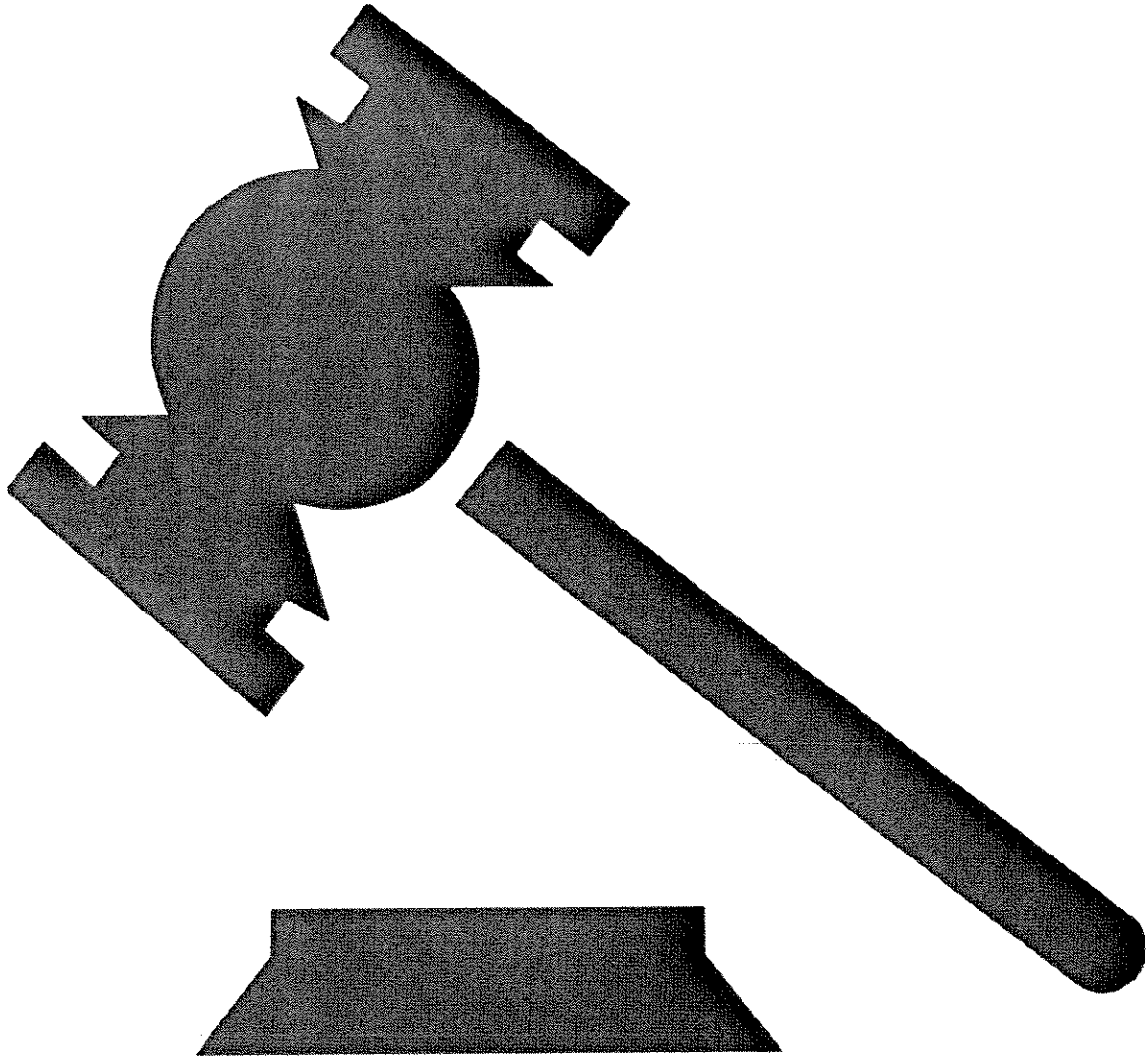




***ADMINISTRATIVE
CONSENT ITEMS
AGENDA ITEMS V. A-D.***



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COUNCIL OF FRESNO COUNTY GOVERNMENTS EXECUTIVE MINUTES

Date: Thursday, October 30, 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 Trish Hill, City of Coalinga
Councilmember Rico Aguayo, City of Fowler
Councilmember Cynthia Sterling, City of Fresno
Mayor Ramon Dominguez, City of Huron
Mayor Leland Bergstrom, City of Kingsburg
Mayor Robert Silva, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Mayor Armando Lopez, City of Parlier
Mayor Ray Soleno, City of Reedley
Mayor Mike Montelongo, City of Sanger
Mayor Dennis Lujan, City of Selma
Supervisor Henry Perea, County of Fresno

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

QUORUM: At the start of the meeting there were 12 members present representing 87.16% of the population and there was a quorum. (Coalinga, Fowler, Fresno, Huron, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, Selma and Fresno County)

Mayor Dennis Lujan, Vice Chair, opened the meeting. Mayor Rodriguez was in transit from Sacramento.

Fresno COG Sitting as the Measure "C" Fresno County Mayors' Selection Committee
15 Mayors in Fresno County and the Chair of the Fresno County Board of Supervisors

I. APPOINTMENT TO MEASURE "C" CITIZEN OVERSIGHT COMMITTEE –

Brenda Lauchner (Fresno COG) reported that the Measure C Citizen Oversight Committee needed one new member to replace Jeffrey Reid who resigned from his position on the Committee. The appointee must represent a Community Organization, and would be completing a 2-year term to expire June 30, 2009. After advertising for the opening during the required 60 day period, one application was received. Ms. Lauchner introduced Tom Lang, Executive Director of the Aquarius Aquarium who gave a presentation for his candidacy.

Mr. Lang confirmed that he would abstain from any votes on the Measure C Citizen Oversight Committee that could be a potential conflict of interest for him based on his affiliation with Aquarius Aquarium.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Bergstrom (Kingsburg) to appoint Tom Lang, Executive Director Aquarius Aquarium Institute, to the Citizen Oversight Committee. A vote was called for and the motion carried unanimously.

Fresno COG Sitting as the Transportation Policy Committee

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. 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. Staff Recognition – Retirement -- 31 Years of Service – Dottie Wright, Secretary

On behalf of the Council of Fresno County Governments Board, Tony Boren, Executive Director, presented Dottie Wright (COG) with a retirement gift and congratulated her on her retirement. Ms. Wright presented a poem to the COG Board.

C. Presentation: Joe De Los Santos -- Reappointment to the Fresno Fair Board

A motion was made by Mayor Montelongo (Sanger) and seconded by Supervisor Perea (Fresno County) to approve the issuance of a letter of support for the reappointment of Joe De Los Santos to the Fresno Fair Board. A vote was called for and the motion carried unanimously.

Mayor Silva (Mendota) praised Joe De Los Santos for all of his hard work and dedication to making the Fresno Fair a success year after year.

D. Presentation: Leroy H. Brown – Apprentice Program for Skill Trades

A motion was made by Mayor Dominguez (Huron) and seconded by Mayor Hill (Coalinga) to table the item for another meeting when Mr. Leroy H. Brown could be present. A vote was called for and the motion carried unanimously.

REQUEST TO ADD URGENCY ITEM TO THE AGENDA

A motion was made by Mayor Dominguez (Huron) and seconded by Mayor Silva (Mendota) to make an affirmative determination that the item is urgent and cannot be dealt with at a later meeting. A vote was called for and the motion carried unanimously.

A motion was made by Mayor Dominguez (Huron) and seconded by Mayor Silva (Mendota) to add the urgent item – City of Parlier Sphere of Influence Issues (Mayor Armando Lopez) – to the Agenda. A vote was called for and the motion carried unanimously.

IV.E City of Parlier Sphere of Influence Issues

Mayor Lopez (Parlier) reported that the City of Parlier was working on adding 1,800 to 2,000 acres to their current sphere of influence boundaries. The City was proposing extending their boundaries out to Bethel Avenue to the west, Huntsman Avenue to the south, and Smith Avenue to the east. Mayor Lopez requested that the Fresno COG Board approve the issuance of a letter of support for the City of Parlier's Sphere of Influence expansion.

Mayor Lopez (Parlier) confirmed that the Kearney Ag Station would remain within the County upon extension of City of Parlier's sphere of influence boundaries and that the City of Parlier was respecting all of the requests posed by the County of Fresno in this matter.

Supervisor Perea (Fresno County) confirmed that the Fresno County Board of Supervisors would be considering the City of Parlier's Sphere of Influence item after their Workshop Meeting tentatively scheduled for December 9, 2008. Concerns could be addressed at that meeting. It was suggested that the meeting would invite greater attendance if it were held in the evening. It was also suggested to hold the meeting in the Fresno COG Sequoia Conference Room.

QUORUM: Mayor Rodriguez (Kerman) arrived at 6:10 pm making 13 members present representing 88.65% of the population.

Mayor Rodriguez took over as Chair for the remainder of the meeting.

A motion was made by Mayor Dominguez (Huron) and seconded by Mayor Silva (Mendota) to approve the issuance of a letter of support for the City of Parlier's Sphere of Influence expansion. A vote was called for and the motion carried unanimously.

III. 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 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. West Area Transportation Planning Study Contract [TWEBSTER] | Approve |
| B. Air Quality and Programming Update [DAWSON, DEVERE-OKI] | Information |
| C. Congestion Management System Update [BITNER] | Information |
| D. Caltrans Planning Grant Awards [DANSBY] | Information |
| E. 2008/09 Public Transportation Modernization Improvement and Service Enhancement Account (PTMISEA) [BESHEARS] | Info/Discussion |
| F. California Transit Assistance Fund (CTAF) [BESHEARS] | Info/Discussion |

For a summary of these items, please see the October 30, 2008 Annotated Agenda.

A motion was made by Supervisor Perea (Fresno County) and seconded by Mayor Dominguez (Huron) to approve the Transportation Consent Items as presented. A vote was called for and the motion carried unanimously.

IV. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. San Joaquin Valley Blueprint, Resolution 2008-45 [STECK]

Barbara Steck (COG) reported that the primary focus of the San Joaquin Valley Blueprint planning process was the synthesis of the preferred growth concepts from each of the eight COGs in the Valley into a Valley-wide alternative scenario for further comparison purposes. U.C. Davis would be working with the COGs to develop Valley-wide growth scenarios to compare with the Valley-wide status quo. A chart illustrating the Blueprint planning process was included in the agenda package.

In addition, Fresno COG will be taking the responsibility of lead agency for the eight Valley COGs Blueprint planning activities. Staff was in the process of filing a grant application for fourth year funding for the San Joaquin Valley Blueprint. Each of the eight COG partners needs to pass a resolution to include with the application in support of continued participation in the California Regional Blueprint Planning Program.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Supervisor Perea (Fresno County) to approve Resolution 2008-45 in support of fourth year participation in the California Regional Blueprint Planning Process. A vote was called for and the motion carried unanimously.

B. Valley-wide Air Quality Planning and Coordination Contract [DAWSON]

Lauren Dawson (COG) reported that the Council of Fresno County Governments had historically coordinated air quality issues on behalf of the eight Regional Planning Agencies (RPA) in the San Joaquin Valley. In 2004, Fresno COG entered into two separate contracts to provide technical air quality planning, modeling and policy services to facilitate consistency, compliance, and coordination in Valley-wide regional air quality planning issues. This coordination of effort involves not only the eight San Joaquin Valley Regional Planning Agencies, but also includes Caltrans (Headquarters, and Districts 6 and 10) Federal Highway Administration, Federal Transit Administration, the San Joaquin Valley Unified Air Pollution Control District, the California Air Resources Board, the Environmental Protection Agency as well as local transportation entities. These contracts will expire on December 31, 2008.

On August 28, 2008 a Request for Proposals to provide continuing *Valley-wide Air Quality Planning and Coordination Services* was released. On September 18, 2008 proposals were received from Michael Brandman Associates (\$124,965) and Cari Anderson Consulting (\$ 124,641.80). A proposal selection committee comprised of staff representing Fresno COG, San Joaquin COG, Tulare CAG, and Kern COG was established to evaluate the proposals and to recommend a preferred proposal.

Each member of the proposal evaluation committee independently reviewed and scored the proposals using a proposal evaluation form. The scores were submitted to Fresno COG for averaging, using the "one COG, one vote" rule. The proposal evaluation committee then met on September 29, 2008 to discuss the results and recommended the selection of the consulting team of Cari Anderson Consulting as the preferred proposal. On October 6, 2008 the eight RPA Directors approved the selection of the proposal submitted by Cari Anderson Consulting. The total amount of \$124,641.80 is therefore budgeted for the first year with Fresno COG's prorated share set at \$29,336 per year.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Montelongo (Sanger) to authorize the Executive Director to enter into a contract with Cari Anderson Consulting to provide Valley-wide Air Quality Planning and Coordination Services. A vote was called for and the motion carried unanimously.

C. Measure "C" Extension Update [BOREN]

1. Regional Transportation Mitigation Fee (RTMF) Update [BOREN]

Tony Boren, Executive Director gave an update on this item. At the August 28, 2008 meeting, the Fresno COG Policy Board voted unanimously to support Regional Transportation Mitigation Fee Option 2 (\$1,727 per new single family house) as identified in the PB Americas Inc. Final Report. This recommendation was forwarded to the Fresno County Transportation Authority (FCTA) Policy Board for consideration at their September 10, 2008 meeting. Due to quorum issues, the FCTA was unable to take action on a preferred option. However direction was given to FCTA and COG staff to work with the Building Industry Association (BIA) to determine if any of the technical issues with the RTMF study could be resolved prior to the next FCTA Policy Board meeting.

On October 2, 2008 BIA President Mike Prandini informed Fresno COG and the Fresno County Transportation Authority that the BIA membership had changed from its original support of Option 5 to support of Option 2 (\$1,727 per new single family house) with a three year "*phasing in*" of the RTMF fee in the following manner:

- Year 2009--\$1,200
- Year 2010--\$1,450
- Year 2011--\$1,727

The BIA requested that the FCTA direct the RTMF consultant (PB Americas Inc.) to work with the BIA to resolve issues related to assumption and cost differences and that the fee be revisited every two years at the same time the Measure "C" Expenditure Plan is updated.

In addition, Jeff Reid representing the Central California Development Council, a coalition of commercial and industrial developers, requested that specific language be inserted into the Policy Board resolutions to ensure that RTMF fees on commercial and industrial users be administered on a per square foot basis consistent with Table 27 in the Regional Transportation Mitigation Fee Final Report.

A conference call with the RTMF Steering Committee was held on October 7, 2008, to discuss the phase-in alternative suggested by the BIA. At the end of the discussion there was unanimous support by the RTMF Steering Committee to support the BIA's proposal.

In order to avoid "*bouncing this issue back and forth*" between the COG and FCTA, Ron Peterson (FCTA Executive Director), Tony Boren (COG Executive Director) and COG legal counsel, Kevin Briggs, felt the prudent approach would be to have a joint meeting between the two Policy boards to resolve the issue.

The joint meeting of the Fresno COG Policy Board and the FCTA Policy Board was held on October 9, 2008. Each of the Boards voted to support Option 2 with the phase-in as recommended by the BIA and RTMF Steering Committee.

Mr. Boren informed the Board that even if the COG Board and the Fresno County Transit Authority (FCTA) Board adopt this fee, the cities would still be required to enact the fee, which could potentially make them vulnerable legally. In order to circumvent that outcome, the FCTA adopted an indemnification agreement that would obligate them to defend any legal challenges brought forth in relation to the mitigation fee.

Mr. Boren confirmed for the Board that if a city chose not to approve the collection of the mitigation fees, they would have to forfeit a share of their pass-through dollars equivalent to the lost revenue. A discussion ensued regarding what agency should have the responsibility of collecting the mitigation fees.

This was an information item and required no further action by the Committee.

D. Caltrans Monthly Report [CALTRANS]

Sharri Elhert (Caltrans) reported on the grant awards that were allocated to various cities for sidewalks and other projects. She also gave updates on various Caltrans projects throughout Fresno County.

Mayor Silva (Mendota) inquired about the most effective way to assure awards for *Safe Routes to School* grants. Ms. Elhert confirmed for Mayor Dominguez (Huron) it was the Railroad's responsibility to repair the dilapidated portion of Highway 269 near the railroad crossing.

Fresno COG Sitting as the Council of Governments Policy Board

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

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Montelongo, (Sanger) to reaffirm all actions taken while sitting as the Transportation Policy Committee. A vote was called for and the motion carried unanimously.

VI. 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 September 18, 2008 | Approve |
| B. Executive Minutes of October 9, 2008 – Fresno COG & Fresno County Transportation Authority Special Joint Board Meeting | Approve |
| C. Farmland Conservation Model Program Update [SOBRADO] | Information |
| D. VRPA Technologies Contract Amendment [BESHEARS] | Approve |
| E. Monthly Legislative Update [DANSBY] | Information |

For a summary of these items, please see the October 30, 2008 Annotated Agenda.

Mayor Lujan (Selma) pulled Item C. for further discussion.

A motion was made by Mayor Montelongo (Sanger) and seconded by Mayor Lopez (Parlier) to approve the Administrative Consent Items as presented, except for Item C. A vote was called for and the motion carried unanimously.

C. Farmland Conservation Model Program Update [SOBRADO]

It was reported that the Farmland Conservation Model Program Advisory Committee met on October 14, 2008 to start the process of finalizing the Farmland Conservation Model Program Report. The advisory committee met several times over the previous months to discuss the material to be included in the final report. The Farmland Conservation Model Program will be completed by the end of December as scheduled.

It was confirmed for Mayor Lujan (Selma) that LAFCO was currently considering the farmland preservation/buffer zoning issues and not Fresno County. Mayor Lujan requested that LAFCO postpone making any decisions on these issues until the conservation model was completed and ready for submittal.

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

VII. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

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

Steve Samuelian reported that Fresno COG was successful in achieving their two major objectives in the budget process. The State and Local Partnership money in Proposition 1B was amended with Assembly Bill 268, which will translate into approximately eight million dollars in additional transportation funds. Fresno COG was also successful in achieving the veto of SB974. Mr. Samuelian also reported on budget issues with the State and how they could potentially have a negative affect on Propositions 42 and 1A.

A discussion ensued regarding transportation fees, the term lengths for certain elected representatives, and the need to lobby for propositions 42 and 1A.

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

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

Barbara Steck (COG) reported that the 2009 "One Voice" trip will take place February 7-12, 2009. In preparation, COG Staff has been in communication with its D.C. lobbyist, Simon & Company, to discuss their recommendations for project selection. As noted in last month's annotated agenda, Simon & Company advised:

"... staff would urge you to carefully choose projects that are regional in scope, but remain within the \$2 – 3 million request range. Staff would also urge you to consider only four appropriations projects for the 2009 program, with a special emphasis on the reauthorization of SAFETEA-LU..."

Staff scheduled a "One Voice" committee meeting to discuss how to approach policy issues and regulatory reform. That meeting took place on October 29th at 4:00 PM in the COG Sequoia room

Ms. Steck reported that eleven projects were received and a conference call was held to score the projects and to determine a recommendation for the Fresno COG Board. A recommendation on this item will be brought forth at the Board's next meeting. Ms. Steck presented a list of "One Voice" 2009 Recommended Regional Project Priorities.

The timeline staff is following 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
- Policy/Regulatory Reform discussion – Wednesday, October 29, 2008 @ 4:00 PM
- Reauthorization Discussion – Thursday, November 13, 2008 @ 9:30 AM
- COG Policy Board Approval of Project List – Thursday, November 20, 2008

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

C. Local Housing Element Issues [THOMPSON]

Clark Thompson (COG) reported that the Fresno COG is responsible for preparing the Regional Housing Needs Allocation (RHNA) Plan for Fresno County. The RHNA Plan allocates Fresno County's total Housing Construction Need to its individual jurisdictions. Jurisdictions must then identify adequate sites in their Housing Elements to accommodate their allocation.

The Fresno COG recently facilitated several meetings with staff and consultants of local agencies who have prepared, or will soon be preparing, new Housing Elements. The original request to involve the COG came from the City of Clovis. Clovis was struggling to respond to comments from the State Department of Housing and Community Development (HCD) on its draft Housing Element and wanted to know if other jurisdictions in Fresno County were experiencing similar difficulties. If so, the potential for some form of joint action could be explored.

Particular issues of concern identified by several Fresno County jurisdictions can be grouped together as follows:

- HCD Attitudes and Assumptions
- Zoning and Annexation Challenges
- Special Districts and Interagency Agreements
- Funding
- Conflicting Goals
- Current RHNA Plan Allocations/Preparing for the Next RHNA Plan Cycle

Four meetings have been held to date, including one on Friday October 10th, 2008 with Fresno LAFCo. That meeting was held to discuss local LAFCo annexation policies and regulations. These policies and regulations are particularly important in Fresno County because many jurisdictions must utilize part or all of the area within their Sphere of Influence to accommodate their allocation. On

Thursday, October 30, representatives from HCD attended a luncheon meeting at Fresno COG. At the meeting, there was considerable representation from many member agencies and HCD indicated their willingness to work with Fresno COG on the Housing Element issues.

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

D. FY 2008-09 Overall Work Program (OWP) Amendment #2 [BESHEARS]

Les Beshears (COG) reported on this item.

Work Element 124 Transit Professional Development

This \$56,500 project will consist of three workshops in Fresno presented by world wide experts, to develop a comprehensive region-wide approach to Transit Oriented Development. The project is funded with a \$50,000 grant from Caltrans and \$6,500 match provided by the City of Fresno.

A motion was made by Mayor Soleno (Reedley) and seconded by Councilmember Aguayo (Fowler) to approve the 2008/09 Overall Work Program Amendment #2 increasing the budget \$56,500 for Work Element 124. A vote was called for and the motion carried unanimously.

E. Video Conferencing Presentation [TWEBSTER]

Tom Webster (COG) made his presentation via video conferencing. Mr. Webster reported that in May 2008, Fresno COG entered into a contract with local telecommunications contractor, Sebastian Communications Inc., (formerly KerTel Communications Inc.) to purchase and install a videoconferencing system. This system is part of a valleywide effort to use technology to save money and reduce vehicle miles traveled (VMT). Phase One of the videoconferencing system installation, which includes point-to-point systems in the Ash and Sequoia Rooms was completed.

Phase Two will include the programming of multipoint unit to connect up to 20 multipoint sessions (end users) at a time, as well as bring operational the remaining Valley COGs. Currently, Fresno COG, San Joaquin COG, and the Merced County Association of Governments have operational systems.

Mr. Webster informed the Board that a meeting was tentatively scheduled for November 14, 2008 at 9:30 a.m. to discuss how member agencies could acquire their own video conferencing systems.

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

VIII. OTHER BUSINESS

A. Items from Staff

Tony Boren, Executive Director, reported that Fresno COG would be hosting an Ethics Training on November 14, 2008 following the PAC meeting. He requested that members RSVP by November 7, 2008. Members that have already completed the training need to submit certification to Marla Day (COG). Mayor Rodriguez, Chair (Kerman) noted that ethics training is mandatory for all elected officials every two years.

Mr. Boren confirmed that a December Fresno COG Board meeting would be necessary in order to commence the Project Delivery Schedule for the Regional Program portion of Measure 'C'. The December COG Board meeting is scheduled for December 18, 2008 at 5:30 p.m.

B. Items from Members

Mayor Lopez (Orange Cove) announced the commencement of construction on a \$4.5 million library in Orange Cove. He thanked Fresno County for their approval of the project.

There being no further business, the meeting was adjourned at 7:30 p.m.

Respectfully Submitted,



TONY BOREN, Executive Director
Council of Fresno County Governments

Attachment A
Observers and Non-Members
COG Board Meeting
October 30, 2008

Tom Lang, Aquarius Aquarium Institute
Rocky Rogers, City of Reedley
Jeffrey D. Webster, Fresno County Rural Transit Agency
Lynn Gorman, Fresno County Public Works
Steve Samuelian, California Consulting, LLC
Gary Wright, General Public
Melissa Garza, Fresno COG
Lauren Dawson, Fresno COG
Suzanne Martinez, Fresno COG
Tom Webster, Fresno COG
Todd Sobrado, Fresno COG
Les Beshears, Fresno COG
Clark Thompson, Fresno COG
Brenda Lauchner, Fresno COG
Barbara Steck, Fresno COG
Marla Day, Fresno COG
Dottie Wright, Fresno COG

Status of Bills where COG Took a Position in 2008 Legislative Session

Bill# Author	Topic - Summary	Status/Hearing	Position
Neutral			
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 achieving and maintaining state and federal ambient air quality standards. This bill contains other related provisions.	09/30/2008-Chaptered by Secretary of State - Chapter 677, Statutes of 2008.	Neutral
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.	09/30/2008-Chaptered by the Secretary of State, Chapter Number 728, Statutes of 2008	Neutral

Oppose

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 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.

08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. SUSPENSE FILE on 08/08/2008) Oppose

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

08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was TRANS. on 06/23/2008) Oppose

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.

Oppose Unless Amended

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 twenty-foot equivalent unit (TEU). This bill contains other related provisions and other existing laws.

09/30/2008-Vetoed by the Governor

Oppose
Unless
Amended

Support

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 Governor

Support

AB 1209 Karnette	Vehicles: HOV lanes. Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-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.	09/27/2008-Chaptered by the Secretary of State, Chapter Number 429, Statutes of 2008	Support
AB 2342 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
AB 2494 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, 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	09/30/2008-Chaptered by Secretary of State - Chapter 641, Statutes of 2008.	Support

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 2650
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-Chaptered by the Secretary of State, Chapter Number 248, Statutes of 2008

Support

AB 3034
Galgiani

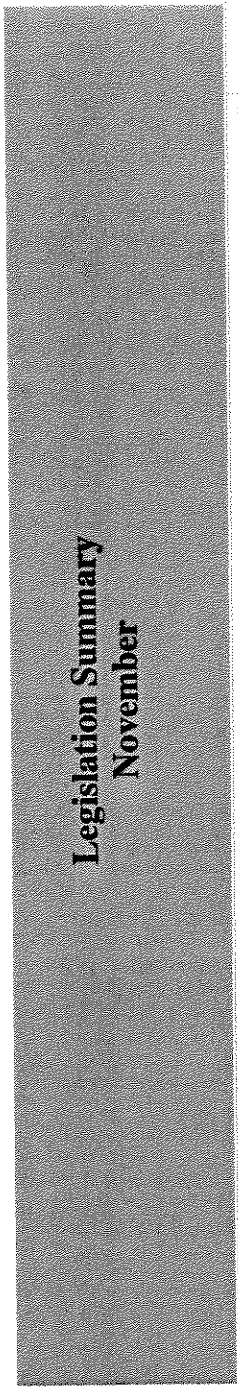
Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

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 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

08/26/2008-Chaptered by Secretary of State - Chapter No. 267, Statutes of 2008

Support

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.

[illegible]

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.	Chaptered [REDACTED]	
AB 1350 Nunez	Transportation bond funds.	Dead [REDACTED]	
AB 1358 Leno	Planning: circulation element: transportation.	Chaptered [REDACTED]	
AB 1815 Feuer	California Transportation Infrastructure Funding Task Force.	Dead [REDACTED]	
AB 1845 Duvall	Highway-railroad grade separations.	Dead [REDACTED]	
AB 1850 Devore	Office of Public-Private Partnerships.	Dead [REDACTED]	
AB 1904 Torrico	Transportation: programming of projects.	Dead [REDACTED]	
AB 2093 Jones	General plan: mandatory elements: climate change.	Dead [REDACTED]	
AB 2182 Caballero	School facilities.	Dead [REDACTED]	
AB 2295 Arambula	Transportation capital improvement projects.	Vetoed [REDACTED]	

<u>AB 2342</u> Parra	California Partnership for the San Joaquin Valley.	Dead ■■■	
<u>AB 2388</u> Feuer	Vehicles: registration fees.	Dead ■■■	
<u>AB 2494</u> Caballero	Housing-Related Parks Program.	Chaptered ■■■	
<u>AB 2500</u> Strickland	Grade separation projects.	Dead ■■■	
<u>AB 2522</u> Arambula	San Joaquin Valley Unified Air Pollution Control District.	Chaptered ■■■	
<u>AB 2596</u> Jones	California Global Warming Solutions Act of 2006: cities and counties.	Dead ■■■	
<u>AB 2638</u> Coto	California Air Quality and Environmental Health Act of 2008.	Dead ■■■	
<u>AB 2650</u> Carter	Department of Transportation: environmental review process: reports.	Chaptered ■■■	
<u>AB 2870</u> DeSaulnier	Land use: environmental quality.	Dead ■■■	
<u>AB 3005</u> Jones	Community development: mitigation fees.	Chaptered ■■■	
<u>AB 3034</u> Galgiani	Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.	Chaptered ■■■	

<u>AB 3064</u> Committee on Transportation	Transportation.	Vetoed _____
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<u>ACA 10</u> Feuer	Bonded indebtedness: local government; transportation infrastructure.	Dead _____
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<u>SB 27</u> Simittian	Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008.	Chaptered _____
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<u>SB 240</u> Florez	San Joaquin Valley Unified Air Pollution Control District.	Dead _____
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<u>SB 286</u> Lowenthal	Transportation enhancement funds: conservation corps.	Chaptered _____
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<u>SB 303</u> Ducheny	Local government: land use planning.	Dead _____
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<u>SB 375</u> Steinberg	Transportation planning: travel demand models: sustainable communities strategy: environmental review.	Chaptered _____
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<u>SB 445</u> Torlakson	Greenhouse gas mitigation fee.	Dead _____
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<u>SB 494</u> Kehoe	Vehicular air pollution control: clean alternative fuels.	Dead _____
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<u>SB 732</u> Steinberg	Environment.	Chaptered _____
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<u>SB 974</u> Lowenthal	Ports: congestion relief: air pollution mitigation: regulatory fee.	Vetoed
<u>SB 1165</u> Kuehl	Environment: environmental impact report.	Dead
<u>SB 1363</u> Perata	Transportation projects: comprehensive development lease agreements.	Dead
<u>SB 1507</u> Oropeza	Highway construction: school boundaries.	Dead
<u>SB 1548</u> Florez	San Joaquin Valley Unified Air Pollution Control District: city selection committee.	Chaptered
<u>SBX2 1</u> Perata	Water quality, flood control, water storage, and wildlife preservation.	Chaptered
<u>SBX3 5</u> Committee on Budget and Fiscal Review	Highway Users Tax Account.	Dead
Total Position Forms: 47		



Legislation Summary November

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 highways or railroad tracks to eliminate existing grade crossings. The bill would provide for a	09/26/2008-Chaptered by the Secretary of State, Chapter Number 315, Statutes of 2008	Watch	MERCED COG- support KERN COG- oppose

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 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	09/26/2008-Chaptered by the Secretary of State, Chapter Number 317, Statutes of 2008	Watch

agency to act as the transportation 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.

AB 995
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 Watch

pursuant to Rule 61(b)(17).
(Last location was RLS. on
08/28/2008)

AB 1077
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

08/31/2008-Failed Deadline Watch

pursuant to Rule 61(b)(17).
(Last location was APPR.
SUSPENSE FILE on
08/30/2007)

<u>AB 1129</u> Arambula	board to adopt and 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.	09/28/2008-Vetoed by Governor	Support	Tulare COG-support PARTNERSHIP-support
<u>AB 1129</u> 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.	09/27/2008-Chaptered by the Secretary of State, Chapter Number 429, Statutes of 2008	Support	CALCOG-support

AB 1209
Karnette

Vehicles: HOV lanes.
Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-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
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	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was APPR. on 07/11/2007)	Watch	

would be required to 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 .

AB 1358
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.

09/30/2008-Chaptered by Watch
Secretary of State - Chapter
657, Statutes of 2008.

AB 1815
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

06/02/2008-Failed Deadline Watch LEAGUE OF
pursuant to Rule 61(b)(11). CITIES-support
Last location was TRANS.

would 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.

AB 1845
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 Watch
pursuant to Rule 61(b)(17).
(Last location was T. & H. on
06/17/2008)

AB 1850

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 Watch
pursuant to Rule 61(b)(11).
Last location was B. & P.

AB 1904

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 Watch
pursuant to Rule 61(b)(11).
Last location was APPR.
SUSPENSE FILE

AB 2093

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

08/31/2008-Failed Deadline Watch
pursuant to Rule 61(b)(17).
(Last location was L. GOV.
on 06/25/2008)

and adopt guidelines for the 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.

AB 2182
Caballero

School facilities.

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

AB 2295
Arambula

Transportation capital improvement projects.

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

09/28/2008-Vetoed by Governor Watch

are eligible for these funds.

AB 2342
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

AB 2388
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 Watch
pursuant to Rule 61(b)(11).
Last location was TRANS.

AB 2494
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

09/30/2008-Chaptered by Support
Secretary of State - Chapter
641, Statutes of 2008.

	bonds are required to be used to finance various existing housing programs, 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.				
<u>AB 2500</u> 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		
<u>AB 2522</u> 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	09/30/2008-Chaptered by Secretary of State - Chapter 677, Statutes of 2008.	Neutral	SJV AIR DISTRICT-support CITY OF PARLIER-support	

achieve surplus emissions reductions, as specified. The bill would require the state board to assess the use of these fees in achieving and maintaining state and federal ambient air quality standards. This bill contains other related provisions.

AB 2596
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.

AB 2638
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

05/30/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR. SUSPENSE FILE

Watch

CSAC-concerned LEAGUE OF CITIES-oppose

06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was TRANS.

Watch

	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 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-Chaptered 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	08/31/2008-Failed Deadline pursuant to Rule 61(b)(17). (Last location was T. & H. on 06/25/2008)	Watch	CALCOG-Sponsor

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 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.

AB 3005
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.

AB 3034
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

09/30/2008-Chaptered by Secretary of State - Chapter 692, Statutes of 2008. Watch LEAGUE OF CITIES-oppose

08/26/2008-Chaptered by Secretary of State - Chapter No. 267, Statutes of 2008 Support SJV REGIONAL POLICY COUNCIL-support PARTNERSHIP-support

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 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	Transportation.	09/27/2008-Vetoed by Governor	Watch
Committee on 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.		

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 Watch
pursuant to Rule 61(b)(17).
(Last location was L. GOV.
on 06/12/2008)

<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.	09/30/2008-Chaptered by Secretary of State. Chapter 608, Statutes of 2008.	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

09/27/2008-Chaptered by the Secretary of State, Chapter Number 373, Statutes of 2008

Watch

MERCED COG-support
LEAGUE OF CITIES-support
CSAC-support

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.

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

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

alternative planning scenario, as specified. This bill would require a transportation planning agency with a population 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.	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
SB 375 Steinberg	09/30/2008-Chaptered by the Secretary of State, Chapter Number 728, Statutes of 2008 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

the guidelines. This bill contains other related provisions and other existing laws.

SB 445
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 Watch CALCOG-
pursuant to Rule 61(b)(17). support
(Last location was TRANS. on
06/09/2008)

SB 494
Kehoe

Vehicle 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

08/31/2008-Failed Deadline Watch
pursuant to Rule 61(b)(17).
(Last location was TRANS. on
07/09/2007)

Port of Los Angeles, the Port of Long Beach, or the Port of Oakland at a rate of \$30 per twenty-foot equivalent unit (TEU). This bill contains other related provisions and other existing laws.

SB 1165
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

SB 1363
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

08/31/2008-Failed Deadline
pursuant to Rule 61(b)(17).
(Last location was T. & H. on
02/28/2008)

Watch

CALCOG-
support

<u>SB 1507</u> Oropeza	movement that may charge users of those projects tolls and user fees, subject to various terms and conditions. This bill would extend that date to January 1, 2013. This bill contains other related provisions. 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
<u>SB 1548</u> Florez	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	09/30/2008-Chaptered by Secretary of State. Chapter 622, Statutes of 2008. Watch	

those 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.

SBX2.1
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.

09/30/2008-Chaptered by Watch
Secretary of State - Chapter
No. 1, Statutes of 2008

SBX3.5
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 state funds allocated for

08/31/2008-Failed Deadline Watch
pursuant to Rule 61(b)(17).
(Last location was THIRD
READING on 02/21/2008)

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



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MEMORANDUM

DATE: November 14, 2008
To: Policy Advisory Committee
COG Policy Board
FROM: Todd Sobrado, Planner
SUBJECT: Regional Clearinghouse Consent Calendar

RECOMMENDATION: Per Board procedure, unless an item is pulled from the Consent Calendar, tacit authorization is given for staff to forward any comment(s) received, or any Committee/Board comment(s) generated as a result of this informational item, to the appropriate agency. It is understood that if in the event any item should be pulled from the consent calendar, discussion and comment by the Committee members and the public will be taken.

DISCUSSION: The Regional Clearinghouse is a process of informing local agencies of federal grant requests, providing an opportunity to comment, and potentially avoid duplication of effort. Clearinghouse items are brought before the Policy Advisory Committee (PAC) and, if appropriate, the Transportation Technical Committee (TTC) for review and comment. Any resulting TTC/PAC comments, and any comments received from other agencies as a result of the Clearinghouse notification process, are noted on a monthly report brought forward to the Fresno COG Policy Board.

COG Policy Board action would be to authorize staff to forward any comments received or any Board comments to the State Clearinghouse and other appropriate agencies. The applicants have been notified of this meeting. While participation by the agency is optional, they have been personally requested to attend the Policy Board meeting in case there should be any questions. It should be noted that if in the event any of these items should be pulled from the consent calendar, that discussion and comment by the Committee/Board members and the public will be taken. *Project Notification and Review Reports* describing these projects are attached.

FUNDING: Proposed funding levels are as shown below:

Applicant	Federal Funds	Other/ Applicant Funds	Total Funds
Fresno County Economic Opportunities Commission	\$28,708,904	\$7,177,226	\$35,886,130

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

PROJECT NOTIFICATION AND REVIEW REPORT

Regional Clearinghouse Number: *RCH # 05-2008-149*
Project Title: *Head Start Program- Preschool and Early Head Start
2009 Refunding Application*
Applicant Agency: *Fresno County Economic Opportunities Commission*
Contact Person: *Naomi Quiring-Mizumoto*
Address: *1920 Mariposa Mall, Fresno, CA 93721*
Phone: *559-263-1205*
Federal Catalog #: *93-600*
Status: *Continuation*
Area of Impact: *Fresno County*
Federal Funding Agency: *Administration for Children and Families/DHHS*

FUNDING:

\$28,708,904 Federal
\$7,177,226 Applicant
\$0 State
\$0 Local
Other

\$35,886,130 TOTAL

Fresno County EOC Head Start and Early Head Start 2009 Refunding Application
Head Start Preschool -\$26,707,463 (Federal) – (1) Basic Head Start-Preschool PA4122
(\$26,497,569) (2) Head Start Training & Technical Assistance PA 4120 (\$209,894)

Early Head Start - \$2,001,441 (Federal) (1) Basic Early Head Start PA 4125 (\$1,952,625) (2) Early
Head Start Training & Technical Assistance PA 1126 (\$48,816)