

DRAFT

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

**Thursday, May 16, 2013
Summary Minutes**

Members Present:

Councilmember Desley Brooks, City of Oakland
Supervisor Dave Cortese, County of Santa Clara
Supervisor Scott Haggerty, County of Alameda, L&GO Vice Chair
Supervisor Mark Luce, County of Napa, ABAG President
Councilmember Julie Pierce, Chair, City of Clayton, ABAG Vice President
Mayor Bill Harrison, City of Fremont
Supervisor Linda Seifert, County of Solano
Mayor Harry Price, City of Fairfield

Staff Present:

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

- 1. INTRODUCTIONS:** L&GO Vice Chair Scott Haggerty called the meeting to order at 3:40 p.m.
- 2 MINUTES:** March 13, 2013, minutes were approved.
- 3. LEGISLATION PROPOSED IN 2013 STATE LEGISLATIVE SESSION—FOR CONSIDERATION**

The Committee recommended positions on the following 11 bills:

AB 188 (Ammiano) Property Taxation: Change in Ownership SUPPORT

This bill addresses one loophole in regards to change of ownership: where an entire property has changed ownership but would otherwise avoid reassessment because its ownership is divided among several partners. This bill would pick up private equity buyouts and circumstances with multiple partners.

AB 210 (Wieckowski) Transactions and Use Taxes: County of Alameda and County of Contra Costa SUPPORT

Extends the current authorization for Alameda County to adopt an ordinance imposing a transactions and use tax (TUT) for transportation programs and allows Contra Costa County to adopt a similar ordinance.

AB 431 (Mullins) Regional Transportation Plan: Sustainable Communities Strategy—Funding WATCH

This bill authorizes a transportation planning agency that is designed as a metropolitan planning organization to impose a transactions and use tax of no more than 0.5% in order to fund transportation, and affordable housing, as well as parks and open space in conformity with the region's sustainable communities strategy. The bill allows the proposed transactions and use tax to exceed the 2% combined county cap that is contained in existing law.

AB 523 (Ammiano) Department of Housing and Community

Development: Loans

WATCH

AB 523 allows HCD to reduce interest rates to zero on HCD loans for affordable rental housing projects, if the accruing interest prevents a project from using low-income housing tax credits.

AB 738 (Harkey) Public Entity Liability: Bicycles SUPPORT

This measure “would provide that a public entity or an employee of a public entity acting within his or her official capacity is not liable for an injury caused to a person riding a bicycle while traveling on a roadway, if the public entity has provided a bike lane on that roadway.” This bill would help cities and towns avoid costly litigation brought against them in certain cases where there may be zero liability on behalf of the city, whenever dangerous condition arguments are raised solely based on the installation of the bicycle lane on the public roadway.

AB 1051 (Bocanegra) Housing (Sustainable Communities for All) WATCH

This bill creates the Sustainable Communities for All Program (Program) to fund the equitable implementation of SB 375: a new program to expend cap and trade revenues to reduce state GHG emissions and create sustainable communities by funding environmentally sound affordable transit and housing choices that allow lower-income people to drive less and reduce household costs.

AB 1179 (Bocanegra) Regional Transportation Plan: Sustainable Communities Strategy—Schoolsites

OPPOSE

Requires that MPOs would have to consult with each local educational agency on how the SCS may impact school enrollments and capacities and the need for new school sites or expansion or modernization of existing school sites. There is agreement and support for schools being part of the process, but the method proposed would not be effective: other policy and collaboration needs to be developed.

AB 1229 (Atkins) Land Use: Zoning Regulations SUPPORT

Authorizes the legislative body of a city or county to establish, as a condition of development, inclusionary housing requirements, which may require the provision of residential units affordable to and occupied by lower-income, very low-income, or extremely low-income owners or tenants.

SB 731 (Steinberg) California Environmental Quality Act (CEQA) and Sustainable Communities Strategy WATCH

Makes incremental changes to CEQA: does authorize the appropriation of \$30 million in the annual state budget to the Strategic Growth Council for Sustainable Communities Strategy project grants: For example an incremental change is as follows: Would expand the exemption for a residential development project that is undertaken to implement a specific plan by providing that "new information" triggering an environmental review does not include "new information consisting solely of argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are caused by, physical impacts on the environment."

SB 299 (DeSaulnier) Firearms: Lost or Stolen—Reports SUPPORT (WITH TWO OPPOSED)

This bill requires that owners and possessors of firearms report the theft or loss of a firearm to local law enforcement agency within 48 hours of the time they knew or reasonably should have known that the firearm had been stolen or lost, as specified, and requires firearms dealers to post notice of this requirement within their licensed premises

In reviewing bills and recent amendments made to bills previously considered, the Committee recommended the following change:

SB 792 (DeSaulnier) Regional Entities: Bay Area

Changed position of watch to **Oppose Unless Amended**. Latest amendments on 5/14 do not address the concerns and problems with this bill.

The committee reviewed amendments to three other bills, but did not change positions taken in previous Committee meetings:

- AB 1002 (Bloom) Vehicles: Registration Fee—Sustainable Communities Strategy: **Still oppose** unless amended to add ABAG as recipient of funds generated
- SB 1 (Steinberg) Sustainable Communities Investment Authority: **Still Watch**
- SB 391 (DeSaulnier) California Homes and Jobs Act of 2013: **Still Support**

- 4. Adjourn:** The meeting adjourned at 5:00 p.m.
The next meeting will be held on **May 16, 2013**.