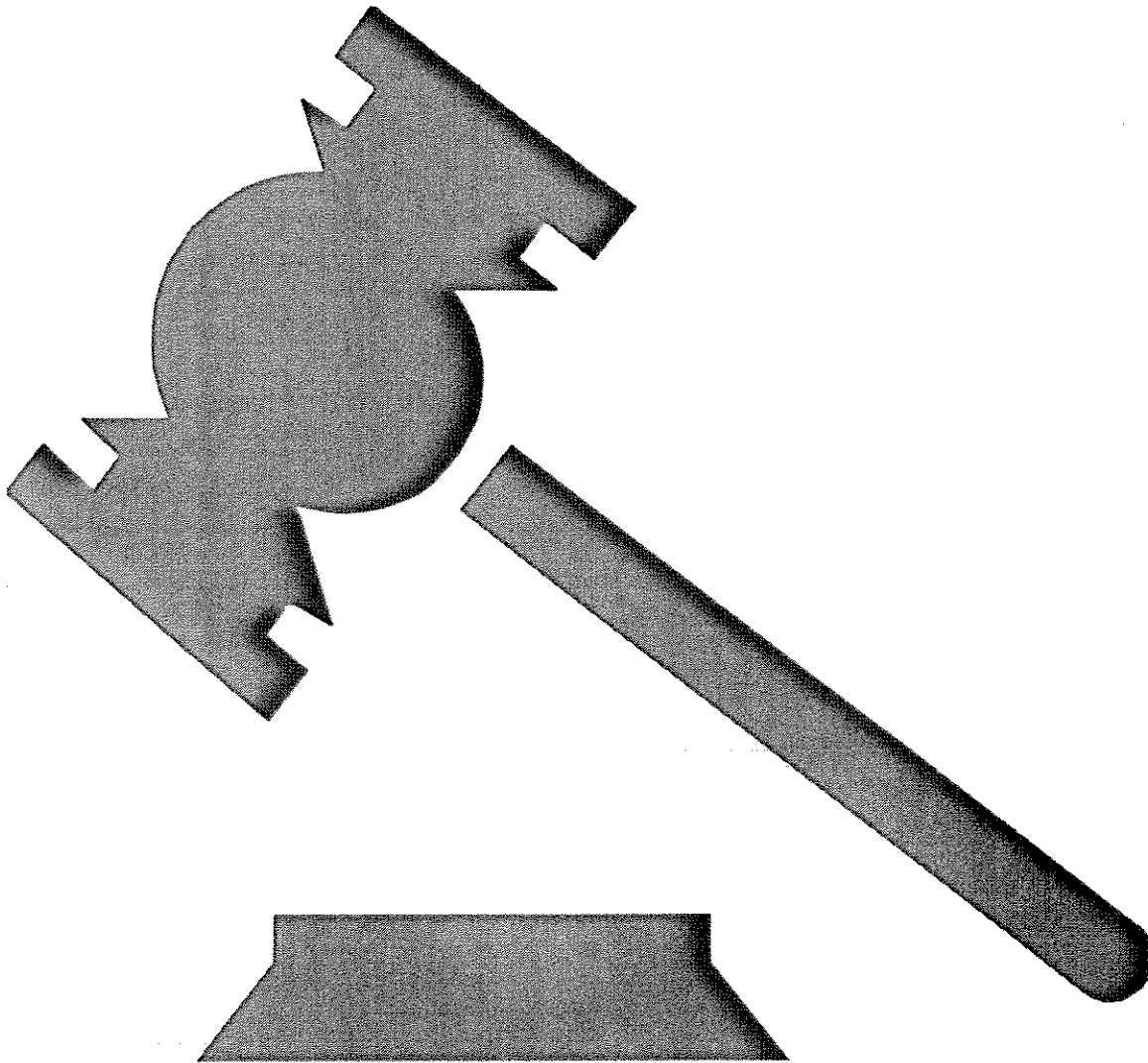




***ADMINISTRATIVE
CONSENT ITEMS
AGENDA ITEMS VI. A-C.***



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COUNCIL OF FRESNO COUNTY GOVERNMENTS EXECUTIVE MINUTES

Date: Thursday, January 29, 2009
Time: 5:30 p.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Present: Mayor Trinidad M. Rodriguez, City of Kerman, Chair
Mayor Dennis Lujan, City of Selma, Vice Chair
Councilmember Nathan Magsig, City of Clovis
Mayor Ron Lander, City of Coalinga
Mayor Marcia Sablan, City of Firebaugh
Councilmember Rico Aguayo, City of Fowler
Mayor Ashley Swearengin, City of Fresno
Mayor Ramon Dominguez, City of Huron
Mayor Robert Silva, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Mayor Armando Lopez, City of Parlier
Mayor Mary Fast, City of Reedley
Mayor Amarpreet Dhaliwal, City of San Joaquin
Mayor Jose R. Villarreal, City of Sanger
Supervisor Susan Anderson, County of Fresno

Sharri Ehlert, Caltrans
Janelle Kelley, Legal Counsel
Tony Boren, Executive Director

QUORUM: At the start of the meeting there were 15 members present representing 98.79% of the population and there was a quorum. (Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma and Fresno County)

The meeting was called to order by Mayor Trinidad M. Rodriguez, Chair, at 6:30 p.m., following a joint Board of Supervisors / COG Policy Board meeting that concluded behind schedule.

Mayors' City Selection Committee

✓ Approval of May 29, 2008, Minutes

A motion was made by Mayor Lujan (Selma) and seconded by Mayor Lopez (Orange Cove) to approve the May 29, 2008 minutes as written. A vote was called for and the motion carried unanimously

✓ Appointment to the Local Agency Formation Commission (LAFCO) – Alternate term to expire 05/02/2011

A motion was made by Mayor Lopez (Orange Cove) and seconded by Councilmember Aguayo (Fowler) to appoint Mayor Dennis Lujan to the Local Agency Formation Commission (LAFCO) as an alternate with a term to expire on May 2, 2011.

✓ Public Presentations

None.

The COG Policy Board meeting began upon conclusion of Fresno County's Mayor's City Selection Committee at 6:31 p.m.

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

I. PRESENTATIONS

A. Public Presentations

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

None

B. Introduction of New Board Members

The following Board Members were introduced to everyone and welcomed as new members of the Council of Fresno County Governments Policy Board:

- Supervisor Susan Anderson, County of Fresno
- Mayor Bruce Blayney, City of Kingsburg
- Mayor Mary Fast, City of Reedley
- Mayor Ron Lander, City of Coalinga
- Mayor Marcia Sablan, City of Firebaugh
- Mayor Ashley Swearengin, City of Fresno
- Mayor Jose Villarreal, City of Sanger

It was announced that outgoing Board Members were invited to the February COG Board meeting to receive recognition for their hard work and dedication to the Board.

C. Presentation of a Certificate of Appreciation to Paul Besselievre for His Valuable Efforts to the Association for the Beautification of Highway 99.

Rico Aguayo presented Paul Besselievre with a plaque on behalf of the Association for the Beautification of Highway 99 in recognition of his valuable efforts to the Association for the Beautification of Highway 99 and his tireless efforts on making the creation of the Highway 99 Northern Monument a reality. Tony Boren, Executive Director, presented Mr. Besselievre with a certificate for Councilmember Cynthia Sterling on behalf of City of Fresno.

Paul Besselievre expressed his appreciation for the recognitions and acknowledged Gary Lowe and Howard Grouden for their hard work and efforts on the Highway 99 Northern Monument project.

II. 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 December 18, 2008 | Approve |
| B. Contract Amendment – PB Americas [BESHEARS] | Approve |
| C. FY 2008-09 First Quarter Progress Report [BESHEARS] | Accept |
| D. Environmental Justice Plan – Release for 45-day Review [SOBRADO] | Initiate |
| E. 2009 Washington D.C. "One Voice" Update [STECK] | Information |
| F. Measure 'C' Citizen Oversight Committee Vacancy – [LAUCHNER] | Information |
| G. Sacramento "Valley Voice" Trip [DANSBY] | Information |
| H. Monthly Legislative Update [DANSBY] | Information |
| I. Regional Clearinghouse [SOBRADO] | Information |

	Project	Applicant
1.	Fresno Area Hispanic Foundation – Building Renovation and Upgrade	Fresno Area Hispanic Foundation

For a summary of these items, please see the January 29, 2009 Annotated Agenda.

A motion was made by Councilmember Magsig (Clovis) and seconded by Councilmember Aguayo (Fowler) to approve the Administrative Consent Items as presented. A vote was called for and the motion carried unanimously.

III. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

A. Farmland Conservation Model Program – Release for 45-day Review [SOBRADO]

Tony Boren, Executive Director, reported that in March 2007, the San Joaquin Valley Partnership awarded Fresno COG with \$200,000 to develop a Farmland Conservation Model Program for Fresno County that could subsequently be expanded to the rest of the San Joaquin Valley. Contracting with the American Farmland Trust, a recognized expert on issues pertaining agricultural conservation, Fresno COG worked for the past eighteen months with two committees comprised of key agricultural and community stakeholders to:

- Identify and map characteristics that make farm and ranch lands strategic resources for agriculture.
- Document and analyze current trends affecting agricultural lands, as well as public policies, market forces and other factors that contribute to them.
- Select a coordinated set of policies and techniques that will effectively conserve the most strategic farmland for agricultural use while accommodating urban growth.

Fresno COG and the American Farmland Trust, under the direction of the Farmland Conservation Model Program Steering Committee and with extensive input from the Farmland Conservation Model Program Advisory Committee, recently completed the Farmland Conservation Model Program Report for Fresno County and would like to release the report for the 45 day public comment period. Staff, TTC, and PAC recommended initiation of the 45-day public review and comment period for the Farmland Conservation Model Program for Fresno County

Ed Thompson (American Farmland Trust) gave a presentation on the Model Farmland Conservation Program for Fresno County. Mr. Thompson presented on issues including population growth, development efficiency, land price inflation, agricultural economy, and how they relate to development and the preservation of farmland.

Councilmember Aguayo stated that the Farmland Conservation Committee would be contacting the various cities and schedule presentation in an effort to get the information on the findings of the study out to all of the cities.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Villarreal (Sanger) to approve the initiation of a 45-day public review and comment period for the Farmland Conservation Model Program for Fresno County. A vote was called for and the motion carried unanimously.

B. Draft 2009 Fresno COG Legislative Platform [DANSBY]

Tony Boren, Executive Director, reported that staff had incorporated the suggested feedback and changes received at the November PAC and Policy Board meetings and has returned the *Draft 2009 Fresno COG Legislative Platform* for Board approval.

A motion was made by Councilmember Magsig (Clovis) and seconded by Councilmember Aguayo (Fowler) to approve the *2009 Fresno COG Draft Legislative Platform* as presented. A vote was called for and the motion carried unanimously.

C. Jose Ramirez – Letter of Support for appointment to the position of State Director-USDA Rural Development [BOREN]

Tony Boren, Executive Director, reported that Councilmember Rico Aguayo (Fowler) requested the approval of a letter of support for the appointment of Jose Ramirez, City Manager of the City of Firebaugh, to the position of State Director – USDA Rural Development

Councilmember Aguayo stated that it was a treat to have him be one of the few under consideration for appointment to this position.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Councilmember Magsig (Clovis) to approve the issuance of a letter of support for the appointment of Jose Ramirez, City Manager of the City of Firebaugh, to the position of State Director – USDA Rural Development. A vote was called for and the motion carried unanimously.

D. Sacramento “One Voice” Trip – Advocacy Issues [DANSBY]

Tony Boren, Executive Director, reported that the 5th annual Sacramento “One Voice” advocacy trip is scheduled for March 9th and 10th. Staff and lobbyist, Steve Samuelian, have begun preparations for the trip. Ms. Dansby asked that Board Members contact her if they are interested in participating in the trip.

Mr. Boren also reported that the Policy Board’s Ad Hoc Sacramento “One Voice” Subcommittee met prior to the TTC/PAC meeting in December. The primary goal of the meeting was to develop a list of legislative and policy issues to recommend to the PAC and Policy Board for inclusion in the “One Voice” advocacy program. The committee decided that due to state budget and federal economic stimulus package uncertainties, they should wait and meet again in February to further discuss how these may impact the list of advocacy issues for Sacramento. Ms. Dansby reported that staff intends to return in February with the committee’s draft list of advocacy issues for recommendation to the PAC and Policy Board.

QUORUM: Mayor Dominguez (Huron) left the room at 7:09 pm making 14 members present representing 97.98% of the population.

Mayor Lujan (Selma) asked that another issue be added to the list of advocacy issues related to the penalization of legislators for everyday that passes where a budget has not been approved. After further discussion, Mayor Lujan requested that this topic be added to a future agenda. This was an information item and required no further action by the Board.

E. Status Report on Sacramento Lobbying Activities—Samuelian, California Consulting LLC [BOREN]

Steve Samuelian reported that the Economic Stimulus Package proposed by the federal government could amount to millions of transportation dollars to be made available to Fresno County. He further reported on the upcoming Sacramento "One Voice" trip, the State of California budget crisis issue, Proposition 84, childcare issues, the appointment of Dean Florez as the new Senate Majority Leader, and the appointment of Juan Arambula as the Chairman of the Assembly Budget Subcommittee 4.

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

Fresno COG Sitting As the Transportation Policy Committee

IV. TRANSPORTATION CONSENT ITEMS

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

- | | |
|--|-------------|
| A. Delivery of Projects in FY 2007/2008 and Projected Delivery in FY 2008/2009
[DEVERE-OKI] | Information |
| B. FY 2007-08 Annual Listing of Projects [DEVERE-OKI] | Information |
| C. Status Report on EPA Action [DAWSON] | Information |
| D. Call for Projects – Caltrans FY 2009-10 Transportation Planning Grants [DANSBY] | Information |

For a summary of these items, please see the January 29, 2009 Annotated Agenda.

A motion was made by Mayor Lujan (Selma) and seconded by Mayor Silva (Mendota) to approve the Transportation Consent Items as presented. A vote was called for and the motion carried unanimously.

V. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. Measure "C" Regional "Short Term" Program Project Delivery Schedule and Implementation Handbook PUBLIC HEARING 1/29/2009 [BOREN/BESHEARS]

Tony Boren, Executive Director, reported that at the December 12, 2008 TTC/PAC meeting the draft Measure "C" Regional "Short Term" Program Project Delivery Schedule and Implementation Handbook were released for a 45 day review and comment period. The review and comment period has run its course and staff is recommending that the Policy Board adopt the Short Term Project Delivery Schedule and Handbook

Implementation of the Measure "C" Expenditure Plan approved by Fresno County voters in 2006 is being accomplished through the adoption of a series of "Implementation Handbooks" which detail the implementation requirements for each of the five components of Measure "C". In 2007, the COG Policy Board and the Fresno County Transportation Policy Board approved two previous Measure "C" Implementation Handbooks that dealt with public transit, local programs and alternative transportation programs. Since that time, staff and consultants have been working with the Measure "C" Regional Transportation Subcommittee to develop implementation details related to the Regional Transportation Program, utilizing a Short-Term (1st seven years), Mid-Term (2nd seven years) and Long-Term (final six years) approach.

Approval of the Short-Term Regional Transportation Program allows the local Tier 1 urban and rural street and highway projects listed in the Short-Term Regional Transportation Program to move forward without waiting for development and approval of the Mid- and Long-Term Regional Transportation Programs. The Short-Term period uses mainly Measure "C" funding and known STIP commitments. The projects scheduled during this period have a strong assurance of being completed.

The Mid-Term and Long-Term programs will primarily focus on the three large regional projects (Veterans Blvd., 168/180/41 Braided Ramps and SR 180 E projects beyond Academy Ave.) that remain to be completed. Due to the size and complexities of these large projects, this planning

process will continue over the upcoming months, with an eventual adoption of these programs to occur once regional consensus has been developed on a delivery schedule for these projects.

The Regional Transportation Program is a very complex funding program that identifies how the Tier 1 regional urban and rural street and highway improvement projects listed in the Extension Expenditure Plan will be programmed over the 20-year life of the Measure. As a result, development of the program has required staff and the subcommittee to consider the availability and timing of funds in addition to Measure "C". Other funding sources include funds generated through the Regional Transportation Mitigation Fee (RTMF), a portion (75%) of State Transportation Improvement Program (STIP) funds, and other local funding.

In addition to the Mid-Term and Long-Term Programs, the only remaining subprogram to be fully developed as a part of this process is the School Bus Replacement Subprogram. Implementation details regarding these programs will be developed over the next few months. Once these programs are in final form, they will be combined with Programs in each of the two previously approved Handbooks (2007 and 2008), as well as the Short-Term Regional Transportation Program Handbook, to form the 2009 Measure "C" Extension Implementation Plan.

The Regional Transportation Subcommittee met on November 26, 2008 and recommended that the Draft Handbook and the schedules move forward for 45-day review and approval by the Fresno COG Board and Fresno County Transportation Authority (FCTA). The Subcommittee further recommended that the Mendocino Avenue widening project between Manning Avenue and the Industrial Park in Parlier referenced in the approved 2006 Measure "C" Extension Expenditure Plan be changed to Academy Avenue. This change was necessitated by cost overruns on the Mendocino Avenue project related to the required purchase of a gas station and the related environmental cleanup.

Mayor Swearengen stated that the City of Fresno is prepared to work with all of the other cities in implementing this project and that the City of Fresno takes preference to the priorities in the longer term projects, specifically that of the Veteran's Boulevard implementation.

Mayor Rodriguez opened the public hearing. There being no comments, Mayor Rodriguez closed the public hearing.

A motion was made by Mayor Swearengen (Fresno) and seconded by Councilmember Magsig (Clovis) to approve the Measure "C" Short-Term Regional Program Project Delivery Schedule and Implementation Handbook. A vote was called for and the motion carried unanimously.

B. Adopt 2009 Formal Amendment #3 to the 2009 Interim Federal Transportation Improvement Program (FTIP), Formal Amendment #2 to the 2007 RTP and Associated Conformity Analysis – RESOLUTION 2009-01, [DEVERE-OKI/DAWSON]

Renee Devere-Okie (COG) reported that Fresno COG is amending the 2009 Interim Federal Transportation Improvement Program (FTIP), 2007 Regional Transportation Plan (RTP), and updating the associated Conformity Analysis. A public hearing on these documents was held on December 18th following a 30 day public review and comment period.

Regional Transportation Plan (RTP) Amendment: The 2007 RTP represents the long range planning vision for Fresno County's regional transportation system through the year 2030. The RTP is a long-term strategy to meet Fresno County's transportation needs out to the year 2030. The amendment clarifies the financial projections and the financially constrained and unconstrained project lists.

2009 Interim Federal Transportation Improvement Program (FTIP): The FTIP is the incremental implementation of the long-range Regional Transportation Plan and includes programming for fiscal years 2008/09 through 2011/12. Amendment #3 provides for the modification and addition of projects into the FTIP. The RW and CON phases of regionally significant projects that were not originally included in the Interim FTIP are included as part of this amendment.

Conformity Analysis: An air quality conformity analysis is required in nonattainment areas to ensure that transportation plans and programs are (1) consistent with the state and local air quality plans, and (2) do not interfere with the timely implementation of transportation control measures. The Draft Conformity Analysis for the Interim 2009 FTIP Amendment #3 and 2007 RTP Amendment #2 demonstrates that all of our adopted transportation plans and programs are in conformance with the rules for the applicable air quality standards.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Councilmember Magsig (Clovis) to approve FTIP Amendment #3, RTP Amendment #2 and Conformity Analysis by the adoption of Resolution No. 2009-01. A vote was called for and the motion carried unanimously.

C. Measure "C" Carpool Incentive Program Update [LAUCHNER, GARZA]

Brenda Lauchner (COG) reported that in November 2008, Fresno COG staff developed and introduced an innovative Measure "C" Carpool Subsidy Program to the Board designed to replace the original \$50 gift card per person award. This newly proposed Measure C Carpool Subsidy Program offers an opportunity to all Fresno County residents who carpool at least twice a week and submit a Commute Log to be chosen to receive a \$1000 monthly commuting subsidy, and be eligible to receive yearly Grand Prizes. This strong effort to encourage Fresno County residents to carpool would begin July 1, 2009 and run through June 30, 2010.

QUORUM: Mayor Dominguez (Huron) returned at 7:24 pm making 15 members present representing 98.79% of the population.

A PowerPoint presentation was presented to the Board that explained the rules and guidelines of the proposed "Carpool Subsidy Pilot Program", partnerships, subsidy award details, grand prize information, program security and monitoring measures, outreach plans, benefits, and budget information.

Mayor Lujan (Selma) asked that the working poor be considered when implementing this Carpool Incentive Program.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Fast (Reedley) to accept the Measure C Carpool Subsidy Program. A vote was called for and the motion carried unanimously.

D. Blueprint Update [STECK]

Barbara Steck (COG) gave background information on the Blueprint process and referred to the draft Blueprint Progress Report enclosed in the agenda packet. She explained that the 8 dwelling units per acre was an average for the entire county and that the rural areas calculated out at approximately 5.7 units per acre. Ms. Steck then reported on the outcomes of the Valleywide Blueprint Summit held on Monday, January 26th. Nearly 600 individuals from around the Valley participated in the Summit. Ms. Steck further reported the results of Blueprint Scenario voting as follows:

Scenario A	=	4%	Scenario B+	=	33%
Scenario B	=	10%	Scenario C	=	53%

Ms. Steck explained that the next step in the process is to present this information to the Regional Policy Council in March for their endorsement of a preferred scenario. Then the information would be brought back to each of the individual jurisdictions for adoption and integration into each jurisdiction's general plan.

Tony Boren, Executive Director, reported that Barbara Steck is taking over the leadership role of the Valleywide blueprint effort.

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

E. Federal Economic Stimulus Package [DEVERE-OKI]

Renee Devere-Okie reported that the Federal Government is developing legislation to create a broad national economic recovery package that will generate jobs and get the economy moving forward again. A subset of this package is aimed at funding "shovel ready" transportation infrastructure projects. COG staff has been actively participating in dialogue at both a state and national level, tracking policy recommendations and evaluating the needs of our region. Ms. Devere-Okie gave a PowerPoint presentation explaining how the proposed funds would be allocated for various economic recovery projects. Approximately \$16.7 million could potentially be awarded to Fresno County, 50% of which would need to be spent within 75 days. Ms. Devere-Okie explained the challenges in spending the vast amount of money in such a short period of time. Lastly, Ms. Devere-Okie explained the process staff would take to decide which projects would be funded with the proposed funds.

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

F. Caltrans Monthly Report [CALTRANS]

Sharri Elhert (Caltrans) reported on the impacts the budget crisis has had on bond funded Caltrans transportation projects and how projects could potentially be shut down. The 180 Freeway Extension Project is one such bond funded project in danger of being shut down. Ms. Elhert also reported that the California Transportation Commission (CTC) only took action to vote projects to go to construction that were safety or emergency projects. Lastly, Ms. Elhert reported that the 180 East project from Clovis to Temperance is approximately 56% complete.

VI. ABANDONED VEHICLE ABATEMENT

A. Abandoned Vehicle Abatement—FY 2008-09 First Quarter Status Report [THOMPSON]

Clark Thompson reported that as stated in the 2003 Fresno County Abandoned Vehicle Abatement Service Authority Plan, the Fresno COG, as administrator of the AVA Program, shall submit a quarterly status report to the Fresno County Abandoned Vehicle Abatement Service Authority. Status reports are submitted quarterly to ensure proper distribution of funding to the member agencies. This status report contains the following information:

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

For the first quarter of FY 2008-09, a total of \$190,966.30 in current AVA revenues was received and available for distribution to member agencies and to the Fresno COG for program administration. During the quarter, member agencies expended \$178,028.56 conducting AVA activities and the Fresno COG claimed \$2,375.00 for program administration. Revenues exceeded expenses during the quarter by \$10,562.74, thereby contributing to the program's accumulated surplus. A total of 1,067 vehicles were abated this quarter, compared to 1,332 vehicles abated during the same quarter of the previous fiscal year. This decrease is largely attributable to a substantial decline in the number of vehicle abatements by the City of Fresno during the quarter.

A motion was made by Mayor Lopez (Orange Cove) and seconded by Councilmember Aguayo (Fowler) to accept the Abandoned Vehicle Abatement FY 2008-09 First Quarter Summary Report as presented. A vote was called for and the motion carried unanimously.

Fresno COG Sitting As the Council of Fresno County Governments Policy Board

VII. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY COMMITTEE AND THE ABANDONED VEHICLE ABATEMENT AUTHORITY

A motion was made by Mayor Lujan (Selma) and seconded by Councilmember Aguayo (Fowler) to reaffirm all actions taken while sitting as the Transportation Policy Committee and the Abandoned Vehicle Abatement Authority. A vote was called for and the motion carried unanimously.

VIII. OTHER BUSINESS

A. Items from Staff

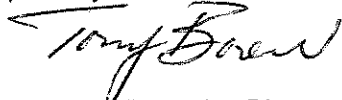
Tony Boren, Executive Director, announced that the 2009 Washington D.C. "One Voice" trip was nine days away and encouraged participants to check the weather for the Washington area.

B. Items from Members

None.

There being no further business, the meeting was adjourned at 8:07p.m.

Respectfully Submitted,

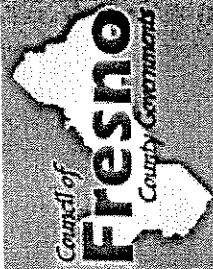


TONY BOREN, Executive Director
Council of Fresno County Governments

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Attachment A
Observers and Non-Members
COG Board Meeting
January 29, 2009

Carol Besselievre, General Public
Paul Besselievre, General Public
Bruce Rudd, City of Fresno
Lynn Gorman, Fresno County
Ron Manfredi, City of Kerman
Ron Peterson, FCTA
Steve Samuelian, California Consulting
Ed Thompson, Jr., American Farmland Trust
Jeffrey D. Webster, Fresno County Rural Transit Agency
Rose Willems, FCTA
Lauren Dawson, Fresno COG
Melissa Garza, Fresno COG
Suzanne Martinez, 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
Renee DeVere-Oki, Fresno COG



Legislation Summary February 2009

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
<u>AB 118</u> Logue	California Global Warming Solutions Act of 2006. The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and 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. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. The state board is required by January 1, 2011, to adopt greenhouse gas emissions limits and emission reduction measures by regulation to achieve the prescribed emission reductions. This bill would repeal the California Global Warming Solutions Act of 2006.	01/16/2009-From printer. May be heard in committee February 15.		
<u>AB 153</u> Ma	High-Speed Rail Authority. Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law authorizes the authority to prepare a plan for the construction and operation of that system and to enter into contracts, acquire rights-of-way through purchase or eminent domain, and take other actions, subject to specified contingencies. Under existing law, a public entity may not commence an eminent domain proceeding until its governing body has adopted a resolution of necessity that meets certain requirements. Existing law generally prohibits a state agency from employing legal counsel other than the Attorney General unless there is a specific statute authorizing that employment. This bill would eliminate those contingencies to the exercise of the authority's authority and would specify that the authority constitutes a "governing body" for the purpose of adopting a	01/23/2009-Introduced. To print.		

	resolution of necessity. The bill would authorize the authority to employ its own legal staff or contract with other state agencies for legal services, or both. This bill contains other related provisions and other existing laws.		
SB 31 Pavley	California Global Warming Solutions Act of 2006: revenue allocations. The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and 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. The act 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. The act authorizes the state board to include the use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee to be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for purposes of carrying out the act. This bill would require that revenues collected pursuant to compliance mechanisms adopted by the state board also be deposited in the Air Pollution Control Fund. This bill would specify certain uses of the revenues collected pursuant to the fee discussed above and the compliance mechanisms.	12/03/2008-From print. May be acted upon on or after January 2.	
SCA 3 Wyland	Transportation Investment Fund. Article XIX B of the California Constitution requires, commencing with the 2003-04 fiscal year, that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund (TIF) for allocation to various transportation purposes. Article XIX B authorizes this transfer to be suspended in whole or in part for a fiscal year during a fiscal emergency pursuant to a proclamation by the Governor and the enactment of a statute by a 2/3 vote in each house of the Legislature, subject to various restrictions. This measure would delete the provisions authorizing the transfer of revenues to the TIF to be suspended during a fiscal emergency. The measure would also prohibit a	12/02/2008-From print. May be acted upon on or after January 1.	

	loan of TIF revenues under any circumstances, and would prohibit any statute that would reduce the extent to which these tax revenues are deposited into the General Fund for transfer to the TIF for transportation purposes.			
Total Position Forms: 4				



Legislation Summary February 2009

Bill # Author	Topic															Page #
		Dead/2 YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered		
<u>AB 118</u> Logue	California Global Warming Solutions Act of 2006.		1st Desk													
<u>AB 153</u> Ma	High-Speed Rail Authority.		1st Desk													
<u>SB 31</u> Pavley	California Global Warming Solutions Act of 2006: revenue allocations.		1st Desk													
<u>SCA 3</u> Wyland	Transportation Investment Fund.		1st Desk													
Total Position Forms: 4																