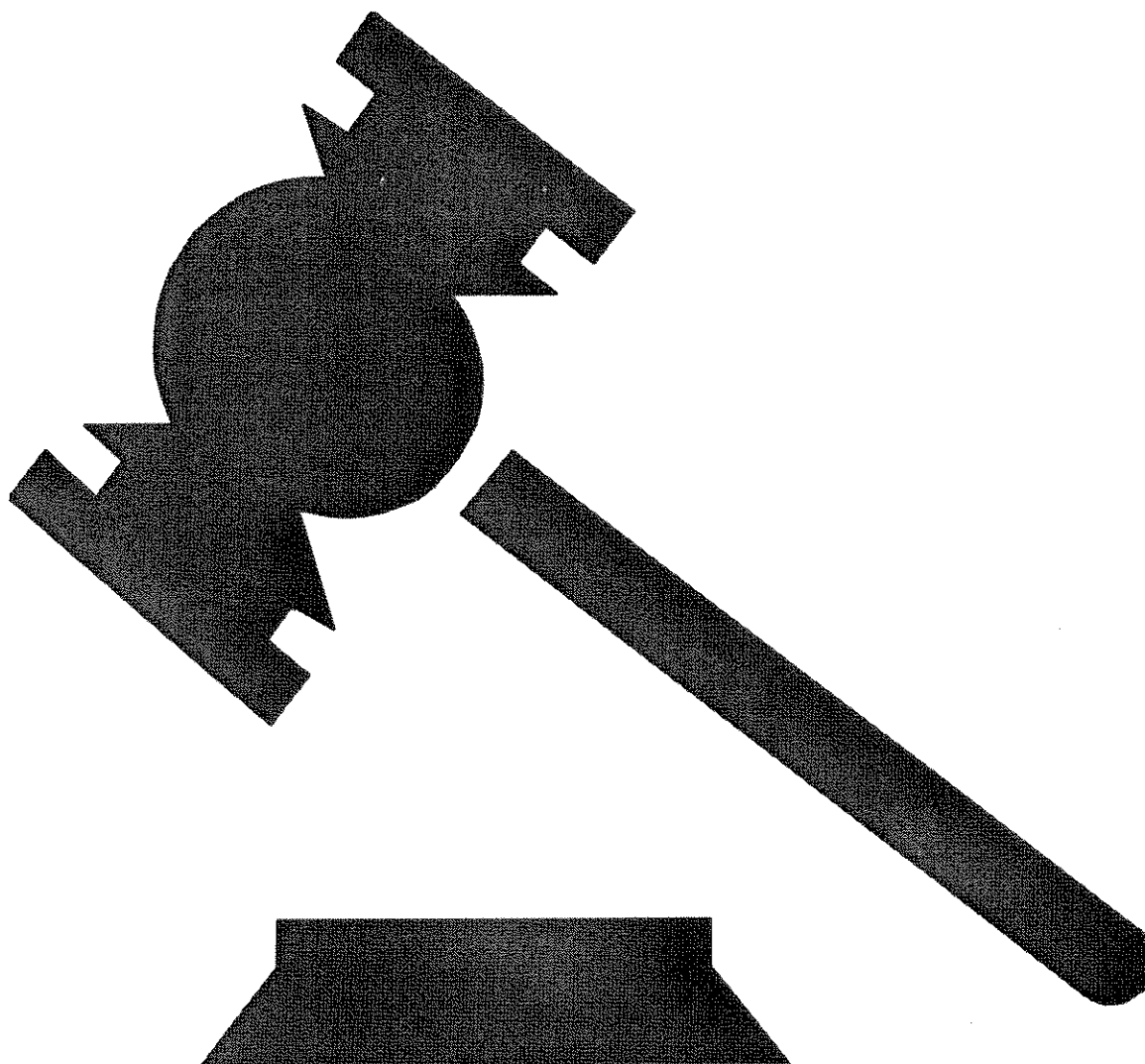




***ADMINISTRATIVE
CONSENT ITEMS
AGENDA ITEMS V. A.-E.***



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**COUNCIL OF FRESNO COUNTY GOVERNMENTS
EXECUTIVE MINUTES**

Date: Thursday, March 26, 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 Bob Whalen, 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 Bruce Blayney, City of Kingsburg
Mayor Robert Silva, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Councilmember Raul Villanueva, City of Parlier
Mayor Mary Fast, City of Reedley
Mayor Jose R. Villarreal, City of Sanger
Supervisor Judy Case, County of Fresno

Sharri Ehlert, Caltrans
Janelle Kelley, Legal Counsel
Barbara Steck, Deputy Director

QUORUM: At the start of the meeting there were 13 members present representing 96.59% of the population and there was a quorum. (Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kingsburg, Mendota, Orange Cove, Reedley, Sanger, Selma and Fresno County)

The meeting was called to order by Mayor Dennis Lujan, Vice Chair, at 5:41 p.m.

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.**

Jeff Roberts (Granville Homes) gave a public presentation regarding the One Voice trip, and a potential funding source for the Veteran's Boulevard project. Mayor Swearengin confirmed that the City of Fresno is vigorously pursuing these funds.

Dennis Manning (FARRC) commented on a conference that was held in Oakland regarding advanced transit technologies and stated that plans were in the works for holding a similar conference in Fresno in the fall.

Rev. Dorris Forrest (National Day of Prayer) spoke regarding the implementation of a National Day of Prayer. This year's theme is "Prayer: America's Hope". She asked that everyone join in prayer on May 7, 2009. A Christian delegation will be praying that evening in front of City Hall. Additionally, the inner-faith alliance will meet at noon on that day and also have a prayer in front of City Hall.

Rev. Bryan Jessup (Interfaith Alliance) also spoke regarding the National Day of Prayer on May 7, 2009.

B. Presentation – Recognition of Former Board Member Bob Whalen – City of Clovis

Councilmember Bob Whalen was presented with a recognition award and thanked for his service to the Council of Fresno County Governments Policy Board:

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

C. California Product Stewardship Council: RESOLUTION 2009-08 – Presentation on Toxic Waste Management [DANSBY/GEDERT]

Staff received a request from the California Product Stewardship Council (CPSC), an association of local governments, to present information on the Extended Producer Responsibility strategy to the PAC and Policy Board. The mission of the CPSC is to:

"Shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability".

Bob Gedert, representing the CPSC, made a presentation to the Policy Board and requested that the Policy Board adopt a resolution in support of Extended Producer Responsibility, also known as Product Stewardship. The Policy Board was also afforded the opportunity to pledge a financial contribution to CPSC for their work efforts.

A discussion followed regarding the possible amount of a proposed contribution where it was ultimately confirmed that COG funds were restricted and could not be used to contribute to the cause in question.

QUORUM: Councilmember Villanueva (Parlier) arrived at 6:07 p.m. making 14 members present representing 98.02% of the population.

Further discussion ensued regarding concerns about further regulating business and the overall broadness of the resolution.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Sablan (Firebaugh) to approve Resolution 2009-08 as presented. A vote was called for and the motion failed by the following roll call vote: **AYES:** Fowler, Firebaugh. **NOES:** Clovis, Coalinga, Fresno, Fresno County, Huron, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, Selma. **ABSENT:** Kerman, San Joaquin.

Following further discussion, a motion was made by Mayor Blayney (Kingsburg) and seconded by Councilmember Whalen (Clovis) to approve the revision of Resolution 2009-08 that supports only the concept of developing alternative forms to our current recycling system. A vote was called for and the motion carried unanimously.

Fresno COG Sitting As the Transportation Policy Committee

II. TRANSPORTATION CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the 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. FY 2008-09 Transportation Funding Claim – County of Fresno
RESOLUTION 2009-07 [BESHEARS] | Approve |
| B. San Joaquin Valley Transit Express Commute Study [DOWNS] | Information |
| C. Smart Growth Implementation Assistance 2009 Request for
Applications [THOMPSON] | Information |
| D. High-Speed Rail Public Scoping Meeting [THOMPSON] | Information |
| E. San Joaquin Valley Regional Blueprint - Update [STECK] | Information |

For a summary of these items, please see the March 26, 2009 Annotated Agenda.

A motion was made by Mayor Blayney (Kingsburg) and seconded by Mayor Lopez (Orange Cove) to approve the Transportation Consent Items. A vote was called for and the motion carried unanimously.

III. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. American Recovery and Reinvestment Act of 2009 [DEVERE-OKI]

Renee Devere-Oki reported that President Obama has signed the American Recovery and Reinvestment Act of 2009 (ARRA) that provides significant new funding for transportation infrastructure. In order for a surface transportation infrastructure project or transit project to be eligible for this Federal funding, it must be included in the Federal Transportation Improvement Program (FTIP).

As part of Fresno COG's first effort to position the region to utilize these funds, a revenue only amendment was processed. This amendment, Formal Amendment #4, was approved by FHWA on March 17, 2009. This amendment added Fresno's estimated share of \$47 million in Federal Highway Administration (FHWA) ARRA funding and \$11.9 million in Federal Transit Administration (FTA) ARRA funds into the FTIP. These amounts were preliminary estimates that were provided by Caltrans, the FTA ARRA funds have subsequently been revised to \$13,782,000. Amendment #5 programming the FTA ARRA funds, with this revised funding level, has been released for public review, which closed March 23, 2009.

Only a portion of the estimated \$47 million in FHWA ARRA funding is directly suballocated to Fresno COG for local level distribution (subject to a 1 year obligation deadline); this exact amount is \$17,544,700. At the February Policy Board meeting, staff was directed to follow an allocation approach developed by the SAFETEA-LU Programming Steering Committee. This approach provided a base level of funding to each member agency of \$160,000 and using a pro rata share, based on population, divided the rest of the funds up to the suballocated share of \$17.5 million. Local agencies were then allowed to select their ARRA projects. These projects will be amended into the FTIP as part of Amendment #6 and/or #7.

The estimated balance of the FHWA ARRA money that will be making its way to the Fresno Region will either come through the existing STIP process or through a new process proposed in California Assembly Bill 20. As the SR 180 East Temperance to Academy project is both deliverable in 120 days, and is programmed in the existing STIP line up, staff is recommending this project be included on the locally selected ARRA project list for this funding stream.

A motion was made by Mayor Lopez (Orange Cove) and seconded by Supervisor Case (Fresno County) to support the locally selected ARRA project list including SR 180E. A vote was called for and the motion carried unanimously.

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

Tony Boren, Executive Director, reported that County Counsel advised staff that the COG Policy Board could not validly delegate joint power authority to the Fresno COG for implementation of the RTMF ordinance. The COG Board does not have the authority to enact a mitigation fee. The 15 separate cities and the County would each have to delegate the authority to the Fresno COG through a Joint Powers Authority. Mr. Boren further reported that the PAC advised staff to schedule a meeting for all of the Attorneys for each City in Fresno County so that a solution could be determined in regards to the RTMF. The meeting is scheduled for Wednesday, April 1, 2009 at 1:30 p.m. In addition, Mr. Boren informed the Board that it may be necessary to postpone the July 1, 2009 enactment date for the RTMF by a few months.

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

C. Caltrans Monthly Report [CALTRANS]

Sharri Ehler (Caltrans) reported on the economic stimulus package and announced that Fresno County would be getting approximately 20% of the funds available to the State. Ms. Ehler stated that Caltrans is looking to use another \$300 million portion of the stimulus funds on stalled bond projects. The list those projects is still being developed, but one the proposed projects is in the Central Valley. Ms. Ehler reported on bonds that were sold by the Pulled Money Investment Account (PMIA) Board in the amount of \$6.5 billion which will translate to more fund availability to put projects out to construction and continue the projects that are in construction.

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

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

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

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

V. ADMINISTRATIVE CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the 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. COG Executive Minutes of February 26, 2009 | Approve |
| B. FY 2008-09 Second Quarter Progress Report [BESHEARS] | Accept |
| C. 2007-08 COG Financial Audit [BESHEARS] | Accept |
| D. Local Government Commission: Implementing SB 375 Workshop Notice [DAWSON] | Information |
| E. Monthly Legislative Update [DANSBY] | Information |

For a summary of these items, please see the March 26, 2009 Annotated Agenda.

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

VI. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

A. 2008-09 Overall Work Program (OWP) Amendment #4 [BESHEARS]

Les Beshears (COG) reported that Merced COG has administrated the previous three Blueprint grants for the San Joaquin Valley MPO's. Fresno COG will be taking over the lead role during the fourth year implementation phase. Merced will continue administrating the third year grant. The eight Valley COGs applied for and were awarded a \$1,350,000 grant to provide the fourth year planning process. A \$337,500 match is required to be split among the valley COGs. Fresno COG's share of the grant is \$177,971 with a match of \$79,435. \$650,000 of the grant has been set aside for consulting and administration.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Mayor Swearengin (Fresno) to approve 2008-09 OWP Amendment #4 increasing the budget \$1,687,500 for the fourth year Blueprint Planning Grant. A vote was called for and the motion carried unanimously.

B. Sacramento "One Voice" Update [DANSBY]

Jennifer Dansby (COG) reported on the 5th annual Sacramento "One Voice" advocacy trip that took place on March 9th and 10th, 2009. Ms. Dansby stated that water was the main issue at the conference and that there are five different bond issues relating to water that are being considered in Sacramento. Ms. Dansby further reported that staff had sent out surveys to "One Voice" participants and had received some responses and were awaiting additional feedback on the trip.

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

C. Continuation of the Public Review and Comment Period for the Model Farmland Conservation Program for Fresno County [SOBRADO]

Todd Sobrado (COG) reported that In January 2009, Fresno COG released the draft Farmland Conservation Model Program for Fresno County for 45-day public review and comment. Due to the interest in the program, Fresno COG is extending the public review and comment period in order to give the public sufficient time to address all of their concerns.

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

D. Notice of Public Listening Session: Council of Fresno County Governments Federal Certification Review [BOREN]

Tony Boren, Executive Director, reported that a Public Hearing took place on Wednesday, March 25, 2009 from 5:30 – 7:30 p.m. to receive input on how to improve the region's transportation planning process.

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) conducted the certification review and evaluation of the region's transportation planning process carried out by the Council of Fresno County Governments (Fresno COG) and its partners. Every four years the FHWA and FTA jointly conduct this review. As part of the review, the public was invited to comment on the transportation planning process at public meeting. Mr. Boren reported that the process went well and staff is optimistic that the COG will receive its certification.

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

E. Letter Regarding Lloyd Carter, California Deputy Attorney General [BOREN]

Tony Boren, Executive Director, reported that at the Policy Board meeting in February, the Board discussed their desire to send a letter to California's Attorney General, Jerry Brown, respectfully requesting the resignation of his staff member, Deputy Attorney General, Lloyd Carter. No action

was taken to this effect at the Board meeting, but it was staff's understanding that the Board wished to discuss this further.

Mr. Boren reported that Lloyd Carter is a Deputy Attorney General, but also considered an environmental activist and has held positions of leadership on the California Streams Council, the Forrester Underground Gardens, and the California Water Impact Network. He has since stepped down from the California Water Impact Network after negative reactions to statements he made to a KMPH (Channel 26) reporter before a debate on water policy at Fresno State in February. The statements were strongly considered inappropriate and insensitive to Valley farm workers by organizations such as the National Association for the Advancement of Colored People, the California Latino Water Coalition, the California Latino Legislative Caucus, as well as a number of farm workers, farmers, politicians and community activists.

Staff drafted a letter for the Board's consideration, addressed to California's Attorney General, Jerry Brown, urging Mr. Brown to seek the resignation of his staff member, Lloyd Carter, from his position as the Deputy Attorney General in the criminal division. Staff sought direction from the Policy Board on sending a letter to California Attorney General, Jerry Brown, requesting the resignation of staff member, Lloyd Carter.

Lloyd Carter addressed the Board and stated his concern that he was not notified of the meeting and the agenda item pertaining to the request for his resignation. Mr. Carter further defended his position, accusing KMPH Reporter Ashley Ritchie of having biases and of deliberately presenting a doctored sound-bite of his comments that portrayed his quote out of context. He urged Board members to watch the interview in its entirety to understand the underlying meaning behind his comments. Mr. Carter stated he had no intention of resigning his position as Deputy Attorney General. Lastly, Mr. Carter apologized to those farm workers who took his comments out of context.

QUORUM: Mayor Rodriguez, Chairman (Kerman) arrived at 6:59 p.m. making 15 members present representing 99.51% of the population.

Rev. Bryan Jessup (Unitarian Universalist Church) spoke on behalf of Mr. Carter and referred to him as a dedicated public servant.

Walter Shubin (Kerman Farmer) spoke on behalf of Mr. Carter and felt Mr. Carter has been a champion for farm workers.

A lengthy discussion ensued regarding Mr. Lloyd Carter's comments where some Board Members spoke in favor of sending the letter due to the harsh nature of the words spoken by Mr. Carter and his influence as a deputy attorney general. Other Board Members wished to consider sending a similar letter that did not call for his resignation, but rather brought Mr. Carter's actions to the attention of the Attorney General and voiced the Board's dismay with his remarks. Lastly, there were some Board members that felt it was inappropriate to interfere with the livelihood of Mr. Carter by getting his employer involved in this matter and also felt that this action was outside the bounds of the Policy Board's scope of action.

QUORUM: Mayor Sablan (Firebaugh) left at 7:21 p.m. making 14 members present representing 98.78% of the population.

A motion was made by Mayor Blayney (Kingsburg) and seconded by Supervisor Case (Fresno County) to bring this item back for consideration at a later meeting after the Board has had an opportunity to review the Lloyd Carter interview in its entirety. The motion failed the "majority of population" stipulation by the following roll call vote: **AYES:** Coalinga, Fresno County, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Sanger, Selma. **NOES:** Clovis, Fowler, Fresno, Reedley. **ABSENT:** Firebaugh, San Joaquin.

A motion was made by Councilmember Whalen (Clovis) and seconded by Mayor Swearingin (Fresno) to not send the letter to Attorney General Jerry Brown, requesting the resignation of staff member Lloyd Carter. A vote was called for and the motion failed the "majority of members" stipulation by the following roll call vote: **AYES:** Clovis, Fowler, Fresno, Kingsburg, Reedley. **NOES:** Coalinga, Fresno County, Huron, Kerman, Mendota, Orange Cove, Parlier, Sanger, Selma. **ABSENT:** Firebaugh, San Joaquin.

A motion was made by Mayor Blayney (Kingsburg) and seconded by Councilmember Villanueva (Parlier) to send a revised version of the letter to Attorney General Jerry Brown that omits all sentences pertaining to the request for resignation. Further discussions ensued.

A motion was made by Councilmember Villarreal (Sanger) and seconded by Mayor Lujan (Selma) to call for the question. A vote was called for and the motion carried by the following roll call vote:

AYES: Coalinga, Fresno, Fresno County, Huron, Kerman, Mendota, Orange Cove, Parlier, Reedley, Sanger, Selma. **NOES:** Clovis, Fowler, Kingsburg. **ABSENT:** Firebaugh, San Joaquin.

The motion to send a revised version of the letter to Attorney General Jerry Brown that omits all sentences pertaining to the request for resignation failed the "majority of population" stipulation by the following roll call vote: **AYES:** Coalinga, Fresno County, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Sanger, Selma. **NOES:** Clovis, Fowler, Fresno, Reedley. **ABSENT:** Firebaugh, San Joaquin.

There being no motions that succeeded in obtaining majority votes, no action could be taken on this item.

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

Steve Samuelian reported on the completion of the "One Voice" trip to Sacramento and preliminary "One Voice" survey results, the federal stimulus package progress and the Stimulus Workshop held on March 16, 2009 in the COG Sequoia Room, the status of the guidelines and application for Proposition 84, the progress of the childcare issue, the passage of ABX3 20 (Bass) in the Assembly. Mr. Samuelian further discussed water issues, AB118, deadlines for stimulus funds for wastewater needs and drinking water cleanup, and deadlines for the economic development element of the Federal Stimulus Package.

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

VII. ELECTION OF CHAIR & VICE CHAIR

A motion was made by Mayor Lopez (Orange Cove) and seconded by Mayor Lander (Coalinga) to keep the current chair (Mayor Trinidad Rodriguez, Kerman) and vice chair (Mayor Dennis Lujan, Selma) for the next year. A vote was called for and the motion carried unanimously.

Fresno COG Sitting As the Abandoned Vehicle Abatement Authority

VIII. ABANDONED VEHICLE ABATEMENT

A. Adjustment to Hourly Terms for the County of Fresno [THOMPSON]

Clark Thompson (COG) reported that the Fresno County Abandoned Vehicle Abatement Program standard hourly terms are currently two hours for voluntary abatements and four hours for towed abatements. These standard terms reflect the approximate amount of time necessary to administer the two types of abatements. However, the reality for the unincorporated County program is that considerably more travel and, therefore, more travel time are required than for the city programs. While the County has two Community Service Officers dedicated to their AVA program, each CSO is responsible for a very extensive land area, far more than any city. It is therefore appropriate that the hourly terms for Fresno County's AVA Program be increased to three hours for voluntary abatements and five hours for towed abatements to reflect the additional time needed to administer the program. This matter has been reviewed by the AVA Working Group, which supports the proposed adjustment. This increase will contribute to the added viability of one of the County's already most viable programs and will further provide for the additional expenditure of AVA revenues. Staff and the Policy Advisory Committee recommend approval of the proposed adjustment to the County of Fresno's hourly terms.

A motion was made by Supervisor Case (Fresno County) and seconded by Mayor Dominguez (Huron) to approve the proposed adjustment to the County of Fresno's hourly terms. A vote was called for and the motion carried unanimously.

Fresno COG Sitting As the Council of Governments Policy Board

IX. OTHER BUSINESS

A. Items from Staff

Tony Boren, Executive Director, informed the Board that the application deadline for the solar energy efficiency opportunity financing for the Cities and County is April 6, 2009.

B. Items from Members

Mayor Fast (Reedley) presented a flyer in regards to Organ Donor Month and encouraged Board Members and Meeting Attendees to attend an assembly on Tuesday, March 24, 2009 at 7:00 p.m. at

the Reedley Community center where transplant recipients would speak regarding their experiences and educate the community on the importance of organ donation. Ms. Fast further encouraged the Board Members to introduce a proclamation within their own jurisdictions that encourages the public to check "YES!" for organ donation when applying for or renewing their driver's license.

Mayor Silva (Mendota) announced that Congressman Costa would be touring the Westside community with Dan Glazer, Mid Pacific Regional Director for the Bureau of Reclamation, to observe the impact caused by the water shutoff to farms and the drought. Mr. Silva also announced that a march titled "The 1,000-man March" is organized for water issues that will start in Mendota and go to the San Luis Reservoir beginning on April 14th, 2009.

Mayor Rodriguez (Kerman) reminded the Board Members that a meeting would be held regarding water issues at the Kerman Community Center on Tuesday, March 31, 2009. Mayor Rodriguez also reminded Board Members to make sure their Form 700 statements of economic interest are submitted to Fresno COG staff as soon as possible.

There being no further business, the meeting was adjourned at 8:11 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Tony Boren". The signature is written in a cursive, flowing style.

TONY BOREN, Executive Director
Council of Fresno County Governments

\smm

Attachment A
Observers and Non-Members
COG Board Meeting
March 26, 2009

Lloyd Carter, General Public
John Downs, FAX/Fresno COG
Dorris Forrest, Reverend
Lynn Gorman, County of Fresno
Bryan Jessup, Interfaith Alliance
Dennis Manning, FARRC / ATRA
Jeff Roberts, Granville Homes
Bruce Rudd, City of Fresno
Steve Samuelian, California Consulting
Marleny Senn, National Day of Prayer
Walter Shubin, Reverend
Jeffrey D. Webster, Fresno County Rural Transit Agency
Les Beshears, Fresno COG
Jennifer Dansby, Fresno COG
Marla Day, Fresno COG
Lauren Dawson, Fresno COG
Renee DeVere-Okie, Fresno COG
Brenda Lauchner, Fresno COG
Suzanne Martinez, Fresno COG
Todd Sobrado, Fresno COG
Barbara Steck, Fresno COG
Clark Thompson, Fresno COG

Implementing SB 375

What local governments need to know about climate change legislation



Local
Government
Commission

AB 32 and SB 375 create a framework to help California meet the challenges of climate change. Local governments play a crucial role in helping the state implement these new laws and helping to preserve the high quality of life that California residents value. These day-long workshops will cover:

- * How AB 32 and SB 375 relate to local governments
- * Strategies for local government compliance
- * Economic benefits
- * How to take advantage of the new CEQA rules and exemptions
- * Funding opportunities for planning and implementation
- * Model programs and best practices that result in the most greenhouse gas emission reductions for your money

Speakers will include top staff from Senator Steinberg's office, the Governor's Office of Planning and Research, and the California Air Resources Board. Regional and local experts will showcase some of the best and most innovative steps that local governments throughout the state are taking, providing specific examples as models for others to follow.

Online registration and more information about the workshops available soon:

www.lgc.org/events

WORKSHOP DATES

April 16 • Riverside
May 7 • Fresno
June 4 • San Diego
June 25 • Los Angeles
July 15 • Oakland
July 30 • Sacramento

*Hosted by the Local
Government Commission,
the Governor's Office of
Planning and Research and
Senator Darrell Steinberg*

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League of California Cities
Santa Barbara County
Air Pollution Control District





Legislation Summary April, 2009

Bill # Author	Topic	Dead/2 YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered	Page #
AB 118 Logue	California Global Warming Solutions Act of 2006.	1st Policy													1
AB 153 Ma	High-Speed Rail Authority.	1st Policy													1
AB 304 Price	Child Care and Development Services Act: alternative payment programs.	1st Desk													2
AB 315 De Leon	Child care and development services: alternative payment programs.	1st Desk													2
AB 414 Galgiani	Carl Moyer Memorial Air Quality Standards Attainment Program: heavy-duty fleet modernization projects.	1st Policy													2
AB 522 Blumenfeld	Transportation: bond funds.	1st Policy													3

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		
AB 558 Portantino	Land use planning: housing element; foster youth placement.		1st Policy												3	
AB 726 Nielsen	Transportation capital improvement projects.		1st Policy												4	
AB 733 Galgiani	High-Speed Rail Authority.		1st Policy												4	
AB 782 Jeffries	Regional transportation plans: sustainable communities strategies.		1st Desk												5	
AB 932 Torlakson	Child care and development services: facilities.		1st Desk												5	
AB 949 Logue	Transportation: State-Local Partnership Program.		1st Desk												5	
AB 1135 Skinner	Vehicles: registration renewal.		1st Desk												6	
AB 1187 Huffman	Safe, Clean, Reliable Drinking Water Supply Act of 2010.		1st Desk												6	
AB 1195 Brownley	Child care and development programs: advisory committee.		1st Desk												6	

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	
AB 1204 Huber	Environment: California Environmental Quality Act (CEQA): sustainable community strategy.	1st Desk												7	
AB 1375 Galgiani	High-speed rail.	1st Desk												8	
ACA 9 Huffman	Local government bonds: special taxes: voter approval.	1st Desk												8	
ACA 15 Arambula	Local government transportation projects: special taxes: voter approval.	1st Desk												9	
SB 12 Simitian	Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2009.	1st Policy												9	
SB 165 Lowenthal	Federal transportation funds.	1st Policy												10	
SB 205 Hancock	Traffic congestion: motor vehicle registration fees.	1st Policy												10	

Bill # Author	Topic	Dead/	1st	1st	1st	1st	1st	2nd	2nd	2nd	2nd	2nd	Cont./Conc.	Enrolled	Vetoed	Chaptered	Page #
		YR	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Policy	Floor					
SB 295 Dutton	California Global Warming Solutions Act of 2006.	1st Policy															11
SB 301 Florez	Water Supply Reliability and Ecosystem Recovery and Restoration Act of 2009.	1st Policy															11
SB 371 Cogdill	Safe, Clean, Reliable Drinking Water Supply Act of 2009.	1st Policy															12
SB 406 DeSaulnier	Land use: environmental quality.	1st Policy															12
SB 409 Ducheny	Department of Railroads.	1st Policy															13
SB 425 Simittian	Vehicle trip reduction.	1st Policy															13
SB 456 Wolk	Safe, Clean, Reliable Drinking Water Supply Act of 2010.	1st Policy															13
SB 560 Ashburn	Regional transportation plans: sustainable communities strategy.	1st Desk															14
SB 632 Lowenthal	Ports: congestion relief: air pollution mitigation.	1st Policy															15

Bill# Author	Topic	Dead/2 YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd/ Floor	Conf./Conc.	Enrolled	Vetoed	Chapered	Page #
<u>SB 716</u> Wolk	Local transportation funds.	1st Policy													15
<u>SB 735</u> Steinberg	Safe, Clean, and Reliable Drinking Water Supply Act of 2010.	1st Policy													15
<u>SCA 2</u> Wyland	Revised biennial session.	1st Policy													15
<u>SCA 3</u> Wyland	Transportation Investment Fund.	1st Policy													16
Total Position Forms: 35															



Legislation Summary April, 2009

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
AB 118 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.	02/26/2009-Referred to Com. on NAT. RES.		
AB 153 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	03/24/2009-From committee: Do pass, and re-refer to Com. on JUD. Re-referred. (Ayes 9. Noes 0.) (March 23). 04/14/09 9 a.m. - Room 4202 ASM JUDICIARY		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	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.			
<u>AB 304</u> Price	Child Care and Development Services Act: alternative payment programs. The Child Care and Development Services Act, administered by the State Department of Education, provides that children up to 13 years of age are eligible, with certain requirements, for child care and development services. The act requires the department to contract with local contracting agencies to provide for alternative payment programs and requires the reimbursement for alternative payment programs to include the cost of child care paid to child care providers, and past administrative and support services. The act further requires the audits for local contracting agencies for alternative payment programs to include specified factors, including a sampling of the evidence of specified fees. This bill would make technical, nonsubstantive changes to those provisions.	02/18/2009-From printer. May be heard in committee March 20.		
<u>AB 315</u> De Leon	Child care and development services: alternative payment programs. The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs, which offer a full range of services for children from infancy to 13 years of age who are eligible for services. The act authorizes funds appropriated for purposes of the act to be used for alternative payment programs to allow for maximum parental choice. This bill would make technical, nonsubstantive changes to those provisions.	02/19/2009-From printer. May be heard in committee March 21.		
<u>AB 414</u> Galgiani	Carl Moyer Memorial Air Quality Standards Attainment Program: heavy-duty fleet modernization projects. Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer program), which is administered by the State Air Resources Board, to provide grants to offset the incremental cost of eligible projects that reduce emissions of air pollutants from sources in the state. Under the Carl Moyer program, the state board is authorized to provide funding for, among other things, eligible heavy-duty	03/09/2009-Referred to Com. on TRANS.		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	fleet modernization projects, including a project that replaces an old engine or vehicle with a newer engine or vehicle certified to more stringent emissions standards than the engine or vehicle being replaced. The bill would require the state board to develop and implement a trade-down program that provides assistance to owners of high-use, newer model, heavy-duty fleet vehicles to convert those vehicles for lower use, commercial operations in a manner that reduces emissions of oxides of nitrogen and particulate matter. The bill would provide that the trade-down program would be eligible for funding under the Carl Moyer program as an eligible heavy-duty fleet modernization project if it meets a specified criterion.			
<u>AB 522</u> Blumenfeld	Transportation: bond funds. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury and requires the proceeds of bonds deposited in the fund to be used for specified mobility, safety, and air quality improvements. This bill would require the California Transportation Commission to ensure that bond funds previously committed to a project from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 remain available to the sponsoring agency of the project for another qualifying project, if funds from any federal economic recovery legislation enacted in 2009 are used to fund the project, as specified.	03/12/2009-Referred to Com. on TRANS. 04/13/09 1:30 p.m. - Room 4202 ASM TRANSPORTATION		
<u>AB 558</u> Portantino	Land use planning: housing element: foster youth placement. The Planning and Zoning Law requires a city or county general plan to include specified mandatory elements, including a housing element that identifies and analyzes existing and projected housing needs and includes a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. This bill would authorize a city, until January 1, 2016, to meet not more than 10% of its existing share of the regional housing need by adoption of a program that meets certain, listed requirements, including that the	03/12/2009-Referred to Coms. on L. GOV. and H. & C.D. 04/01/09 1:30 p.m. - Room 127 ASM LOCAL GOVERNMENT		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	program actively promote and assist in the placement of foster youth in existing family-based households, as specified, and be approved by the council of governments that assigns the city's share of regional housing needs or, in the county absence of a council, by the department. For the 2nd and any subsequent planning period after the specified program has been adopted, the department or the council of governments, as applicable, would be prohibited from approving the program for these purposes if the program was not responsible for meeting 2.5% or more of the city's share of the regional housing need for the previous planning period. The bill would require the department or the council of governments, as applicable, to limit program approvals to the first 5 programs per region that apply and qualify for approval. The bill would require each city that has adopted a program to submit to the department or the council of governments, as applicable, 2 progress reports per planning period, on dates established by the department or the council of governments. The bill would require the reports to include the number of foster youth placements with a duration of one year or more that occurred during the reporting period, as verified by the county's program that manages foster youth placements. This bill contains other existing laws.			
<u>AB 726</u> Nielsen	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 are eligible for these funds.	03/23/2009-Referred to Com. on TRANS.		
<u>AB 733</u> Galgiani	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, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in	03/23/2009-Referred to Com. on TRANS.		

Bill # Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	general obligation bonds for high-speed rail development and other related purposes. This bill would authorize the authority to consider, to the extent permitted by federal and state law, the creation of jobs in California when awarding major contracts or purchasing high-speed trains, as specified.			
<u>AB 782</u> Jeffries	Regional transportation plans: sustainable communities strategies. Existing law, the California Global Warming Solutions Act of 2006, requires the State Air Resources Board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels of 1990, to be achieved by 2020, as specified. This bill would provide that upon the state board's acceptance that the sustainable communities strategy or an alternative planning strategy, if implemented, will achieve the greenhouse gas emissions reduction targets established by the state board, that acceptance shall be final, and no person or entity may initiate or maintain any judicial proceeding to review the propriety of the state board's acceptance. This bill contains other related provisions and other existing laws.	02/27/2009-From printer. May be heard in committee March 29.		
<u>AB 932</u> Torlakson	Child care and development services: facilities. Existing law establishes the Child Care Facilities Revolving Fund in the State Treasury to provide funding for the renovation, repair, improvement, or purchase of child care facilities for lease to school districts and contracting agencies that provide child care and development services pursuant to the Child Care and Development Services Act. This bill would instead specify that the fund be used to make loans to eligible borrowers for the purchase, development, construction, expansion, renovation, repair, or improvement of licensed child care. The bill would authorize the Superintendent of Public Instruction to transfer federal funds appropriated for child care facilities into the fund. This bill contains other related provisions and other existing laws.	02/27/2009-From printer. May be heard in committee March 29.		
<u>AB 949</u> Logue	Transportation: State-Local Partnership Program. Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, provides for \$1 billion of bond proceeds for the State-Local Partnership Program to be allocated by the California Transportation Commission to	02/27/2009-From printer. May be heard in committee March 29.		

Bill # Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	eligible transportation projects nominated by transportation agencies, subject to appropriation by the Legislature of moneys from the State-Local Partnership Program Account. Existing law requires a dollar-for-dollar match of local funds for projects funded with these bond funds. Existing law defines eligible local matching funds for those purposes as any voter-approved local or regional tax or fee solely dedicated to transportation improvements and uniform developer fees. This bill would expand the definition of eligible local matching funds for purposes of these provisions to include developer fees, mineral or resource extraction fees or taxes, and local or regional fees or taxes solely dedicated to transportation improvements imposed within a county or any part thereof by voter approval or by the board of supervisors.			
<u>AB 1135</u> Skinner	Vehicles: registration renewal. Existing law requires an owner of a vehicle to submit an application for renewal of a vehicle registration to the Department of Motor Vehicles no later than midnight of the expiration date. This bill would require the owner of a vehicle, upon application for renewal of a vehicle registration, to report the current odometer reading of the vehicle. The bill would require that information, except for the name of the vehicle owner, to be public information.	03/02/2009-Read first time.		
<u>AB 1187</u> Huffman	Safe, Clean, Reliable Drinking Water Supply Act of 2010. Under existing law, various measures have been approved by the voters to provide funds for water protection, facilities, and programs. This bill would enact the Safe, Clean, Reliable Drinking Water Supply Act of 2010 which, if approved by the voters, would authorize, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds in the amount of \$10,035,000,000 pursuant to the State General Obligation Bond Law. This bill contains other existing laws.	03/02/2009-Read first time.		
<u>AB 1195</u> Brownley	Child care and development programs: advisory committee. The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs, which offer a full range of services	03/02/2009-Read first time.		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	for children from infancy to 13 years of age who are eligible for child care and developmental services. Existing law requires the Governor to appoint an advisory committee to assist the State Department of Education in developing a state plan for child development programs pursuant to that act. This bill would require the advisory committee to assist the department in the development of a plan to implement any new federal grant funds made available after March 1, 2009, for child care and development programs and early childhood education.			
<u>AB 1204</u> Huber	Environment: California Environmental Quality Act (CEQA): sustainable community strategy. The California Environmental Quality Act (CEQA) provides that a Residential or mixed-use residential project that is consistent with the use designation, density, building intensity, and applicable policies for the project area in a sustainable community strategy or an alternative planning strategy and that, if implemented, achieves the greenhouse gas emission reduction targets and incorporates the mitigation measures required by an applicable prior environmental document is exempt from the requirement to reference, describe, or discuss growth inducing impacts or project specific or cumulative impacts from vehicles trips generated by the project on global warming or the regional transportation network in any findings or other determination for an exemption, a negative declaration, a mitigated negative declaration, a sustainable communities environmental assessment, an environmental impact report, or addenda prepared or adopted pursuant to CEQA. This bill would delete the restriction of this exemption to residential or mixed-use residential projects. By requiring a lead agency to determine whether the above exemption applies to additional projects, the bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.	03/02/2009-Read first time.		

Bill # Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
<u>AB 1375</u> Galgiani	High-speed rail. Existing law, the California High-Speed Train Act, creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. This bill would revise and recast these provisions by repealing and reenacting the California High-Speed Train Act. The bill would continue the High-Speed Rail Authority in existence to make policy decisions relative to implementation of high-speed rail consistent with Proposition 1A. The bill would create the Department of High-Speed Trains within the Business, Transportation and Housing Agency, which would implement those policies. The bill would transfer certain of the existing powers and responsibilities of the authority to the department, and would specify additional powers and duties of the authority and department relative to implementation of the high-speed rail project, including the annual submission of a 6-year high-speed train capital improvement program and progress report to the Legislature. The director of the department would be appointed by the authority, who would serve at the pleasure of the authority, and the Governor would be authorized to appoint up to 10 executive employees of the department who would be exempt from civil service and serve at the pleasure of the director. The bill would provide for acquisition and disposition by the department of rights-of-way for the high-speed rail project. The bill would enact other related provisions.	03/02/2009-Read first time.		
<u>ACA 9</u> Huffman	Local government bonds: special taxes: voter approval. The California Constitution prohibits the ad valorem tax rate 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 for a rate imposed by a city, county, or city and county to service bonded indebtedness, incurred to fund specified public improvements, facilities, and housing, and related costs, that is approved by 55% of the voters of the city, county, or city and county, as applicable. This additional exception would apply only if the	02/10/2009-From printer. May be heard in committee March 9.		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	proposition approved by the voters results in bonded indebtedness that includes specified accountability requirements. This bill contains other related provisions and other existing laws. Local government transportation projects: special taxes: voter approval. The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would alternatively condition the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects upon the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.			
ACA 15 Arambula	Local government transportation projects: special taxes: voter approval. The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would alternatively condition the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects upon the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.	03/11/2009-From printer. May be heard in committee April 11.		
SB 12 Simitian	Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2009. Existing law requires various state agencies to administer programs relating to water supply, water quality, and flood management in the Sacramento-San Joaquin Delta. The Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 creates the Delta Protection Commission and requires the commission to prepare and adopt a comprehensive long-term resource management plan for specified lands within the Sacramento-San Joaquin Delta. This bill would enact the Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2009. The bill would establish the Delta Ecosystem and Water Council. The council would be required to prepare and adopt a plan referred to as the California Delta Ecosystem and Water Plan (plan) to advance the coequal goals of restoring the Delta ecosystem and creating a more reliable water supply in California. The council would be required to establish a goal for the adoption of the plan by December 1, 2010. If the plan is not completed by that date, the council would be required to	02/26/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on N.R. & W.		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	adopt an interim strategic plan. The plan would be required to include specified components, including species protection requirements, Delta water flow and water quality requirements, and information relating to land use in the Delta. This bill contains other related provisions and other existing laws.			
<u>SB 165</u> Lowenthal	Federal transportation funds. Existing law provides for apportionment of federal transportation funds to the state and provides for allocation of these funds to various purposes. This bill would make legislative findings and declarations relative to additional federal funds to be made available to the state pursuant to federal economic stimulus legislation. This bill contains other related provisions.	03/09/2009-To Com. on RLS.		
<u>SB 205</u> Hancock	Traffic congestion: motor vehicle registration fees. Existing law provides for the imposition by certain districts and local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles for specific limited purposes. The bill would authorize a countywide transportation planning agency, by a majority vote of the agency's board, to impose an annual fee of up to \$10 on motor vehicles registered within the county for programs and projects for certain purposes. The bill would require voter approval of the measure. The bill would require the department, if requested, to collect the additional fee and distribute the net revenues to the agency, after deduction of specified costs, and would limit the agency's administrative costs to not more than 5% of the distributed fees. The bill would require that the fees collected may only be used to pay for programs and projects bearing a relationship or benefit to the owners of motor vehicles paying the fee, and would require the agency's board to make a specified finding of fact in that regard. The bill would require the governing board of the countywide transportation planning agency to adopt a specified expenditure plan.	03/16/2009-Set for hearing March 31. 03/31/09 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORTATION AND HOUSING		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
<u>SB 295</u> Dutton	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 to evaluate the total potential costs and total potential economic and noneconomic benefits of the plan. 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, notwithstanding this provision or any other provision of law, would prohibit the state board or its staff from beginning to develop these regulations until June 1, 2009, and until the state board reevaluates the evaluation of costs discussed above. The bill would prohibit the state board from implementing those regulations until the unemployment rate in the state is below 5.8% for 3 consecutive months. The bill would also require the state board to evaluate, and make public, the costs of those regulations. This bill contains other related provisions.	03/24/2009-Set for hearing April 20. 04/20/09 1:30 p.m. - Room 112 SEN ENVIRONMENTAL QUALITY		
<u>SB 301</u> Florez	Water Supply Reliability and Ecosystem Recovery and Restoration Act of 2009. Under existing law, various measures have been approved by the voters to provide funds for water protection, facilities, and programs. This bill would enact the Water Supply Reliability and Ecosystem Recovery and Restoration Act of 2009, which, if approved by the voters, would authorize, for the purposes of financing specified water supply reliability and ecosystem recovery and restoration programs, the issuance of bonds in the amount of \$15,000,000,000 pursuant to the State General Obligation Bond Law. The bill would provide for submission of the bond act to the voters at the next statewide election. This bill contains other related provisions.	03/09/2009-To Coms. on N.R. & W. and EQ.		

Bill # Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
SB 371 Cogdill	Safe, Clean, Reliable Drinking Water Supply Act of 2009. Under existing law, various measures have been approved by the voters to provide funds for water protection, facilities, and programs. This bill would enact the Safe, Clean, Reliable Drinking Water Supply Act of 2009 which, if approved by the voters, would authorize, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds in the amount of \$9,980,000,000 pursuant to the State General Obligation Bond Law. The bill would provide for the submission of the bond act to the voters at the next statewide election. This bill contains other related provisions.	03/09/2009-To Coms. on N.R. & W. and EQ.		
SB 406 DeSaulnier	Land use: environmental quality. The Planning and Zoning Law establishes the Planning Advisory and Assistance Council in the Office of Planning and Research, and prescribes the membership and duties of the council. Existing law authorizes the Department of Motor Vehicles to collect a surcharge imposed on vehicle registration fees by ordinance or resolution of a local entity. This bill would change the designated membership, as specified, of the Planning Advisory and Assistance Council and would require that the council work with the Strategic Growth Council, as specified. The bill would also require the council to report to the Legislature on specified regional performance measures and on the manner in which state agencies are implementing the 5-year infrastructure plan. The bill would authorize a municipal planning organization or council of governments to adopt a resolution to impose a \$2 motor vehicle registration surcharge on vehicles registered in the entity's jurisdiction that would be collected by the Department of Motor Vehicles and, after deducting its administrative costs, would be transmitted to the entity imposing the surcharge. The bill would require that the surcharge revenue be expended to develop and implement a regional blueprint plan and would specify that 5% of the surcharge revenue be transmitted to the council for the performance of its functions. The bill would provide that the council is to perform specified new functions only when the council has received sufficient revenue from this source.	03/16/2009-Set for hearing April 15. 04/15/09 9:30 a.m. - Room 112 SEN LOCAL GOVERNMENT		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
<u>SB 409</u> Ducheny	Department of Railroads. Existing law creates the Department of Transportation in the Business, Transportation and Housing Agency, with various powers and duties relative to the intercity rail passenger program, among other transportation programs. Existing law creates the High-Speed Rail Authority, with various powers and duties relative to development and implementation of a high-speed passenger train system. Existing law creates the Public Utilities Commission, with various powers and duties relative to railroads, among other responsibilities. This bill would create the Department of Railroads in the Business, Transportation and Housing Agency, and create the positions of director and deputy director within the department, to be appointed by the Governor, as specified. The bill would transfer to the department responsibility for various state railroad programs currently administered by the above-referenced agencies. The bill would specify new duties of the department relative to an analysis of the state's freight rail transportation system. The bill would provide that the department shall be the only state agency eligible to apply for and receive grant and loan funds from the federal government for intercity rail, high-speed rail, or freight rail purposes.	03/25/2009-Set for hearing April 14. 04/14/09 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORTATION AND HOUSING		
<u>SB 425</u> Simitian	Vehicle trip reduction. Existing law creates the State Air Resources Board, with various powers and duties relative to reduction of air pollution. Existing law creates the Department of Transportation, with various powers and duties relative to transportation planning. This bill would require the State Air Resources Board, in coordination with the Department of Transportation, to develop a program for employers employing more than 100 individuals to reduce the number of single-occupant vehicle trips, as specified.	03/12/2009-To Coms. on T. & H. and EQ.		
<u>SB 456</u> Wolk	Safe, Clean, Reliable Drinking Water Supply Act of 2010. Under existing law, various measures have been approved by the voters to provide funds for water protection, facilities, and programs. This bill would enact the Safe, Clean, Reliable Drinking Water Supply Act of 2010 which, if approved by the voters, would authorize, for the purposes of financing specified water supply reliability and water source protection programs,	03/12/2009-To Coms. on N.R. & W. and EQ.		

Bill # Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	the issuance of bonds in the amount of \$9,805,000,000 pursuant to the State General Obligation Bond Law. This bill contains other related provisions.			
<u>SB 560</u> Ashburn	Regional transportation plans: sustainable communities strategy. Existing law requires certain transportation planning activities 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 requires metropolitan planning organizations to adopt a sustainable communities strategy as part of their regional transportation plan, which is to be designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. Existing law generally requires transportation planning and programming activities by the metropolitan planning organization to be consistent with the sustainable communities strategy, with certain exceptions. Existing law, to the extent the sustainable communities strategy is unable to achieve the greenhouse gas emissions reduction targets, requires the affected metropolitan planning organizations to prepare an alternative planning strategy showing how the targets may be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. This bill would provide that greenhouse gas emission credits for counties and cities that site and permit commercial wind, solar, and biomass projects may be used as credit in the formulation of the sustainable communities strategy or an alternative planning strategy. The bill would also provide that transportation trips outside of federal lands that are directly related to activities of a federal or state military installation shall not be included in the emissions inventory otherwise required to be considered to achieve any reductions in greenhouse gas emissions. This bill contains other related provisions and other existing laws.	03/12/2009-To Coms. on EQ. and T. & H.		

Bill# Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
SB 632 Lowenthal	Ports: congestion relief: air pollution mitigation. Existing law regulates the operation of ports and harbors. This bill would require the Ports of Long Beach, Los Angeles, and Oakland, beginning January 1, 2010, to assess their infrastructure and air quality improvement needs, including, but not limited to, projects that improve the efficiency of the movement of cargo while reducing pollution associated with the movement of that cargo, and the replacement of trucks, cargo handling equipment, locomotives, and ships that move that cargo. This bill contains other related provisions and other existing laws.	03/25/2009-Set for hearing March 31. 03/31/09 1:30 p.m. - John L. Burton Hearing Room (4203) SEN TRANSPORTATION AND HOUSING		
SB 716 Wolk	Local transportation funds. Existing law requires that 1/4% of the local sales and use tax be transferred to the local transportation fund of the county and be allocated, as directed by the transportation planning agency, for various transportation purposes. This bill would authorize a county, city, county transportation commission, or transit operator to file a claim for an allocation of funds for vanpool service operation expenditures and capital improvement expenditures, including for vanpool services for purposes of farmworker transportation to and from work.	03/19/2009-To Com. on T. & H.		
SB 735 Steinberg	Safe, Clean, and Reliable Drinking Water Supply Act of 2010. Under existing law, various measures have been approved by the voters to provide funds for water supply and protection facilities and programs. This bill would enact the Safe, Clean, and Reliable Drinking Water Supply Act of 2010, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$9,785,000,000 pursuant to the State General Obligation Bond Law to finance a water supply reliability and water source protection program. This bill contains other related provisions.	03/19/2009-To Coms. on N.R. & W. and EQ.		
SCA 2 Wyland	Revised biennial session. The California Constitution requires the Legislature to convene in regular biennial session at noon on the first Monday in December of each even-numbered year to consider legislation and the Budget Bill. This measure would require the Legislature to convene in regular biennial session, but would require, commencing on December 6, 2010, that the sessions held in	01/29/2009-To Coms. on RLS. and E., R. & C.A.		

Bill # Author	Topic - Summary	Status/Hearing	Fresno COG Position	Other Position
	odd-numbered years be budget sessions, and sessions held in even-numbered years be general sessions. The measure would require the Legislature in the budget session to adopt budget bills for each of the two subsequent fiscal years. The measure would prohibit the Legislature, during a budget session, from considering legislation other than the budget bills and related revenue bills, except bills addressing a declared state of emergency or urgency statutes. Urgency statutes would require a 3/4 vote of the membership in each house for passage during a budget session. This bill contains other related provisions and other existing laws.			
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 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.	01/29/2009-To Coms. on REV. & TAX,, E., R. & C.A. and APPR.		
Total Position Forms: 35				

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Representing the San Joaquin Valley
January, 2009**

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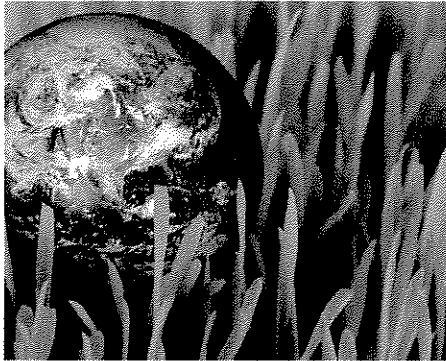
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AB 32 - Global Warming Solutions Act of 2006 and SB 375 – Greenhouse Gas Emissions Reductions

A briefing session for city staff and elected officials



California has become a leader in setting ambitious goals for addressing climate change and reducing greenhouse gas emissions. The passage of AB 32 and SB 375 have significant implications for local governments throughout California. Join us to find out:

How will AB 32 implementation impact cities?

What should your city be doing now to prepare for SB 375 implementation?

What are the next regulatory and legislative steps in the CARB Scoping Plan process?

What are the ties to State and Federal funding?

**Thursday May 14, 2009
10:00 a.m. – 12:00 p.m.**

**Modesto City Council Chambers
1010 10th Street
Modesto, Ca.**

Presenters

Bill Higgins, Legislative Representative for Housing and Land Use Issues
Kyra Ross, Legislative Representative for Environmental Quality Issues

**Questions or to RSVP, please contact Stephen Qualls squalls@cacities.org
(209)-614-0118**

There will be no charge but RSVP's must be received by May 7, 2009



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MEMORANDUM

DATE: April 9, 2009
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:

Project	Applicant	Federal Funds	Other/ Applicant Funds	Total Funds
MPO Highway Planning	State of California, DOT	\$40,788,933	\$5,284,638	\$46,073,571
Transit Planning and Research Program	State of California, DOT	\$16,572,401	\$2,147,132	\$18,719,533
State Planning and Research Program	State of California, DOT	\$6,059,625	\$1,514,906	\$7,574,531
Total		\$63,420,959	\$8,946,676	\$72,367,635

\md

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 # 05-2009-151*
Project Title: *Transit Planning and Research Program*
Applicant Agency: *State of California, Dept. of Transportation*
Contact Person: *C. Garth Hopkins*
Address: *P.O. Box 942874, MS 32*
Sacramento, CA 94274-0001
Phone: *916-654-6175*
Federal Catalog #: *20-205*
Status: *Continuation*
Area of Impact: *State of California*
Federal Funding Agency: *DOT, Federal Highway Administration, Region IX*

FUNDING:

\$40,788,933 Federal
\$0 Applicant
\$0 State
\$5,284,638 Local
\$0 Other
\$46,073,571 TOTAL

FY 2009/10 Federal Planning Funds; \$40,788,933 in FHWA PL Funds (Estimate)

PROJECT NOTIFICATION AND REVIEW REPORT

Regional Clearinghouse Number: *RCH # 05-2009-152*
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Federal Catalog #: *20-514*
Status: *Continuation*
Area of Impact: *State of California*
Federal Funding Agency: *DOT, Federal Highway Administration, Region IX*

FUNDING:

\$16,572,401 Federal
\$0 Applicant
\$0 State
\$2,147,132 Local
\$0 Other
\$18,719,533 TOTAL

FY 2009 49 U.S.C. Chapter 53, Section 5303 Metropolitan Planning Program - \$13,880,085;
FY 2009 49 U.S.C. Chapter 53 Section 5304 State Planning & Research Program - \$2,692,316

PROJECT NOTIFICATION AND REVIEW REPORT

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Phone: *916-654-6175*
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Status: *Continuation*
Area of Impact: *State of California*
Federal Funding Agency: *DOT, Federal Highway Administration, Region IX*

FUNDING:

\$6,059,625 Federal
\$0 Applicant
\$0 State
\$1,514,906 Local
\$0 Other
\$7,574,531 TOTAL

FY2009/10 FHWA State Planning and Research Studies, \$1,059,625 in Partnership Planning Grant Program, \$5,000,000 in CA Regional Blueprint Planning Program