

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

**Thursday, May 19, 2005**

**Summary Minutes**

**Members Present:**

Councilmember Maria Alegria, City of Pinole  
Amiee Albertson, Office of the Mayor, City of San Francisco  
Mayor Irma Anderson, City of Richmond  
Councilmember Desley Brooks, City of Oakland  
Mayor Pro Tem Carole Dillon-Knutson City of Novato  
Supervisor Scott Haggerty, County of Alameda  
Supervisor Rose Jacobs Gibson, County of San Mateo, Chair  
Supervisor Barbara Kondylis, County of Solano  
Supervisor Pete McHugh, County of Santa Clara  
Councilmember Julia Miller, City of Sunnyvale  
Councilmember Gwen Regalia, City of Walnut Creek  
Mayor Shelia Young, City of San Leandro, Vice Chair

*Also Present:*

Patricia Jones – ABAG  
Kathleen Cha—ABAG

**1. Introductions:** Vice Chair Shelia Young opened the meeting at 3:40 p.m. with introductions and announcements; Chair Supervisor Rose Jacobs Gibson who had been delayed chaired the meeting from 4:15 until closure of meeting at 5 p.m.

**2. Minutes:** March 17, 2005, minutes were approved.

**3. Review of Bills Introduced in 2005 Legislative Session**

The Committee reviewed the following bills addressing housing, land use and planning, environment, and local government. They recommended the following positions, as noted, to the Executive Board

The Committee first reviewed the **Senate Housing and Transportation Legislation Package** proposed by the Legislative Committees and chairs:

**SB 44 General Plans: Air Quality Element Watch**

Issues that need to be resolved include a definition of “feasible implementation measures,” and clarification of costs and potential unintended consequences.

**SB 521 Local Planning: Transit Village Plans Watch**

Gives redevelopment agencies the ability to use tax-increment financing to facilitate transit oriented development around transit stations. Watch because questions on threshold increases in set asides and clarification needed on benefits.

**SB 575 Housing Development Projects Watch**

Revises the conditions upon which a disapproval or a conditional approval of the housing development project is based. Requires a city or county to have met or exceeded its regional housing need for lower and moderate income housing before the jurisdiction disapprove an affordable housing development *based on lack of need*.

**SB 832 CEQA Infill development** Support

Introduced by: Senators Perata, Lowenthal and Torlakson

Broadens the current CEQA infill exemption for sites in cities with a population greater than 200,000.

**Other Housing, Land Use, Finance and Environmentally-related Bills Considered:**

**AB 304 Building Standards Reconstruction/Seismic Retrofit of Soft Stories** Support

Replaces “reconstruction standards” with the words “seismic retrofit” for weak soft story multi-unit residential buildings and give local jurisdictions authorization to implement their own consistent retrofit standards for soft story buildings.

**AB 350 Jobs-Housing Opportunity Zones** Support

Work with staff and ASM Matthews to pass measure which has been introduced before.

**AB 549 Affordable Housing (Salinas)** Watch

Pilot program using an affordable housing requirement for jurisdictions to adopt an alternative production-based certification of its housing element needs clarification on standards and specific requirements.

**AB 712 Land Use Densities** Oppose

Modifies the circumstances that can trigger the requirement that a local government can make a housing density reduction finding. To restrictive on local jurisdictions and would limit a local government’s ability to make necessary adjustments if geological, environmental, seismic issues arise affecting density and viability, especially in parcels not identified in the housing element.

**AB 799 Local Vehicle License Fee (Leno)** Support

This Bill is being watched closely because the City/County of San Francisco’s proposal to impose an additional vehicle license fee for San Francisco after submitting this measure to San Francisco voters for 2/3 voter approval.

**AB 986 Transit Oriented Development (Torrico)** Watch

Possible two-year bill--Needs clarification about the funding, scope of using Mello-Roos funds, and designation of regional priority transit-oriented development zones. Follow-up with Joint Policy Committee is needed. Sponsored by the Bay Area Council

**AB 1020 Planning: Smart Growth Models (Hancock)** Watch

Premature until Caltrans who is doing research on the concept is finished; has become a Two-Year Bill.

**AB 1245 CALFED Bay-Delta Program (Wolk)** Support

Intent is to create an EWA Fund in statute to provide Bay Delta Authority a financial mechanism for funding,

**AB 1259 Property Tax Revenue Allocation (Daucher)** Oppose

Pro rata formula doesn’t work and ends up penalizing some agencies.

**AB 1590 Property Tax Revenue Allocations—Special Districts (Lieber)** Watch

Need clarification on impact and potential funding shortfall. Sponsor Santa Clara Valley Water District

**SB 553** Watch:

**Was Personal Income Taxes—Individual Homeownership Development Accounts (Dutton) And amended 5/16 to become “Individual Account/Personal Contributions”**

Now deals with Employer contributions to employee Homeownership account becoming tax deductible. Need to clarify what are the implications of amendment.

**SB 731 Transportation (Torlakson) Oppose:**

Oppose unless amended, because there is no need to require an appointee from Secretary of Business, Transportation, and Housing Agency, Secretary is already an ex-officio member.

**SB 820 Water (Kuehl) Watch**

Would add conservation to be part of the criteria for reasonableness of water use, method of water use, and method of diversion in statewide plans and resulting regional/local plans add water Comprehensive bill/ will have a hearing May 26, with a number of amendments expected.

**SB 832 CEQA—Infill Development (Perata/Torlakson/Lowenthal) Support**

SB 832 revises the CEQA infill exemption for projects on infill sites in larger cities by increasing the acreage and unit limits.

**SB 948 CEQA Environmental Impact Reports – Short Forms (Murray) Watch**

Need more clarification of requirements that would qualify the quick review process for residential infill development projects. ASM Hancock's office/CEQA Improvements Sub Group looking to combine recommendations for CEQA improvement in one bill which will affect this and other bills.

**SB 1024 Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 (Perata) Support**

This is a Public Works and Improvement Bond Measure that includes funding the Toll Bridge Seismic Retrofit Program and replacement of the San Francisco-Oakland Bay Bridge eastern span.

**No Position Taken/Needs Further Study before Consideration at Next L&GO meeting:**

|         |   |
|---------|---|
| AB 1367 | General Plans: Regional Housing Needs                     |
| AB 1383 | Amended to Electricity: Distributed Emerging Technologies |
| AB 1390 | Housing and Redevelopment Agencies                        |
| AB 1450 | Land Use—Density Bonus                                    |
| ACA 9   | Motor Vehicle Fuel Sales Tax Revenue                      |
| SB 223  | Infill Housing--Job-Center Housing Planning Program       |
| SB 427  | CEQA—Exemption—CALTRANS—Right of Ways (Hollingsworth)     |
| SB 435  | Housing Density Bonuses                                   |

During bill discussion it was noted that legislators are pursuing two strategies regarding all redevelopment bills: ASM Mullins, chair of the ASS Housing and Community Development Committee, has said that the Committee will hold bills expanding/changing redevelopment policies and look at them as a package and craft them into bigger /omnibus bill for more consistent policy. Senate Appropriations Committee has indicated they might do the same.

**Announcements in Open Agenda:**

- Announcement made regarding June 10<sup>th</sup> appeal hearing in Sacramento for reconsideration by Commission on State Mandates of funding RHNA. Letters are requested to reinstate state funding of RHNA process.
- Request was made for individuals/jurisdictions to write letters supporting Provision 5 in the Governor's May Revise Budget which provides 5 million for Regional Housing Blueprints.

**Adjourn:** The meeting adjourned at 5:00 p.m. **The next meeting is scheduled for July 21, 2005.**