfredi, City of Kerman
Russell Clemings, Fresno Bee
Kathy Millison, City of Clovis
Paul Hurlbut, Fresno
Ed Eames, ADA Advisory
Mary Savala, League of Women Voters
Jeff Roberts, Granville Homes
Darius Assemi, Granville Homes
Clark Thompson, Fresno COG
Renee DeVere-Oki, Fresno COG
Barbara Steck, Fresno COG
Les Beshears, Fresno COG
Marla Day, Fresno COG
Don Hubbard, PB Americas
Kristie Melikian, FCTA

BEFORE THE
COUNCIL OF FRESNO COUNTY GOVERNMENTS
RESOLUTION NO. 2008-46

In the Matter of:)
)
MEASURE "C" REGIONAL)
TRANSPORTATION)
MITIGATION FEE)

RESOLUTION APPROVING THE
MEASURE "C" REGIONAL
TRANSPORTATION MITIGATION
FEE

WHEREAS, the Council of Fresno County Governments (Fresno COG) is the state designated Regional Transportation Planning Agency for the Fresno County region, and

WHEREAS, in its role as the Regional Transportation Planning Agency, the Council of Fresno County Governments is statutorily responsible for developing the Expenditure Plan for revenues raised by Measure "C", Fresno County' ½ cent sales tax collected for transportation purposes, and;

WHEREAS, the Regional Transportation Program component of the Measure "C" Expenditure Plan requires that a (RTMF) Regional Transportation Mitigation Fee Program be developed and approved by the Council of Fresno County Governments, and;

WHEREAS, said Regional Transportation Mitigation Fee once approved by the Council of Fresno County Governments Policy Board must be forwarded to the Fresno County Transportation Authority Policy Board for their approval, and ;

WHEREAS, once the said Regional Transportation Mitigation Fee is approved by the Council of Fresno County Governments and the Fresno County Transportation Authority Policy Boards it is required to be adopted via a local ordinance by all fifteen incorporated cities within Fresno County and the County of Fresno;

WHEREAS, the \$1,727 per single family unit Regional Transportation Mitigation Fee will be implemented with a three step phase-in as follows: the initial mitigation fee for 2009 will be \$1,200, the mitigation fee for 2010 will be \$1,450, and the mitigation fee for 2011 will be \$1,727. In addition to the "phasing in" process, the FCTA will direct the consultant, PB Americas, to work with the Building Industry Association to resolve issues related to assumptions and cost differences, and with the understanding that the Regional Transportation Mitigation Fee will be revisited every two years at the same time the Measure "C" Expenditure Plan is updated;

WHEREAS, the Regional Transportation Mitigation Fee identified for commercial and industrial development is to be administered on a per square foot basis and based on the allocation of land use types detailed in Table 27 of the PB Americas Regional Transportation Mitigation Fee Final Report and the attached Exhibit A. It is also understood that commercial and industrial development will be granted the same phase-in approach as residential development.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Fresno County Governments hereby approves Option 2 with a three year phase-in as described above, for the Regional Transportation Mitigation Fee Program as identified in the Fresno Regional Transportation Mitigation Fee Final Report.

THE FOREGOING RESOLUTION was passed and adopted by the Council of Fresno County Governments this 9th day of October, 2008.

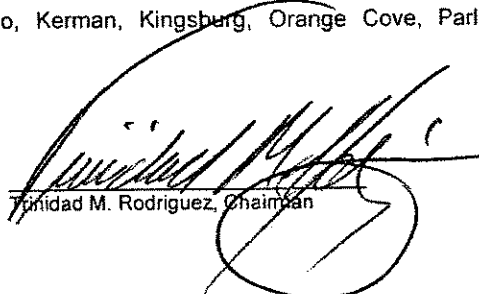
AYES: Clovis, Coalinga, Firebaugh, Fowler, Fresno, Kerman, Kingsburg, Orange Cove, Parlier,
NOES: Reedley, Sanger, and Fresno County
Selma

ABSTAIN:

ABSENT: Huron, San Joaquin and Mendota

ATTEST:

Signed:


Trinidad M. Rodriguez, Chairman

I hereby certify that the foregoing is a true copy of a resolution of the Council of Fresno County Governments duly adopted at a regular meeting thereof held on the 9th day of October, 2008.

Signed:


Tony Boren, Executive Director

Exhibit "A"

Land Use Category	2009	2010	2011 and thereafter
Residential Developments (\$/dwelling unit)			
Single-Family Dwelling (market-rate)	\$1,200	\$1,450	\$1,727
Single-Family Dwelling (affordable)	\$600	\$725	\$864
Multi-Family Dwelling (market-rate)	\$843	\$1,018	\$1,212
Multi-Family Dwelling (affordable)	\$421	\$509	\$606
Non-Residential Developments (\$/sq.ft.)			
Education	exempt	exempt	exempt
Government	exempt	exempt	exempt
Commercial/Retail	\$1.36	\$1.65	\$1.96
Commercial/Office/Service	\$0.85	\$1.03	\$1.23
Light Industrial	\$0.34	\$0.41	\$0.49
Heavy Industrial	\$0.07	\$0.085	\$0.10
Other Non-Residential	\$0.29	\$0.35	\$0.42

[illegible]

<u>AB 1221</u> Ma	Transit village developments: infrastructure financing.	Vetoed ████████████████████	6
<u>AB 1252</u> Caballero	Housing and Emergency Shelter Trust Fund Act of 2006: Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006.	Chaptered ██	7
<u>AB 1350</u> Nunez	Transportation bond funds.	Dead ████████	7
<u>AB 1358</u> Leno	Planning: circulation element: transportation.	Enrolled ██	8
<u>AB 1815</u> Feuer	California Transportation Infrastructure Funding Task Force.	Dead ████████	8
<u>AB 1845</u> Duvall	Highway-railroad grade separations.	Dead ████████	9
<u>AB 1850</u> DeVore	Office of Public-Private Partnerships.	Dead ████████	10
<u>AB 1904</u> Torrico	Transportation: programming of projects.	Dead ████████	10
<u>AB 2093</u> Jones	General plan: mandatory elements: climate change.	Dead ████████	10
<u>AB 2182</u> Caballero	School facilities.	Dead ████████	11

<u>AB 2295</u> Arambula	Transportation capital improvement projects.	Vetoed [REDACTED]	11
<u>AB 2342</u> Parra	California Partnership for the San Joaquin Valley.	Dead [REDACTED]	12
<u>AB 2388</u> Feuer	Vehicles: registration fees.	Dead [REDACTED]	12
<u>AB 2494</u> Caballero	Housing-Related Parks Program.	Enrolled [REDACTED]	12
<u>AB 2500</u> Strickland	Grade separation projects.	Dead [REDACTED]	13
<u>AB 2522</u> Arambula	San Joaquin Valley Unified Air Pollution Control District.	Enrolled [REDACTED]	13
<u>AB 2596</u> Jones	California Global Warming Solutions Act of 2006: cities and counties.	Dead [REDACTED]	14
<u>AB 2638</u> Coto	California Air Quality and Environmental Health Act of 2008.	Dead [REDACTED]	14
<u>AB 2650</u> Carter	Department of Transportation: environmental review process: reports.	Chaptered [REDACTED]	15
<u>AB 2870</u> DeSaulnier	Land use: environmental quality.	Dead [REDACTED]	15
<u>AB 3005</u>	Community development: mitigation	Enrolled	16

Jones	fees.		
AB 3034 Galigiani	Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.	Chaptered [REDACTED]	16
AB 3064 Committee on Transportation	Transportation.	Vetoed [REDACTED]	18
ACA 10 Feuer	Bonded indebtedness: local government: transportation infrastructure.	Dead [REDACTED]	18
SB 27 Simitan	Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008.	Enrolled [REDACTED]	19
SB 240 Florez	San Joaquin Valley Unified Air Pollution Control District.	Dead [REDACTED]	19
SB 286 Lowenthal	Transportation enhancement funds: conservation corps.	Chaptered [REDACTED]	20
SB 303 Ducheny	Local government: land use planning.	Dead [REDACTED]	20
SB 375 Steinberg	Transportation planning: travel demand models: sustainable communities strategy: environmental review.	Enrolled [REDACTED]	21
SB 445 Torlakson	Greenhouse gas mitigation fee.	Dead [REDACTED]	22

<u>SB 494</u> Kehoe	Vehicular air pollution control: clean alternative fuels.	Dead [REDACTED]	22
<u>SB 732</u> Steinberg	Environment.	Enrolled [REDACTED]	23
<u>SB 974</u> Lowenthal	Ports: congestion relief: air pollution mitigation: regulatory fee.	Enrolled [REDACTED]	23
<u>SB 1165</u> Kuehl	Environment: environmental impact report.	Dead [REDACTED]	24
<u>SB 1363</u> Perata	Transportation projects: comprehensive development lease agreements.	Dead [REDACTED]	24
<u>SB 1507</u> Oropeza	Highway construction: school boundaries.	Dead [REDACTED]	25
<u>SB 1548</u> Florez	San Joaquin Valley Unified Air Pollution Control District: city selection committee.	Enrolled [REDACTED]	25
<u>SBX2 1</u> Perata	Water quality, flood control, water storage, and wildlife preservation.	Enrolled [REDACTED]	26
<u>SBX3 5</u> Committee on Budget and Fiscal Review	Highway Users Tax Account.	Dead [REDACTED]	26
Total Position Forms: 47			



Legislation Summary October

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
AB 660 Galgiani	Railroad-highway grade separations. Existing law provides for the Department of Transportation to include \$15,000,000 in its annual proposed budget for highway-railroad grade separation projects. Existing law requires the Public Utilities Commission to establish an annual priority list for expenditure of these funds, which may be allocated by the California Transportation Commission for various kinds of projects, including alteration of existing grade separations, construction of new grade separations for existing or proposed grade crossings, and removal or relocation of highways or railroad tracks to eliminate existing grade crossings. Existing law provides that allocations from these funds may not exceed 80% of project costs, and generally limits the maximum total allocation amount for a single project to \$5,000,000 unless there is specific legislative authorization, with certain exceptions. Existing law generally sets the percentage contribution required of railroads for grade separation projects at 10% of project costs, but if federal funds are used for a project, it provides that the railroad contribution is to be computed pursuant to federal law. Existing law requires that an amount equal to a portion of the funds received by cities and counties for grade separation projects shall be deducted by the Controller from apportionments to those cities and counties of specified fuel tax revenues. This bill would revise the program to delete funding eligibility for a new grade separation to eliminate a proposed grade crossing or for removal or relocation of	09/26/2008-Signed by the Governor	Watch	MERCED COG-support KERN COG-oppose

	highways or railroad tracks to eliminate existing grade crossings. The bill would provide for a maximum allocation of 80% of project costs for all projects funded but would modify the provisions limiting the maximum amount that may be allocated to a single project to \$5,000,000, unless there is specific legislative authorization. The bill would redefine the terms "grade separation" and "project" for these purposes. The bill would set a railroad's contribution for a project, if state funds are used, to a percentage of the cost of the grade separation, but not including the cost of any other part of the project. The bill would also modify the calculation of the amount of funds deducted from the apportionments of the fuel tax revenues, and delete provisions requiring the reduction of cost to a party to a grade separation project when the National Railroad Passenger Corporation (Amtrak) contributes towards a specified amount of the project.			
AB 842 Jones	Regional plans: traffic reduction. Existing law 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. The department is also required to review and rank applicants for the award of capital improvement project grants based upon various priorities, including, among others, project readiness, the depth and duration of the affordability of the housing proposed for a qualifying infill project or qualifying infill area, and the proximity of housing to parks, employment or retail centers, schools, or social services. This bill would additionally require the department to rank applicants for the award of capital improvement project grants based upon a reduction of vehicle miles traveled as a result of the project, as specified. This bill contains other related provisions.	09/27/2008-Vetoed by the Governor	Watch	CALCOG-support

<u>AB 901</u> Nunez	High-occupancy toll (HOT) lanes. Existing law authorizes a regional transportation agency, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value-pricing program and exclusive or preferential lane facilities for public transit. Existing law requires the commission to review these applications and submit an eligible application to the legislature for approval or rejection. Existing law requires approval to be achieved by enactment of a statute. Existing law prohibits approval of an application on or after January 1, 2012. This bill would authorize a value-pricing and transit development demonstration program involving HOT lanes to be conducted, administered, developed, and operated on State Highway Route 110 and Interstate 10 in Los Angeles County by the Los Angeles County Metropolitan Transportation Authority (LACMTA). The bill would require the LACMTA and the Department of Transportation to implement the program pursuant to a cooperative agreement that addresses specified matters in connection with the program and to establish appropriate traffic flow guidelines, as specified. The bill would authorize the LACMTA to establish, collect, and administer the toll and to use the revenues for administrative costs, as specified. The bill would require the LACMTA and the department to report to the Legislature by December 31, 2012, on the demonstration program.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was RLS. on 08/04/2008)	Watch	
<u>AB 981</u> Leno	Treasure Island Transportation Management Act. Existing law authorizes the City and County of San Francisco to designate the Treasure Island Development Authority as a redevelopment agency under the Community Redevelopment Law for the purpose of converting and redeveloping certain property that formerly constituted the Naval Station Treasure Island. This bill would enact the Treasure Island Transportation Management Act and would authorize the Board of Supervisors of the City and County of San Francisco to designate a board or agency to act as the transportation	09/26/2008-Signed by the Governor	Watch	

	management agency for Treasure Island, defined to also include Yerba Buena Island. The bill would authorize the transportation management agency, pursuant to the terms of a resolution or ordinance adopted by the board of supervisors, to recommend an initial fee structure for congestion pricing fees to be adopted by the board of supervisors and the San Francisco County Transportation Authority, and to adopt on-street and off-street parking fees, fines, and penalties, and other parking-related revenues and a transit pass fee structure for Treasure Island. The bill would specify the powers and duties of the agency on these and other related matters, including adoption and administration of a transportation program, collection and use of revenues generated from those fees, and coordination with the San Francisco Municipal Transportation Agency. This bill contains other related provisions and other existing laws.			
<u>AB 995</u> Krekorian	parks and nature education facilities. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute adopted by the voters at the November 7, 2006, statewide general election, among other things, makes \$100,000,000 in bond funds available to the Department of Parks and Recreation (department) for grants for nature education and research facilities and equipment to nonprofit organizations and public institutions, including natural history museums, aquariums, research facilities, and botanical gardens. This bill would require the department to establish a program to offer grants, on a competitive basis, to eligible projects submitted by eligible nonprofit organizations, and public institutions, including natural history museums, aquariums, nature education and research facilities, and botanical gardens. This bill contains other related provisions.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was RLS. on 08/28/2008)	Watch	
<u>AB 1077</u> Lieber	State Air Resources Board: plug-in hybrid electric vehicles. Existing law grants to the State Air Resources Board primary authority for the control of air pollution from vehicular sources. Existing law authorizes the state board to adopt and	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. SUSPENSE FILE on 08/30/2007)	Watch	

	implement motor vehicle emissions standards and motor vehicle specifications. This bill would enact the California Plug-In Hybrid Electric Vehicle Leadership Act of 2007. The bill would establish the California Plug-In Hybrid Electric Vehicle Coordinating Council, with specified membership, to develop and carry out a strategy of coordination and collaboration between entities and organizations engaged in activities relating to plug-in hybrid electric vehicles. The bill would require the council, on or before October 1, 2008, to identify the percentage or number of plug-in hybrid vehicles that could reasonably be added to the state vehicle fleet in the future. This bill contains other related provisions and other existing laws.			
AB 1129 Arambula	Local Housing Trust Fund Matching Grant Program. Existing law establishes the Local Housing Trust Fund Matching Grant Program for the purpose of supporting local housing trust funds dedicated to the creation or preservation of affordable housing. Under the grant program, the Department of Housing and Community Development is authorized to make matching grants available to cities and counties, or a city and county, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds. The minimum allocation to a program applicant is \$1,000,000, and the maximum allocation is \$2,000,000, with all funds provided under the grant program to be matched on a dollar-for-dollar basis with money that is not required by any state or federal law to be spent on housing. This bill would establish the minimum allocation at \$500,000 for a newly established trust, as defined, that is in a county with a population of less than 425,000 persons, based on the decennial United States Census for the year 2000, and at \$1,000,000 for all other trusts. This bill contains other related provisions and other existing laws.	09/28/2008-Vetoed by the Governor	Support	Tulare COG-support PARTNERSHIP-support
AB 1209 Karnette	Vehicles: HOV lanes. Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-	09/27/2008-Signed by the Governor	Support	CALCOG-support

	occupancy vehicles (HOVs), which lanes may also be used, until January 1, 2011, by certain low-emission and hybrid vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane if the vehicle displays a valid identifier issued by the Department of Motor Vehicles. The Department of Motor Vehicles is required to make available no more than 85,000 distinctive decals, labels, and other identifiers for certain hybrid or alternative fuel vehicles meeting specified mileage and emission standards. This bill would authorize the Department of Motor Vehicles to issue additional distinctive decals, labels, or other identifiers for certain hybrid or alternative fuel vehicles that satisfy specified conditions.	
AB 1221 Ma	Transit village developments: infrastructure financing. Existing law authorizes a city or county to create a transit village plan for a transit village development district. Existing law requires a transit village plan to include all land within not less than 1/4 mile of the exterior boundary of the parcel on which is located a transit station, as defined. Existing law authorizes a legislative body to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon voter approval. This bill would recast the area included in a transit village plan to include all land within not more than 1/2 mile of the main entrance of a transit station. This bill would require a transit village plan financed by bonds issued through an infrastructure financing district to include specified demonstrable public benefits regarding housing, provide replacement dwelling units at an affordable housing cost when specified dwelling units are destroyed or removed, and provide that at least 20% of all revenues derived from the property tax increment be dedicated to increase, improve, and preserve the transit village district's supply of affordable housing, as defined. This bill would also make technical, nonsubstantive changes.	
	09/28/2008-Vetoed by the Governor	Watch
	CALCOG-support	

AB 1252 Caballero	Housing and Emergency Shelter Trust Fund Act of 2006: Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. The Housing and Emergency Shelter Trust Fund Act of 2006 and the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorize the issuance of general obligation bond funds for various purposes relating to housing and transportation infrastructure improvements. This bill would make legislative findings and declarations regarding the need to expedite the funding of planning, housing, and infill incentive programs to address housing and infrastructure needs, and to expedite funding to improve streets and roads, and to improve traffic congestion, safety, and air quality. The bill would also declare that the combined effects of the infrastructure improvements funded by the bill will be more housing that is closer to jobs; shorter, faster, and safer commutes with improved air quality; and a commensurate reduction in energy usage. This bill contains other related provisions and other existing laws.	06/30/2008-Chaptered by the Secretary of State, Chapter Number 39, Statutes of 2008	Watch	CALCOG-support
AB 1350 Nunez	Transportation bond funds. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in the Transit System Safety, Security, and Disaster Response Account to be made available, upon appropriation by the Legislature, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems. This bill would require these funds to be allocated to transit operators for eligible projects, as defined, based on various formulas, and would require funds to be allocated by the Office of Emergency Services in consultation with the Office of Homeland Security. An eligible applicant would be required to	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. on 07/11/2007)	Watch	

	annually advise the Office of Emergency Services of the applicant's need for funding in the following fiscal year, and the office would submit a request to the Department of Finance and to the legislative budget committees in that regard. The bill would enact other related provisions .			
<u>AB 1358</u> Leno	Planning: circulation element: transportation. Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city with specified elements, including a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. This bill would require, commencing January 1, 2011, that the legislative body of a city or county, upon any substantive revision of the circulation element of the general plan, modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan. By requiring new duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	09/18/2008-Enrolled and to the Governor at 11 a.m.	Watch	
<u>AB 1815</u> Feuer	California Transportation Infrastructure Funding Task Force. Existing law provides various sources of revenue to fund state highway and local road maintenance, operation, and improvement, including a state-imposed per-gallon fuel tax of 18 cents. This bill would create, until January 1, 2010, the California Transportation Infrastructure Funding Task Force, with 14 members appointed by the Legislature, Governor, California Transportation Commission, city and county organizations, and other specified entities. The bill would	06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was TRANS.	Watch	LEAGUE OF CITIES-support

	require the task force to hold at least 3 public hearings around the state and to report to the Legislature and Governor by January 1, 2010, on alternatives to the current system of taxing road users through per-gallon fuel taxes. The bill would make legislative findings and declarations in that regard.		
<u>AB 1845</u> Duvall	Highway-railroad grade separations. Existing law provides for the Department of Transportation to include \$15,000,000 in its annual proposed budget for highway-railroad grade separation projects. Existing law requires the Public Utilities Commission to establish an annual priority list for expenditure of these funds, which are allocated to specific projects by the California Transportation Commission. Existing law, pursuant to Proposition 1B, approved by the voters at the November 7, 2006 general election, provides for the allocation of \$250,000,000 in general obligation bond funds to grade separation projects. It requires \$150,000,000 of these funds to be available pursuant to the above-described priority list process, with certain exceptions, and the remaining \$100,000,000 to be available for allocation by the California Transportation Commission to projects that are not part of that process. This bill would make inoperative the requirement for the department to include \$15,000,000 in its annual budget for highway-railroad grade separation projects on the date that the Director of Transportation notifies the Secretary of State that all funds made available for grade separation projects by the above-referenced bond act have been fully allocated and expended, and all required expenditure reports have been completed, and would repeal these provisions on January 1 of the year commencing thereafter. The bill would make inoperative and repeal various other related provisions. The bill would also require notification of certain legislative committees in that regard, and would provide for the reversion of any unallocated State Highway Account funds budgeted for grade separations to that account.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was T. & H. on 06/17/2008)	Watch

<u>AB 1850</u> DeVore	Office of Public-Private Partnerships. Existing law authorizes various methods to finance public facilities that are necessary to meet the needs of the state. This bill would, until January 1, 2019, create the Office of Public-Private Partnerships within the office of the Governor and a process for the Office of Public-Private Partnerships to develop formal public-private partnership agreements to facilitate the construction and maintenance of the state's infrastructure, as defined. This bill would require the Director of the Office of Public-Private Partnerships to provide the Legislature with 90 days' notice before committing the state to participate in any partnership agreement.	06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was B. & P.	Watch	
<u>AB 1904</u> Torrico	Transportation: programming of projects. Existing law provides for the state to issue tax-exempt anticipation notes backed by annual federal appropriations for federally funded transportation projects, which are known as "GARVEE bonds." Existing law requires the California Transportation Commission to establish guidelines to implement these provisions and identify projects that are eligible for funding. This bill would also require the commission to establish guidelines for a process to enable a county, or the regional transportation planning agency on behalf of the county, to exchange funds apportioned to the county under the state transportation improvement program for federal funds in order to fund a project with GARVEE bonds. This bill contains other related provisions and other existing laws.	05/30/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR. SUSPENSE FILE	Watch	
<u>AB 2093</u> Jones	General plan: mandatory elements: climate change. The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that bears relation to its planning. That law requires this general plan to include several elements, including, among others, land use, open-space, safety, and conservation elements, which are required to meet specified requirements. The Office of Planning and Research is required to develop and adopt guidelines for the	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was L. GOV. on 06/25/2008)	Watch	

	preparation and content of the mandatory elements required in city and county general plans. 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. This bill contains other related provisions and other existing laws.			
<u>AB 2182</u> Caballero	<u>School facilities.</u> The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. This bill would require an increase that is made to the per-unhoused-pupil grant amounts also to be made to the per "unhoused" special education pupil grant amounts established pursuant to regulations. This bill contains other related provisions and other existing laws.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was RLS. on 06/24/2008)	Watch	LEAGUE OF CITIES-support in concept CALCOG-support in concept
<u>AB 2295</u> Arambula	<u>Transportation capital improvement projects.</u> Existing law generally provides for allocation of transportation capital improvement funds pursuant to the State Transportation Improvement Program process. Existing law provides for 75% of funds available for transportation capital improvement projects to be made available for regional projects, and 25% for interregional projects. Existing law describes the types of projects that may be funded with the regional share of funds, and includes local road projects as a category of eligible projects. This bill would state that local road rehabilitation projects are eligible for these funds.	09/28/2008-Vetoed by the Governor	Watch	

<u>AB 2342</u> Parra	California Partnership for the San Joaquin Valley. Existing law authorizes 2 or more public agencies, including any federal department or state or local agency, to enter into an agreement for the purpose of exercising any power common to the contracting parties for specified purposes, including acquiring or constructing specified public facilities and improvements. This bill would, until January 1, 2020, create the California Partnership for the San Joaquin Valley, to coordinate and improve existing local, state, and federal efforts for the valley to increase the living standards and the overall economic performance of the valley. This bill contains other related provisions.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. SUSPENSE FILE on 08/04/2008)	Support	SJV REGIONAL POLICY COUNCIL-support
<u>AB 2388</u> Feuer	Vehicles: registration fees. Existing law requires that a registration fee of \$31 be paid to the Department of Motor Vehicles for the registration of every vehicle or trailer coach of a type subject to registration under the Vehicle Code, except those vehicles that are expressly exempted under that code from the payment of registration fees. Existing law also requires that additional fees be paid upon registration or renewal of every vehicle for specified purposes and, beginning July 1, 2008, increases the basic registration by \$3. This bill would additionally impose for the registration of a passenger vehicle (1) a weight fee for a vehicle operated with an unladen vehicle weight of 10,000 pounds or less according to a specified schedule and (2) a carbon dioxide (CO2) fee based on the pounds of CO2 emitted by the vehicle. The bill would apply these provisions to all original registrations on or after July 1, 2010, and to renewal of registrations to vehicles with expiration dates on or after October 1, 2010. The bill would exempt specified persons who are eligible for public assistance from its provisions.	06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was TRANS.	Watch	
<u>AB 2494</u> Caballero	Housing-Related Parks Program. The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs,	09/23/2008-Enrolled and to the Governor at 3 p.m.	Support	

	capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$200,000,000 to be deposited in the Housing Urban-Suburban-and-Rural Parks Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for housing-related parks grants in urban, suburban, and rural areas, subject to the conditions and criteria that the Legislature may provide in statute. This bill would establish the Housing-Related Parks Program under the administration of the Department of Housing and Community Development. The bill would require the department to use funds allocated from the account, upon appropriation by the Legislature, to provide grants for the creation, development, or rehabilitation of park and recreation facilities, to cities, counties, and cities and counties that meet certain criteria and issue housing starts, as defined, for newly constructed units that are affordable to very low or low-income households. This bill contains other related provisions.			
AB 2500 Strickland	Grade separation projects. Existing law requires the Department of Transportation to prepare and submit to the Governor a proposed budget that includes \$15,000,000 for allocation to grade separation projects, as specified. This bill would increase the amount required to be budgeted for allocation to grade separation projects to \$165,000,000.	06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was TRANS.	Watch	
AB 2522 Arambula	San Joaquin Valley Unified Air Pollution Control District. Existing law authorizes air pollution control districts and air quality management districts, except as provided, to levy a fee of up to \$2 on motor vehicles, and authorizes the districts to increase this fee to up to \$6 if certain conditions are met. This bill would authorize the San Joaquin Valley Unified Air Pollution Control District to increase this fee to up to, but not exceeding, \$30 for incentive-based programs to achieve surplus emissions reductions, as specified. The bill would require the state board to assess the use of these fees in	09/18/2008-Enrolled and to the Governor at 9:30 a.m.	Neutral	SJV AIR DISTRICT-support CITY OF PARLIER-support

	achieving and maintaining state and federal ambient air quality standards. This bill contains other related provisions.				
<u>AB 2596</u> Jones	California Global Warming Solutions Act of 2006: cities and counties. Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law, the California Global Warming Solutions Act of 2006, designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020, and requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. This bill would require the state 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.	05/30/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR. SUSPENSE FILE	Watch	CSAC-concerned LEAGUE OF CITIES-oppose	
<u>AB 2638</u> Coto	California Air Quality and Environmental Health Act of 2008. Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. This bill would require the State Board of Equalization to collect a fee in an amount determined by the State Air Resources Board on the sale or lease of a new passenger motor vehicle that, among other things, has a federal fuel economy rating of 15 miles per gallon or less. The bill would create the California Air Quality and Environmental	06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was TRANS.	Watch		

	Health Fund, and would continuously appropriate moneys in the fund to the State Air Resources Board to finance projects and programs that will mitigate or prevent the air pollution harm caused by vehicles subject to the fee.		
<u>AB 2650</u> Carter	Department of Transportation: environmental review process: reports. Existing law gives the Department of Transportation full possession and control of state highways and associated property. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, as specified. The secretary has authorized California to participate in that program, and California has agreed to that participation. A 3-year memorandum of understanding was negotiated between the parties for purposes of state assumption of responsibility for categorical exclusions. This bill would require the department to submit that report to the Legislature by January 1, 2009, and again by January 1, 2011. The bill would require the report to include an assessment of project delivery time. The bill would also extend the operation of the above-described pilot program provisions until January 1, 2012. This bill contains other existing laws.	08/01/2008-Chartered by the Secretary of State, Chapter Number 248, Statutes of 2008	Support KERN COG-support CALCOG-support
<u>AB 2870</u> DeSaulnier	Land use: environmental quality. Existing law, the Planning and Zoning Law, requires that a State Environmental Goals and Policy report be prepared and regularly reviewed and revised. Under existing law, the report's purpose is to record approved goals, policies, and decisions of state government related to statewide growth and development and the preservation of environmental quality. This bill would create the California Blueprint Implementation Council, consisting of designated members, that would, in part, facilitate implementation of regional blueprint projects. The bill would also require the council to report to the legislature on state planning matters and specified regional performance measures. It would specify that the council would perform these functions and duties only to the extent that funding is available for that purpose, require the council	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was T. & H. on 06/25/2008)	Watch CALCOG-Sponsor

	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.			
<u>AB 3005</u> Jones	Community development: mitigation fees. The Mitigation Fee Act authorizes a local agency to charge a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined. Existing law provides that when a local agency imposes any fee or exaction as a condition of approval of a proposed development, as defined, or development project, those fees or exactions shall not exceed the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed. This bill would require a local agency, when imposing as a condition of approval of a development project an impact fee for mitigating vehicular traffic impacts of a housing development that satisfies certain characteristics, 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. The bill would, until January 1, 2011, exempt from this requirement a housing development in an area having a capital improvement plan for which traffic mitigation fees are collected. The bill would authorize a local agency to charge an impact fee in proportion to the estimated rate of automobile trip generation associated with a housing development if the housing development does not satisfy the specified characteristics. This bill contains other related provisions and other existing laws.	09/18/2008-Enrolled and to the Governor at 2 p.m.	Watch	LEAGUE OF CITIES-oppose
<u>AB 3034</u> Galgiani	Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century. Existing law, Chapter 697 of the Statutes of 2002, as amended by Chapter 71 of the Statutes of 2004 and Chapter 44 of the Statutes of 2006, provides for submission of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the voters for approval at the November 4, 2008, general election. Subject to voter approval, the act would provide for the issuance of \$9.95 billion of general	08/26/2008-Chaptered by Secretary of State - Chapter No. 267, Statutes of 2008	Support	SJV REGIONAL POLICY COUNCIL-support PARTNERSHIP-support

obligation bonds, \$9 billion of which would be available in conjunction with any available federal funds for planning and construction of a high-speed train system pursuant to the business plan of the High-Speed Rail Authority, and \$950 million of which would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. This bill would repeal the above-referenced provisions and enact new provisions submitting a \$9.95 billion general obligation bond act to the voters for approval at the November 4, 2008, general election for the same purposes. The bill would revise and recast the previously proposed bond act. The bill would refer to construction of a high-speed train system consistent with the authority's certified environmental impact reports of November 2005 and July 9, 2008, rather than with the final business plan of June 2000. The bill would revise the descriptions of route corridors of the proposed high-speed train system. The bill would require excess revenues from operation of the high-speed train system beyond the amount needed for operating and maintenance costs and financing obligations, as determined by the authority, to be used for construction, expansion, improvement, replacement, and rehabilitation of the high-speed train system. The bill would require that not more than 10% of high-speed rail bond proceeds be used for environmental studies, planning, and preliminary engineering activities and that not more than 2.5% of high-speed rail bond proceeds be used for administrative expenses, except as specified. The bill would generally require the authority to complete various funding plans and financial analyses, as specified, prior to submitting a request for appropriation of bond funds for eligible capital costs and prior to committing bond proceeds for expenditure for construction and real property and equipment acquisition, but would also provide that up to 7.5% of high-speed rail bond proceeds may be used for specified expenditures outside of those requirements. The bill would require the authority to give priority in selecting corridors for construction to those			
---	--	--	--

	corridors that are expected to require the least amount of bond funds as a percentage of total cost of construction, among other considerations. The bill would provide for the bonds to have a final maturity of not more than 40 years. This bill contains other related provisions and other existing laws.			
AB 3064 Committee on Transportation	Transportation. The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorizes the issuance of \$19.925 billion in general obligation bonds for various transportation improvements, of which \$2 billion are to be allocated to cities and counties for specified local street and road improvements. Existing law requires a city or county to reimburse the state for funds it receives if it fails to comply with certain conditions applicable to the expenditure of the bond funds. This bill would require any interest or other return earned by a city or county from investment of bond funds received under these provisions to be expended or reimbursed under the same conditions as are applicable to the bond funds themselves. This bill contains other related provisions and other existing laws.	09/27/2008-Vetoed by the Governor	Watch	
ACA 10 Feuer	Bonded indebtedness: local government: transportation infrastructure. The California Constitution prohibits any ad valorem tax on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure 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 for bonded indebtedness, incurred to fund specified transportation infrastructure, that is approved by 55% of the voters of the city, county, or city and county, as appropriate. This bill contains other related provisions and other existing laws.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was L. GOV. on 06/12/2008)	Watch	

<u>SB 27</u> Simitian	Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008. Existing law prescribes the duties of the Office of Emergency Services in planning and coordinating disaster mitigation and response efforts in the state. This bill would require the Office of Emergency Services, upon receipt of appropriate funding, to establish, until January 1, 2011, the Sacramento-San Joaquin Delta Multi-Hazard Coordination Task Force, which would be led by the office, and include the Delta Protection Commission, the Department of Water Resources, and a single representative from each of the 5 delta counties. The task force would be required to make recommendations to the office relating to the creation of an interagency unified command system organizational framework, coordinate the development of a draft emergency preparedness and response strategy for the delta region, and develop and conduct an all-hazard emergency response exercise in the delta. The task force would be required to submit a report with its strategy and recommendations to the Legislature and the Governor prior to January 1, 2011, and cease to exist on or before January 1, 2011.	09/17/2008-Enrolled. To Governor at 5 p.m.	Watch	
<u>SB 240</u> Florez	San Joaquin Valley Unified Air Pollution Control District. Existing law authorizes air pollution control districts and air quality management districts, except as provided, to levy a fee up to \$2 on motor vehicles, and authorizes the districts to increase this fee up to \$6 if certain conditions are met. This bill would authorize the San Joaquin Valley Unified Air Pollution Control District to increase this fee by up to but not exceeding \$30 for incentive-based programs to achieve surplus emissions reductions, as specified. The bill would require the Bureau of State Audits to audit the assessment of fees and expenditure of funds pursuant to these provisions and require the state board to assess the use of these fees in achieving and maintaining state and federal ambient air standards. This bill contains other related provisions and other existing laws.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. SUSPENSE FILE on 08/30/2007)	Watch	

SB 286 Lowenthal	Transportation enhancement funds: conservation corps. Existing federal law, as part of the comprehensive surface transportation program, allocates transportation funds to each state for transportation enhancement projects. This bill, with respect to federal funds made available to the state for transportation enhancement projects, would require the department to develop and transportation planning agencies, county transportation commissions or authorities, and congestion management agencies to utilize criteria that give priority in the selection of these projects to the sponsors of eligible projects that partner with, or commit to employ the services of, a community conservation corps, as defined, or the California Conservation Corps to construct or undertake the project. The bill would authorize these agencies and the Department of Transportation to enter into cooperative agreements, grant agreements, or procurement contracts with community conservation corps pursuant to certain simplified contract requirements. The bill would require the California Transportation Commission, when developing guidelines for the state transportation improvement program and the state highway operations and protection program, to include guidance to encourage the allocation of funds for transportation enhancement projects to community conservation corps and the California Conservation Corps as partners with applicants that commit to employ the services of corps members in the construction of those projects. The bill would make related legislative findings and declarations.	09/27/2008-Signed by the Governor	Watch	MERCED COG-support LEAGUE OF CITIES-support CSAC-support
SB 303 Ducheny	Local government: land use planning. Existing law requires designated transportation planning agencies to prepare and adopt a regional transportation plan that includes a policy element, an action element, and a financial element. The plan is required to be directed at achieving a coordinated and balanced regional transportation plan. Each transportation agency with a population that exceeds 200,000 persons is authorized to prepare at least one alternative planning scenario, as specified. This bill would require a transportation planning agency with a population	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. SUSPENSE FILE on 08/08/2008)	Oppose	CALCOG-oppose RCRC-oppose LEAGUE OF CITIES-oppose

	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 contains other related provisions and other existing laws.			
SB 375 Steinberg	Transportation planning: travel demand models: sustainable communities strategy: environmental review. Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law authorizes the California Transportation Commission, in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation. This bill would require the commission to maintain guidelines, as specified, for travel demand models used in the development of regional transportation plans by metropolitan planning organizations. The bill would require the commission to consult with various agencies in this regard, and to form an advisory committee and to hold workshops before amending the guidelines. This bill contains other related provisions and other existing laws.	09/17/2008-Enrolled. To Governor at 5 p.m.	Neutral	SJV REGIONAL POLICY COUNCIL-Neutral TULARE COG - oppose MERCED COG - oppose CALCOG-support KERN COG-oppose RCRC-oppose LEAGUE OF CITIES-support CSAC-support

<u>SB 445</u> Torlakson	Greenhouse gas mitigation fee. Existing law provides various sources of revenue to fund transportation operations and capital improvements, including certain revenues derived from fees or taxes imposed at the local or regional level at the option of the administering agency. This bill would authorize specified regional transportation agencies to impose a greenhouse gas mitigation fee. The fee would either be a registration fee on vehicles subject to registration within the jurisdiction of the agency implementing the fee, or a fee on motor vehicle fuel, not to exceed \$0.10 per gallon, that is sold within the agency's jurisdiction. The bill would require the fee to be implemented pursuant to a plan, which would be required to contain an expenditure plan describing specified greenhouse gas mitigation projects and programs to be funded from fee revenues. The fee would be subject to majority approval of the governing board of the implementing agency and voter approval of a ballot measure containing the expenditure plan and the proposed fee in the jurisdiction where the fee is to be imposed. The fee would be collected by the Department of Motor Vehicles or by another appropriate agency, as specified.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was TRANS. on 06/09/2008)	Watch	CALCOG-support
<u>SB 494</u> Kehoe	Vehicular air pollution control: clean alternative fuels. Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to establish, by regulation, various standards for gasoline and motor vehicle fuel. This bill would require the state board, by June 30, 2009, in consultation with the State Energy Resources Conservation and Development Commission, the State Water Resources Control Board, the Department of Food and Agriculture, and other relevant state agencies, to develop and adopt regulations that would become operative no later than January 1, 2010, that will ensure that commencing January 1, 2015, 25% of new passenger vehicles and light-duty trucks	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was TRANS. on 07/09/2007)	Watch	

	sold in California each year are clean alternative vehicles, as defined, and that commencing January 1, 2020, 50% of new passenger vehicles and light-duty trucks sold in California each year are clean alternative vehicles. The bill would require the state board to submit a report to the Legislature on the progress passenger vehicle and light-duty truck manufacturers have made in meeting these requirements, the progress the state has made in increasing the use of alternative fuels and reducing the state's dependence on imported petroleum and petroleum fuels, and any improvements in public health and the environment attributable to the use of clean alternative fuels, as specified. This bill contains other related provisions and other existing laws.			
SB 732 Steinberg	Environment. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute approved by the voters at the November 7, 2006, statewide general election makes about \$5.4 billion in bond funds available for safe drinking water, water quality and supply, flood control, natural resource protection, and park improvements. This bill would require the State Department of Public Health, the Department of Fish and Game, and the San Francisco Bay Area Conservancy, when implementing the provisions of the initiative, among other things, to develop and adopt guidelines and regulations, consult with other entities, conduct studies, and follow certain procedures for establishing a project, grant, loan, or other financial assistance program implementing the initiative. This bill contains other related provisions.	09/23/2008-Enrolled. To Governor at 2 p.m.	Watch	
SB 974 Lowenthal	Ports; congestion relief; air pollution mitigation; regulatory fee. Existing law regulates the operation of ports and harbors. This bill would require the Ports of Los Angeles, Long Beach, and Oakland to collect a user fee from the owner of container cargo moving through the Port of Los Angeles, the Port of Long Beach, or the Port of Oakland at a rate of \$30 per	09/17/2008-Enrolled. To Governor at 1 p.m.	Oppose Unless Amended	SJV REGIONAL POLICY COUNCIL - support w/amendments

	twenty-foot equivalent unit (TEU). This bill contains other related provisions and other existing laws.				
<u>SB 1165</u> Kuehl	Environment: environmental impact report. The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA does not prohibit a person from submitting information or other comments to a public agency responsible for preparing an environmental impact report (EIR), draft EIR, negative declaration, or mitigated negative declaration. This bill would authorize a person to submit information or other comments to the lead agency and require the lead agency to consider and retain communications made to the lead agency or its consultants. The bill would require the lead agency to retain, in the ordinary course of business, administrative drafts, as defined, of its EIR, negative declaration, or mitigated negative declarations that are circulated among the project applicant and any public agencies when the draft EIR, negative declaration, or mitigated negative declaration is available for public comment. The bill would require the lead agency, which includes a local agency, to retain any administrative draft, thereby imposing a state-mandated local program by requiring an increase in the level of service provided by a local agency. This bill contains other related provisions and other existing laws.	06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was THIRD READING	Watch	LEAGUE OF CITIES-oppose CSAC-oppose	
<u>SB 1363</u> Perata	Transportation projects: comprehensive development lease agreements. Existing law, until January 1, 2012, authorizes the Department of Transportation and regional transportation agencies to enter into up to 4 comprehensive development lease agreements with public and private entities for transportation projects primarily designed for improvement of goods movement that may charge users of those projects tolls and user fees, subject to various terms and conditions. This	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was T. & H. on 02/28/2008)	Watch	CALCOG-support	

	bill would extend that date to January 1, 2013. This bill contains other related provisions.			
SB 1507 Oropeza	Highway construction: school boundaries. Existing law creates the California Transportation Commission and authorizes the commission to, among other things, select, adopt, and determine the location for state highways on routes authorized by law. Existing law gives the Department of Transportation full possession and control of all state highways and authorizes the department to lay out and construct all state highways between the termini designated by law and on the locations as determined by the California Transportation Commission. This bill would prohibit the commission from authorizing the construction or expansion of, and the department from constructing or expanding, an above-ground state highway within 1/4 mile of a school boundary, with exceptions for certain operational or safety improvements, high-occupancy vehicle lanes, highway segments in tunnels, and projects determined to have a positive air quality impact. The bill would also prohibit a project subject to this restriction from being included in a regional transportation improvement program adopted by a transportation planning agency. The bill would not apply to projects authorized by the commission on or before September 1, 2009.	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was TRANS. on 06/23/2008)	Oppose	SJV REGIONAL POLICY COUNCIL- oppose SAN JOAQUIN COG-oppose KERN COG-oppose
SB 1548 Flores	San Joaquin Valley Unified Air Pollution Control District: city selection committee. Existing law establishes the San Joaquin Valley Unified Air Pollution Control District formed by the Counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare, and consisting of the Counties of Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare, and that portion of the County of Kern that is within the San Joaquin Valley Air Basin, as a single integrated agency with all staff under one centralized management structure that is able to implement programs on a basinwide basis. Existing law requires the district to be governed by a district board composed of a total of 15 voting members. Of those	09/17/2008-Enrolled. To Governor at 1 p.m.	Watch	

	members, existing law requires 5 members to be appointed by cities within the territory of the district, based on region and population. This bill would create a local city selection committee to appoint these members pursuant to specified requirements, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.			
<u>SBX2 1</u> Perata	Water quality, flood control, water storage, and wildlife preservation. 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. This bill contains other related provisions and other existing laws.	09/23/2008-Enrolled. To Governor at 2 p.m.	Watch	
<u>SBX3 5</u> Committee on Budget and Fiscal Review	Highway Users Tax Account. Existing law requires state excise fuel tax revenues to be deposited in various accounts and to be allocated, in part, for various purposes, including the cost of collection and authorized refunds. Existing law requires the balance of these funds remaining after authorized deductions to be transferred to, and deposited monthly in, the Highway Users Tax Account in the Transportation Tax Fund. Existing law provides for annual and monthly apportionment by the Controller of specified revenues in the Highway Users Tax Account to counties and cities for the transportation purposes authorized by Article XIX of the California Constitution. This bill would require transfers of those revenues from the Highway Users Tax Account to counties or cities that would otherwise be made during certain months of 2008, to instead be made in September of 2008, as specified. The bill would allow those counties or cities to make use of any cash balance in any county or city account that is designated for the receipt of	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was THIRD READING on 02/21/2008)	Watch	

state funds allocated for local streets and roads maintenance, including specified bond funds, during the period of this suspension, without the use of this cash being reflected as an expenditure of bond act funds, provided the cash is replaced once this suspension is repaid in September of 2008. This bill contains other related provisions and other existing laws.			
Total Position Forms: 47			