

MEETING OF THE

LEGISLATIVE/COMMUNICATIONS AND MEMBERSHIP COMMITTEE

SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

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Human Development
Paula Lantz, Pomona

Energy & Environment
Cheryl Viegas-Walker, El Centro

Transportation
Keith Millhouse, Ventura County
Transportation Commission

Tuesday, February 19, 2013

8:30 a.m. -10:00 a.m.

SCAG Offices

818 West 7th Street, 12th Floor

Policy Committee Room B

Los Angeles, CA 90017

(213) 236-1800

Videoconference Available

San Bernardino SCAG Office

1170 W. 3rd Street, Suite 140

San Bernardino, CA 92418

Imperial County SCAG Office

1405 N. Imperial Avenue, Suite 1

El Centro, CA 92243

Teleconference Is Available

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Ruby Moreno at (213) 236-1840 or via email moreno@scag.ca.gov

Agendas & Minutes for the Legislative/ Communications and Membership Committee are also available at:

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*Amended to reflect revised Teleconference Location

Legislative/Communications and Membership Committee

February 2013

Larry McCallon, District 7

Judy Mitchell, District 40

Chair

Vice-Chair

Member

Barrows, Bruce

Becerra, Glen

Carroll, Stan

Clark, Margaret

Daigle, Leslie

Daniels, Gene

Finlay, Margaret

Martinez, Michele

Nelson, Shawn

O'Connor, Pam

Pettis, Greg

Viegas-Walker, Cheryl

Wapner, Alan

Representing

District 23

District 46

District 31

District 32

District 15

District 24

District 35

District 16

Orange County

District 41

District 2

District 1

SANBAG

Teleconference Locations

Hon. Margaret Finlay
2221 Rim Road
Duarte, CA 91008

Hon. Margaret Clark
Rosemead City Hall
8838 E. Valley Blvd.
Rosemead, CA 91770

Hon. Leslie Daigle
1111 Bayside Drive, Suite 222
Corona del Mar, CA 92625

Hon. Judy Mitchell
62 Hidden Valley Road
Rolling Hills Estates, CA 90274

Hon. Shawn Nelson
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

Hon. Alan Wapner
303 East B Street
Ontario, CA 91764.

LEGISLATIVE/COMMUNICATIONS & MEMBERSHIP COMMITTEE AGENDA FEBRUARY 19, 2013

The Legislative/Communications & Membership Committee may consider and act upon any of the items listed on the agenda regardless of whether they are listed as information or action items.

CALL TO ORDER & ROLL CALL

(Hon. Larry McCallon, Chair)

PUBLIC COMMENT PERIOD

Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Committee, must fill out and present a Public Comment Card to the Assistant prior to speaking. Comments will be limited to three (3) minutes, per speaker provided that the Chair has the discretion to reduce this time limit based upon the number of speakers. The Chair may limit the total time for all comments to twenty (20) minutes.

REVIEW AND PRIORITIZE AGENDA ITEMS

CHAIRMAN'S REPORT

- Report from Washington DC
- Update on Sacramento Legislative Reception

CONSENT CALENDAR

1. Minutes of January 15, 2013 Meeting **Attachment 1**

ACTION ITEMS

2. SCAG Sponsorships & Memberships: **Attachment 5**
- University of Southern California Sol Price School of Public Policy – Executive Education Program (\$10,000);
 - California Contract Cities Membership (\$3,000)
- (Darin Chidsey, Acting Director)*
3. SB 1 (Steinberg) – Sustainable Communities Investment Authority; SB 33 (Wolk) – Infrastructure Financing Districts; SUPPORT **Attachment 7**
- (Darin Chidsey, Acting Director)*

INFORMATION/DISCUSSION ITEMS

4. Video-Conferencing Requirements under the Brown Act **Attachment 11**
- (Sharon Neely, Chief Deputy Executive Director)*

LEGISLATIVE/COMMUNICATIONS & MEMBERSHIP COMMITTEE AGENDA FEBRUARY 19, 2013

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|---|-------------|----|
| 5. Proposition 39 Summary and Implementation
<i>(Darin Chidsey, Acting Director)</i> | Attachment | 13 |
| 6. Notice of Final Rulemaking for National Environmental Policy Act
(NEPA) Streamlining
<i>(Darin Chidsey, Acting Director)</i> | Attachment | 17 |
| 7. Federal and State Legislative Update
<i>(Sharon Neely, Chief Deputy Executive Director)</i> | Oral Update | |
| 8. Strategy, Policy & Public Affairs Update
<i>(Darin Chidsey, Acting Director)</i> | Oral Update | |
| 9. California Legislative Matrix
<i>(Darin Chidsey, Acting Director)</i> | Attachment | 19 |

FUTURE AGENDA ITEMS

Any Committee member or staff desiring to place items on a future agenda may make such a request.

ANNOUNCEMENTS

ADJOURNMENT

The next meeting of the Legislative/Communications & Membership Committee is scheduled for 8:30 a.m., Tuesday, March 19, 2013 at the SCAG Los Angeles office.

**LEGISLATIVE/COMMUNICATIONS & MEMBERSHIP COMMITTEE
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**January 15, 2013
Minutes**

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN AND/OR DISCUSSIONS BY THE LEGISLATIVE/COMMUNICATIONS & MEMBERSHIP COMMITTEE. AUDIO OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S DOWNTOWN LOS ANGELES OFFICE.

The Legislative/Communications & Membership Committee held its January 15, 2013 meeting at SCAG's downtown Los Angeles Office.

Members Present

Hon. Margaret Clark, District 32 (**Teleconference**)
Hon. Leslie Daigle, District 15 (**Teleconference**)
Hon. Gene Daniels, District 24
Hon. Margaret Finlay, District 35 (**Teleconference**)
Hon. Michele Martinez, District 16 (**Teleconference**)
Hon. Larry McCallon, District 7
Hon. Judy Mitchell, District 40 (**Teleconference**)
Hon. Shawn Nelson, District 4 (**Teleconference**)
Pam O'Connor, District 41
Hon. Greg Pettis, District 2
Hon. Cheryl Viegas-Walker, District 1 (**Videoconference**)
Hon. Alan Wapner, SANBAG (**Videoconference**)

CALL TO ORDER

The meeting was called to order by Councilmember Larry McCallon at 8:30 a.m. There was a quorum.

PUBLIC COMMENT PERIOD

There were no public comments.

CONSENT CALENDAR

1. Minutes of November 20, 2012 Meeting

A motion was made (Finlay) to approve the Consent Calendar. The motion was **SECONDED** (Nelson) and **APPROVED** by roll call vote.

ACTION ITEMS

2. SCAG Sponsorship

Darin Chidsey, Acting Director, presented three sponsorship items to the committee for its consideration: the Urban Land Institute Conference, the Long Beach Regional Economic Forum, and the Orange County 2013 Board of Directors Installation Event. At the request of

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Councilmember Viegas-Walker, the Committee agreed to vote on approval of the sponsorship items individually.

A motion was made (Pettis) to recommend approval of the Urban Land Institute Los Angeles Urban Marketplace Conference. Motion was SECONDED (Mitchell) and UNANIMOUSLY APPROVED by roll call vote.

A motion was made (Pettis) to recommend approval of the Long Beach Regional Economic Forum. Motion was SECONDED (Mitchell) and APPROVED by roll call vote (1 NO - Nelson).

A motion was made (Nelson) to deny the recommendation to approve the Orange County 2013 Board of Directors Installation Event. Motion was SECONDED (Viegas-Walker) and APPROVED by roll call vote (1 NO – Pettis, 1 Abstention – Daniels).

3. 2013 State and Federal Legislative Priorities

Darin Chidsey, Acting Director, informed the Committee of the Regional Council's approval of the majority of recommended 2013 State and Federal Legislative Priorities. At the request of the Executive Administrative Committee (EAC), staff was asked to prepare a report indicating SCAG's top priorities. Staff recommended that the LCMC consider Project Streamlining & Expediting, Financing Economic Development and Community Reinvestment, and Cap & Trade, as the agency's top legislative priorities for state legislation. The committee concurred with staff's recommendation and forwarded to the Regional Council for adoption. These priorities would serve as the key message points to deliver to state lawmakers and staff at the Legislative Reception in February. The committee queried staff about realignment, alternate sources of funding for affordable housing, and the Regional Housing Needs Assessment (RHNA), which were addressed by Ms. Neely who, additionally, ensured the LCMC that all priorities adopted by the RC will continue to be pursued by the agency and will be part of the on-going dialogue at the Legislative Reception and going forward throughout the legislative session.

4. Bills to Support

Darin Chidsey, Acting Director, reported to the Committee on AB 14 (Lowenthal) which would develop a state freight plan consistent with the requirements of MAP-21 (Moving Ahead for Progress in the 21st Century); AB 14 is consistent with the adopted priority supporting MAP-21 implementing legislation. Ms. Sharon Neely, Chief Deputy Executive Director, also noted that since the legislature never took a position on the state goods movement action plan, California has no official state position on the freight plan. Ms. Neely informed that the legislature would like to go on record and submit input to USDOT on the national primary network before the Congressional deadline of October 2013 in order for California to receive consideration for a maximum number of lane miles in the network.

A motion was made (Mitchell) to recommend approval of AB 14 (Lowenthal) in concept. Motion was SECONDED (Finlay) and APPROVED by roll call vote (1 Abstention – Daigle).

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Darin Chidsey briefed the Committee on SB 1, which provides for establishment of a successor Authority to redevelopment agencies which could use tax increment revenues to finance projects based around sustainable community planning strategies pursuant to an approved plan as specified in the bill. SB 1 is identical to SB 1156 by the same author that was supported by the LCMC and the Regional Council (RC) in 2012. It moved through the legislative process and was vetoed by the Governor, due to uncertainty and proximity of time from the dissolving of Redevelopment Agencies (RDA). There is hope that with the improvement of the budget this year, there is a better chance for the bill to move forward in this legislative session.

A motion was made (Finlay) to recommend approval of SB 1 (Steinberg). Motion was SECONDED (Pettis) and APPROVED by roll call vote (1 Abstention – Daigle, 1 NO - Nelson).

Lastly, Darin Chidsey, Acting Director, reported SB 33 to the committee, noting it is another re-introduction of a bill that moved in the legislature last year, and was also supported by the LCMC and the RC in 2012 (SB 214, Wolk). SB 33 would change the rules governing infrastructure financing districts (IFD) to allow greater flexibility for the legislative body of a city or a county to create IFDs, principally by lowering the required thresholds to create. The League of California Cities has worked with Senate on this bill and maintains a support position.

A motion was made (Pettis) to recommend approval of SB 33 (Wolk). Motion was SECONDED (Daniels) and APPROVED by roll call vote (1 Abstention – Daigle).

5. Voter Approved Thresholds for State and Local Revenue Measures and Consideration of “Life Cycle Costs” in Local Transportation Tax Measures

Sharon Neely, Chief Deputy Executive Director, explained that at the January 3 Regional Council meeting, a request was made to add language to the voter approval threshold item to include consideration of “life cycle costs” for local transportation tax measures, and to clarify that local cities and counties have the flexibility to provide financing for projects within their jurisdiction on a voluntary basis. Ms. Neely explained that staff concluded this measure will benefit the SCAG region for two reasons: 1) It provides cities with greater flexibility to finance projects within their jurisdictions, considering the loss of RDA; 2) SCAG’s partner agencies, the California Association of Councils of Governments (CALCOG), the League of California Cities (League) and the California State Association of Counties (CSAC) has maintained support for the lowering of voter approval thresholds for local tax measures.

A motion was made (Mitchell) to recommend returning back to the Regional Council at its February meeting for further discussion the item of voter approval thresholds and local revenues measures and consideration of “Life Cycle Costs” in local transportation tax measures. Motion was SECONDED (McCallon) and UNANIMOUSLY approved by roll call vote.

6. Federal and State Legislative Update

Sharon Neely, Chief Deputy Executive Director, summarized the legislative update memo which highlighted the Governor’s proposed budget and reducing transportation funding by \$2 billion. The Governor will submit a May revise budget by or before the May 15 deadline to clarify and revise proposed budgetary allocations and assumptions. The Governor’s budget also proposes to

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fund High Speed Rail (HSR) with Cap and Trade revenues as a fiscal backstop should other federal and state funding be insufficient. Ms. Neely also reminded the Committee to save the date for the Legislative Reception February 19th -21st

7. Strategy, Policy, and Public Affairs Update

Darin Chidsey, Acting Director, informed the members that following the January RC meeting, the Host Committee for the 2013 Regional Conference/General Assembly held its first meeting of the year. Councilmember Viegas-Walker, Chair of the Host Committee (HC), reported that the HC reviewed the draft program for the GA, discussed potential speakers, delegated responsibilities for each member of the committee and announced that its sponsorship goal is \$200,000. The HC will continue to meet every other week until the GA and is looking for additional members to assist its efforts. Mr. Chidsey thanked Councilmember Viegas-Walker and the HC for their efforts and commitment to the task ahead, and will continue to keep the LCMC apprised.

8. California Legislative Matrix

Darin Chidsey, Acting Director, directed the attention of the LCMC to the legislative matrix and informed how it has been shared with SCAG's partner agencies throughout Southern California and the state. Councilmember Mitchell suggested that staff to review AB 118 (Alejo) and the Carl Moyer AB 923 Program Fund, which would direct funds used primarily for zero emission and clean transportation. The South Coast Air Quality Management District (AQMD) is supportive of this legislation, and recommends SCAG should also take it into consideration.

FUTURE AGENDA ITEMS

None.

ANNOUNCEMENTS

None.

ADJOURNMENT

The next regular meeting of the Legislative/Communications & Membership Committee is scheduled for 8:30 am – 10:00 am, Tuesday, February 19, 2012 at the SCAG Los Angeles office.

Reviewed by:



Darin Chidsey
Acting Director, Strategy, Policy & Public Affairs

REPORT

DATE: February 19, 2013

TO: Legislative/Communications & Membership Committee (LCMC)

FROM: Darin Chidsey; Acting Director, Strategy, Policy & Public Affairs; (213) 236-1836;
chidsey@scag.ca.gov

SUBJECT: SCAG Sponsorships & Memberships

RECOMMENDED ACTION:

Approve.

EXECUTIVE SUMMARY:

Approve up to \$13,000 for: 1) University of Southern California Sol Price School of Public Policy – Executive Education Program (\$10,000) sponsorship; and: 2) California Contract Cities Association (\$3,000) membership.

STRATEGIC PLAN:

This item supports SCAG's Strategic Plan, Goal 1: Improve Regional Decision Making by Providing Leadership and Consensus Building on Key Plans and Policies; and Goal 2: Obtain Regional Transportation Infrastructure Funding and Promote Legislative Solutions for Regional Planning Priorities.

BACKGROUND:

Sponsorships

University of Southern California Sol Price School of Public Policy – Executive Education Program (\$10,000)

The Executive Education (EXED) Forum for Policy at the University of Southern California (USC) Sol Price School of Public Policy (Price) offers a broad base of specialized non-degree certificate programs for local and global leaders. The EXED Forum is a suite of programs targeting public sector and other senior, mid-level, and emerging leaders, and is designed to deepen their understanding of substantive policy issues, augment their ability to leverage and increase existing public sector capacity, and foster leadership – all with the purpose of improving public and nonprofit administration and solving public problems. The Forum achieves this by bringing together world-renowned faculty of USC Price, experienced practitioners and a dynamic curriculum to teach and reach across boundaries.

The EXED Forum offers two programs: 1) Local Leaders Program, and 2) Global Leaders Program. The Local Leaders Program is designed for local elected officials and offers a focused curriculum in ethics, governance, leadership and public policy to promote and enhance commitment to public value and to reach across sectors. The target audiences for this program are mayors, council members, and supervisors and special district board members. The Local Leaders Program is scheduled for spring, March 8th & 9th 2013 at the USC Davidson Conference Center.

REPORT

SCAG was a supporter of the USC Price EXED Forum in 2011-2012 and is listed on their website as a Strategic/Sponsoring Partner. Several SCAG cities participated in the inaugural session for Local Leaders on May 4 – 5, 2012, including past SCAG President Larry McCallon (City of Highland). SCAG staff is again recommending a sponsorship in the amount of \$10,000.

Memberships

California Contract Cities Association (\$3,000)

California Contract Cities Association (CCCA) is a network of member cities united for a common cause. The general purpose of CCCA is to serve as a rallying point for cities contracting for municipal services to insure constituents the best service at the minimum cost. Through municipal seminars, education, exchange of ideas and information, the association combines resources to influence policy decisions affecting member cities. The California Contract Cities Association's Associate Members Program fosters mutually beneficial public/private partnerships, and for many years, member cities have been using public/private partnerships to provide the essential public services that make cities even better for the benefit of their communities. The Associate Members Program formalizes these relationships and provides an open networking platform for businesses, non-profit organizations and member cities' local elected officials and city decision makers to collectively conquer the unique challenges facing contract cities.

SCAG staff is recommending a \$3,000 Bronze membership, which will provide SCAG with the following:

- An opportunity to attend monthly CCCA Board of Directors Meetings (meal cost included for one (1) company representative.);
- Link to SCAG website in Associate Members Directory on CCCA website;
- Associate Members Program participants special recognition during Annual Municipal Seminar. (AMS);
- Access to CCCA membership roster and conference registration lists;
- Acknowledgment in all educational seminar program guides; and
- One (1) complimentary full registration at the Annual Municipal Seminar.

FISCAL IMPACT:

Up to \$13,000 (these funds are included in the approved FY13 budget).

ATTACHMENT:

None.

REPORT

DATE: February 19, 2013

TO: Legislative/Communications and Membership Committee (LCMC)

FROM: Darin Chidsey, Acting Director, Strategy, Policy and Public Affairs (213)-236-1836,
chidsey@scag.ca.gov

SUBJECT: SB 1 (Steinberg) – Sustainable Communities Investment Authority; SB 33 (Wolk) – Infrastructure Financing Districts; SUPPORT

RECOMMENDED ACTION:

SB 1 and SB 33: Support

EXECUTIVE SUMMARY:

On January 3, 2013, the SCAG Regional Council adopted the agency's 2013 State & Federal Legislative Priorities and, on February 7, 2013, adopted the top State Legislative Priorities for the 2013-14 legislative session. The following bills have been introduced in the California State Senate that are consistent with SCAG's adopted top priority to support legislation that expand local financing, economic development, and community reinvestment, and that the Regional Council has supported in the prior legislative session. At its February 7, 2013 meeting, the Regional Council directed that the LCMC review these bills for further clarification. They discussed: clarify how tax increment funds or a transactions and use (sales) tax could be imposed under SB 1 provisions; whether the "Sustainable Communities Investment Authority" proposed to be established under provisions of the bill gives the Authority the power of eminent domain; and assurance that funds allocated to an entity created by the bill could not be taken away in the future by the state. Those clarifications have been addressed below. SCAG staff is recommending a support position of SB 1 and SB 33, as recommended previously by the LCMC to the Regional Council.

STRATEGIC PLAN:

This item supports SCAG's Strategic Plan, Goal 2: Obtain Regional Transportation Infrastructure Funding and Promote Legislative Solutions for Regional Planning Priorities; Objective b) Identify and support legislative initiatives.

BACKGROUND:

On January 3, 2013, the SCAG Regional Council adopted the agency's 2013 State & Federal Legislative Priorities, and again on February 7, 2013, adopted the top state legislative priorities for the 2013-14 legislative session. SCAG staff has identified the following bills that have been introduced in the California State Senate in the 2013-14 legislative session that the Regional Council has supported in the prior legislative session, and that are consistent with SCAG's top state legislative priorities. Pursuant to past actions of both the LCMC and the Regional Council, staff is recommending support of both of these bills:

SB 1 (Steinberg) – Sustainable Communities Investment Authority

Until 2011, the Community Redevelopment Law allowed local officials to set up redevelopment agencies (RDAs), prepare and adopt redevelopment plans, and finance redevelopment activities.

REPORT

Existing law, AB 26x1 (Blumenfield, 2012) dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies.

SB 1 provides a voluntary alternative to loss of RDA to cities and counties. SB 1 would authorize cities and/or counties representing a Sustainable Communities Investment Area (Area), as described, to form a Sustainable Communities Investment Authority (Authority) to carry out the Community Redevelopment Law. The bill would require the Authority to adopt a Sustainable Communities Investment Plan (Plan) for an Area, and would authorize the Authority to include in that Plan a provision for the receipt of tax increment funds provided that certain economic development and planning requirements are met. The bill would authorize the legislative body of a city or county forming an Authority to dedicate any portion of its net available revenue, as defined, to the Authority through its Plan. The bill also provides that a Plan for an Area will terminate forty (40) years from the date of the first issuance of bond indebtedness by the Authority.

This bill provides that an Authority that collects tax increment revenues must dedicate no less than 20% of the allocated tax increment for affordable housing purposes. The bill would authorize the Authority to implement a local transaction and use tax (sales tax).

SB 1 is identical to the bill introduced in the previous legislative session by Senate President Pro Tempore Steinberg (SB 1156), which the LCMC voted to support at its May 2012 meeting; it is fully consistent with the adopted 2013 legislative priority supporting financing, economic development and community reinvestment. The Regional Council voted to support SB 1156 bill at its June 2012 meeting. SB 1 is referred to the Senate Committee on Government and Finance and the Senate Transportation and Housing Committee; no hearing is set.

Regional Council Discussion

There were a number of clarifications sought by members of the Regional Council concerning provisions of this bill at its February meeting. These include a clarification of whether and how the Authority could impose the tax, as well as whether the Authority would enjoy the same eminent domain rights as RDAs and/or local government entities as needed to engage in redevelopment activities pursuant to an approved plan.

Chapter 2 of the bill proposes to add Health & Safety Section § 34191.20 et seq, establishing a “Sustainable Communities Investment Authority” (Authority). The Authority is deemed to be an “agency” within the same meaning of Health and Safety Code § 33033 which defined a redevelopment agency under the Community Redevelopment Law. The Authority would also have all the rights, responsibilities, and obligations of an agency for the purposes of that section, which is the same as applied to all former RDAs. Therefore, the intent of SB 1 is to provide the Authority with the same rights and powers that former redevelopment agencies had, including the power of eminent domain but use of funds would be for projects or purposes that are part of a Sustainable Communities Investment Area pursuant to a Sustainable Communities Investment Plan.

Further, Health & Safety Code§ 34191.20(g) added by the bill specifies that “A taxing agency participating in or approving the formation of a Sustainable Communities Investment Authority or appointing governing board members may authorize an allocation to the authority of all or part of the tax increment revenue that otherwise would be paid to that taxing agency.” Section 16 of Article XVI of the California Constitution defines taxing agencies as “any city, county, city and county, district, other public corporation.” Additionally, Health & Safety Code§ 34191.30(b) authorizes, though does not

require that “An authority may implement a local transactions and use tax under Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, except that the resolution authorizing the tax may designate the use of the proceeds of the tax.”

The bill grants the same eminent domain authority and ability to use tax increment funding as former RDAs, except that the funds must be used for specific purposes related to sustainable communities’ strategies and, additionally, the Authority may also implement a local transactions and use tax, though this is not required.

The Regional Council also requested clarification that legislation granting authority to local government to use tax increment or other financing mechanisms for local community reinvestment or development could be subject to future appropriation back to the state or other entities, and suggested that the legislation include a provision prohibiting any such future appropriation. Staff consulted with the Author as well as the Committee staff to confirm that SB 1 language prevents that revenues could not be usurped for other budget balancing purposes. It should be noted that while SB 1 does not allow for revenues to be taken by the state, future legislative acts which, if passed, would take precedence over SB 1 statute.

SB 33 (Wolk) – Infrastructure Financing Districts

Existing law authorizes cities and counties to create an infrastructure financing district (IFD), adopt an infrastructure financing plan, and issue bonds (upon voter approval), for which only the district is liable to finance specified public facilities. Existing law also authorizes IFDs to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing, plan and agreement of affected taxing entities.

SB 33 would revise and recast the provisions governing IFDs. The bill would eliminate the requirement of voter approval for creation of the district and for bond issuance, and would authorize the legislative body of a city or county to create the district. The bill would instead authorize a newly created public financing authority, consisting of five (5) members, three (3) of whom are members of the city council or board of supervisors that established the district, and two (2) of whom are members of the public, to adopt the infrastructure financing plan, subject to approval by the legislative body, and issue bonds by majority vote of the authority by resolution. The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. The bill would authorize a district to finance specified actions and projects, and prohibit the district from providing financial assistance to a vehicle dealer or big box retailer. The bill would also create a public accountability committee to review the actions of the public financing authority.

Current law requires that an infrastructure financing plan created by a legislative body include a date on which the district will cease to exist, which cannot be more than thirty (30) years from the date on which the ordinance forming the district is adopted. This bill instead would specify that the date on which the district would cease to exist would not be more than forty (40) years from the date on which the public financing authority adopted the resolution adopting the infrastructure financing plan.

SB 33 is virtually identical to the bill introduced in the previous legislative session by Senator Wolk (SB 214), which the LCMC voted to support at its April 2011 meeting. The Regional Council voted to support that bill at its May 2011 meeting. The bill is consistent with the adopted 2013 legislative priority supporting financing, economic development and community reinvestment. The League of California

REPORT

Cities has worked with Senator Wolk on this bill, and currently maintains a “support” position. SB 214 is referred to Senate Government and Finance Committee; no hearing is set.

RECOMMENDATION:

Staff recommends discussion of the above clarifications requested by the Regional Council. Further, staff recommends that the LCMC refer back to the Regional Council recommendation of a “Support” position on SB 1 and SB 33, consistent with its prior positions in the 2011-12 legislative session and with the adopted 2013 legislative priorities.

ATTACHMENT:

None.

REPORT

DATE: February 19, 2013

TO: Legislative/Communications & Membership Committee (LCMC)

FROM: Darin Chidsey; Acting Director, Strategy, Policy & Public Affairs; (213) 236-1836;
chidsey@scag.ca.gov

SUBJECT: Video-Conferencing Requirements under the Brown Act

RECOMMENDED ACTION:

Information Only; No Action Required.

EXECUTIVE SUMMARY:

At the January 3, 2013 meeting, the Regional Council voted to send the proposed video-conferencing pilot program to the Transportation Committee (TC) for discussion and recommendation as to whether to pursue a video-conferencing pilot program for regular meetings of the TC. At its meeting on February 7, 2013, the TC did not make a recommendation to the Regional Council to commence the video-conferencing pilot program because of logistical concerns associated with the roll call voting process required under the Brown Act for video-conferenced meetings. The TC took action to support a legislative proposal to update the Brown Act to better reflect modern technology so that roll call votes are not required for actions taken during video-conferenced meetings. Staff will monitor any forthcoming legislation seeking to amend the Brown Act consistent with this objective and will report to the committee the provisions thereof, with recommended action, as appropriate.

STRATEGIC PLAN:

This item supports SCAG's Strategic Plan, Goal 2: Obtain Regional Transportation infrastructure Funding and Promote Legislative Solutions for Regional Planning Priorities; Objective b) Identify and support legislative initiatives.

BACKGROUND:

At the January 3, 2013 Regional Council meeting, the Regional Council voted to send a proposed video-conferencing pilot program to the TC for discussion and recommendation as to whether to pursue a video-conferencing pilot program for regular meetings of the TC. The Regional Council requested that TC consider that a roll call would be required on all agenda items and whether that would be feasible given the length of the agendas.

SCAG has received requests to extend its video-conferencing capabilities to members and stakeholders wishing to participate in regular meetings of the Regional Council and Policy Committees at satellite locations. In response to these requests, staff recommended at its January 3, 2013 meeting that the Regional Council consider a pilot program to allow TC members to participate via video-conference in its regular meetings for a trial period while assessing the viability and logistics associated with the potential of furthering the program to additional meetings.

REPORT

The Ralph M. Brown Act, passed in 1953, was enacted in response to growing concerns amongst the voting public over informal or undisclosed meetings held by local elected officials. The Brown Act guaranteed the public's right to attend and participate in meetings of local legislative bodies.

Although current policy prohibits the use of video-conferencing for regular Regional Council and Policy Committee meetings (Article VI, Section 1.11 of the SCAG Regional Council Policy Manual), the Brown Act does allow the use of this technology while conducting public meetings, given certain requirements are met.

In order to satisfy the provisions of the Brown Act, the following protocols were recommended to the TC should the TC and Regional Council determine to move forward:

- Video-conferencing locations shall be limited to SCAG Regional Offices and satellite locations which shall be listed on the TC Agendas and Agendas shall be posted at each available site.
- SCAG will provide meeting materials at each video-conference location, including: public comment cards, sign-in sheets, Agendas and accompanying attachments.
- SCAG and/or sub-regional designees will be available at each site to coordinate and provide general meeting facilitation.
- The TC Chair (or Vice-Chair) will preside over the meeting from SCAG's main office in Los Angeles.
- The TC Chair (or Vice-Chair) will conduct a separate call for public comments from all participating at video-conference locations.
- A roll call vote shall be conducted for all agenda items requiring a vote.
- Teleconferencing will only be used as a contingency in the event of a video connection failure.

At its meeting on February 7, 2013, the TC did not make a recommendation to the Regional Council to commence the video-conferencing pilot program because of logistical concerns associated with the roll call voting process required under the Brown Act for video-conferenced meetings. The TC indicated that they support a legislative proposal to update the Brown Act to better reflect modern technology so that roll call votes are not required for actions taken during video-conferenced meetings. This action by TC is presented to LCMC for review and consideration. It should be noted that the League of California Cities is not sponsoring a bill on the Brown Act at this time.

FISCAL IMPACT:

None.

ATTACHMENT:

None.

REPORT

DATE: February 19, 2013

TO: Legislative/Communications and Membership Committee (LCMC) 

FROM: Darin Chidsey, Acting Director, Strategy, Policy and Public Affairs, (213)-236-1836, chidsey@scag.ca.gov

SUBJECT: Proposition 39 Summary and Implementation

RECOMMENDED ACTION:

Information Only; No Action Required.

EXECUTIVE SUMMARY:

The Hon. David Pollock, Moorpark, requested at the January 3, 2013, Energy and Environment Committee (EEC) meeting that a report on Proposition 39 provisions be presented to the EEC in February. At its February 7, 2013 meeting, the EEC requested that the matter be referred to the Legislative/Communications and Membership Committee (LCMC) for discussion and consideration of possible action to include working with author(s) of implementing legislation to include eligibility of public buildings/projects in addition to public school uses for Proposition 39 funds. Staff will continue to monitor implementing legislative bills recently introduced and stakeholder groups to gather consensus on full range of public funding and use from Proposition 39 funds.

STRATEGIC PLAN:

This item supports SCAG's Strategic Plan, Goal 2: Obtain Regional Transportation Infrastructure Funding and Promote Legislative Solutions for Regional Planning Priorities; Objective b) Identify and support legislative initiatives.

BACKGROUND:

In 2009, the California State Legislature approved a budget that included an option for how out-of-state companies calculated their tax bill. Companies could choose the "three-factor" method or the "single-sales factor" method. The single-sales factor uses in-state sales alone to determine a company's tax obligation. With the three-factor method, companies use a combination of sales, employees, and property to calculate their taxes. For out-of-state companies with no physical presence in the state, the three-factor method offers a large savings. Thus, out-of-state businesses overwhelmingly choose the three-factor method.

After several failed legislative bills to reverse the preferential tax treatment made available to out-of-state businesses, including Assembly Bill (AB) 1500 authored by Speaker Perez, Proposition 39, an Income Tax Increase for Multistate Businesses Initiative, qualified for the November ballot on June 20, 2012, with the principal backing of philanthropist, businessman, and co-chair of the Californians for Clean Energy and Jobs group, Tom Steyer, who purportedly spent almost \$30 million to qualify and pass the Proposition. The Initiative was passed by voters at the November 6, 2012 General Election by 61%-39% margin. Similar laws have been passed in New Jersey, Illinois, and Texas.

Provisions and Impacts

Proposition 39 requires out-of-state businesses to calculate their California income tax liability based on the percentage of their sales in California, thus repealing the prior law giving out-of-state businesses an option to choose the three-factor tax liability formula providing favorable tax treatment for businesses with property and payroll outside California. Proposition 39 dedicates \$550 million annually for five years from the initiative's anticipated increase in revenue in order to fund projects that "create energy efficiency and clean energy jobs" in California. Initially, this extra revenue will go to fund "green" energy projects.

The non-partisan Legislative Analyst's Office (LAO) and Director of Finance estimates that Proposition 39 will raise approximately \$1 billion in additional annual state revenues—growing over time—from eliminating the ability of out-of-state businesses to choose how their California taxable income is determined. This would result in some out-of-state businesses paying more state taxes. Of the revenue raised by this measure over the next five years, from 2013-14 thru 2017-18, approximately one-half of the estimated increased revenues, approximately \$500 million to \$550 million per year, would be dedicated to energy efficiency and alternative energy projects. Of the remaining revenues, a significant portion likely would be spent on public schools and community colleges, estimated to increase the minimum guarantee by at least \$200 million for the 2012–13 thru 2017–18 period and, in some years during this period, the minimum guarantee could be significantly higher.

Energy Efficiency/Alternative Energy Project Funding

Proposition 39 establishes a new state fund, the Clean Energy Job Creation Fund, to support projects intended to improve energy efficiency and expand the use of alternative energy. The measure states that the fund could be used to support:

1. Energy efficiency retrofits and alternative energy projects in public schools, colleges, universities, and other public facilities;
2. Financial and technical assistance for energy retrofits; and
3. Job training and workforce development programs related to energy efficiency and alternative energy.

The Proposition does not specifically designate an entity to select eligible projects. It directs that the Legislature will determine allocation of spending from the fund and is required to use the monies for cost-effective projects run by agencies with expertise in managing energy projects. The measure also specifies that all funded projects must be coordinated with the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC), and it creates a new nine-member oversight board to annually review and evaluate spending from the fund.

Implementation

Several legislative bills have been introduced to allocate portions of Proposition 39 revenues. They are:

- AB 39 (J. Perez) - directing how the monies from the Clean Energy Job Creation Fund would be allocated, including funding public school projects that conserve energy or utilize cleaner energy technologies, as well as setting forth criteria to be used to prioritize projects to be funded from moneys in the Job Creation fund. The bill is referred to the Assembly Committee on Natural Resources on 1/14/13; no hearing is set.
- SB 39 (DeLeon/Steinberg) – The Clean Energy Employment and Student Advancement Act of 2013 would require the Office of Public School Construction to establish a school district assistance

program to distribute grants, on a competitive basis, for energy efficiency upgrade projects at schools, giving preference to the most disadvantaged schools district grants for energy efficiency upgrade projects meeting specified criteria. The bill is referred to the Senate Education Committee and the Senate Energy, Utilities & Communications Committee on 01/10/13; no hearing is set.

- AB 114 (Salas) – Authorizes the Employment Development Department, using funds from the Clean Energy Job Creation Fund for job training and workforce development purposes, to administer grants, no-interest loans, or other financial assistance for allocation to existing workforce development programs for the purposes of creating green energy jobs in California. The bill would require the California Conservation Corps, certified community conservation corps, YouthBuild, and other existing workforce development programs to give higher priority to disadvantaged youth and veterans who reside in 99 an economically disadvantaged community or in a community with a higher unemployment rate than the statewide unemployment rate. The bill is not yet referred to committee.
- AB 29 (Williams) – This bill would state the intent of the Legislature to enact legislation that would use a portion of funds available in the Clean Energy Job Creation Fund to create three revolving loan funds for the University of California, the California State University, and the California Community Colleges for energy efficiency retrofit projects, clean energy installations, and other energy system improvements to reduce costs and achieve energy savings and environmental benefits. Currently an intent bill, AB 29 is not yet assigned to Committee.

These bills are being monitored by the League of California Cities and by SCAG. It is still early in the legislative process and there may be other legislative proposals forthcoming that will broaden the proposed use of Proposition 39 funds.

Proposed Use of Prop. 39 Funds in Governor’s Budget

The Governor released his proposed 2013-14 budget on January 10, 2013. As part of this budget, the Administration projects that Proposition 39 will increase state revenue by \$440 million in 2012-13 and \$900 million in 2013-14. The proposed budget includes all such revenue in the calculation of the Proposition 98 minimum guarantee to education. Proposition 98 funds K-12 education, the California Community Colleges (CCC), preschool, and various other state education programs; the proposed 2013-14 budget increases total Proposition 98 funding by \$2.7 billion—a 5% increase from the revised current-year level. By including all revenue raised by Proposition 39 in Proposition 98 calculations, the Governor’s budget has the effect of increasing the Proposition 98 minimum guarantee by \$426 million in 2012-13 and an additional \$94 million for a total increase of \$520 million in 2013-14. In addition, Proposition 39 requires that half of the new revenues fund energy efficiency programs through 2017-18, and the budget proposes to use that funding for projects at schools and community colleges.

Legislative Analyst Office Concerns

The non-partisan Legislative Analyst Office (LAO) has expressed concerns that the proposed use of funds under the Governor’s proposed budget which applies all revenue raised by Proposition 39—including the revenue required to be spent on energy-related projects—toward the Proposition 98 calculation. This is a departure from LAO’s view of how revenues are to be treated for the purposes of Proposition 98, and contrary to what the voters were told in the official voter guide as to how the revenues would be treated. LAO asserts that revenues are to be excluded from the Proposition 98 calculation if the Legislature cannot use them for general purposes—typically due to restrictions created by a voter-approved initiative or constitutional amendment. The voter guide reflected this longstanding interpretation by indicating that funds required to be used for energy-related projects would be excluded from the Proposition 98 calculation. LAO

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recommends the Legislature exclude from the Proposition 98 calculation all Proposition 39 revenues required to be used on energy-related projects. This would reduce the minimum guarantee by roughly \$260 million. It also recommends the Legislature count the \$450 million in allocations for energy efficiency projects as non-Proposition 98 expenditures (though the state still could choose to spend a portion on schools and community colleges).

Proposition 39 requires that the Clean Energy Job Creation Fund maximize energy and job benefits by, among other things, supporting energy efficiency retrofits and alternative energy projects in public schools, colleges, universities, *and other public facilities*. *Proposition 39 specifically states that projects must be selected based on the number of in-state jobs they would create and their energy benefits (emphasis added)*. By dedicating all the energy-related funding over the five-year period only to school and community colleges and excluding other eligible projects that potentially could achieve a greater level of benefits, the LAO opines that the Governor's proposal likely would not maximize state energy and job benefits, and that a more effective approach would be to first evaluate the relative energy savings and job benefits among all potential projects.

EEC Advisory Recommendation

SCAG staff presented an information report to the EEC at its February 7, 2013 meeting, at its request. Though it was an information report and the EEC could take no formal action on the item, several members of the Committee suggested that the LCMC may wish to consider whether SCAG should take a position to support amending into any bill that moves through the legislative process a provision that would specify that Proposition 39 funds allocated to energy efficiency retrofits and alternative energy projects would be available not only to school projects, but other public buildings and projects that achieve these purposes. EEC Chair and LCMC member Cheryl Viegas-Walker informed the EEC that this item would be brought to the LCMC for discussion and consideration.

ATTACHMENT:

None.

REPORT

DATE: February 19, 2013

TO: Legislative/Communications and Membership Committee (LCMC) 

FROM: Darin Chidsey, Acting Director, Strategy, Policy and Public Affairs, (213)-236-1836, chidsey@scag.ca.gov

SUBJECT: Notice of Final Rulemaking for National Environmental Policy Act (NEPA) Streamlining

RECOMMENDED ACTION:

Information Only; No Action Required.

EXECUTIVE SUMMARY:

On Thursday February 7, 2013, the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) published a final rule, Rule Identifier Number (RIN) 2132-AB03, containing important revisions to expedite the environmental review process that all proposed transit projects seeking federal funds must undergo as part of the National Environmental Policy Act (NEPA). Project streamlining was an important policy change in MAP-21, and this final rule, made after consideration of comments to the March 2012 Notice of Proposed Rulemaking (NPRM), offered by nationwide stakeholders throughout 2012, will streamline NEPA processes for transit projects by removing certain considerations that must be met for projects; adding ten (10) new categorical exclusions to the NEPA review process; removing the 'railway' limitation from the early acquisition of right-of-way categorical exclusion, consistent with MAP-21 provisions; expanding public involvement methods in the NEPA process to include electronic means, as specified; and other changes.

STRATEGIC PLAN:

This item supports SCAG's Strategic Plan, Goal 2: Obtain Regional Transportation Infrastructure Funding and Promote Legislative Solutions for Regional Planning Priorities; Objective b) Identify and support legislative initiatives.

BACKGROUND:

This final rule makes revisions to the procedures that govern how FTA and FHWA comply with NEPA requirements. Specifically, these revisions are aimed at streamlining the NEPA process for transit projects, in response to the August 31, 2011, Presidential Memorandum titled "Speeding Infrastructure Development through More Efficient and Effective Permitting and Environmental Review." The revisions also respond to Executive Order 13563's directive to periodically review existing regulations to determine if they can be made more effective and/or less burdensome.

The final rule establishes new Categorical Exclusions (CEs) which affect actions by FTA and FTA grant applicants, and are intended to improve the efficiency of the environmental review process by making available the least intensive form of review for those actions that typically do not have the potential for significant environmental effects, and, therefore, do not merit additional analysis and documentation associated with an environmental assessment or an environmental impact statement. CEs are generally actions which meet the applicable, regulatory definition and based on past experience with similar actions,

do not involve significant environmental impacts. The rule creates ten (10) new CEs to be located in a new section of the NEPA implementing regulations, at 23 CFR 771.118.

The rule also expands public involvement methods in the NEPA process to include electronic means, as specified. The rule adds language on early scoping into the regulations to include, among other provisions, deletion of a proposed requirement that FTA review the project scope prior to contract finalization for preparation of Environmental Analysis (EAs) and Environmental Impact Statements (EISs), as well as modifying the list of project types that normally result in the preparation of an EIS.

Additionally, with respect to early scoping work, Section 771.111 provides the “option of doing early scoping which can be used to link the metropolitan and statewide planning processes...with the environmental review process to provide a seamless transition from transportation planning to project-specific environmental evaluation. Early scoping provides a logical connection between planning-level corridor studies and environmental review required by NEPA to produce a proposed action to be studied during the NEPA process.” Steps for following the early scoping process are included in section 771.111(i)(2). This section says that applicants for capital assistance in the FTA program may participate in early scoping as long as enough project information is known so the public and other agencies can participate effectively. Early scoping constitutes initiation of NEPA scoping while local planning efforts to aid in establishing the purpose and need and in evaluating alternatives and impacts are underway. This early scoping work revision will serve to reduce the overall time period to complete the necessary environmental review under NEPA for FTA projects.

Since the close of the comment period for the NPRM, the Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law. FTA made one edit in particular with respect to MAP-21 by removing the “railroad” limitation from the early acquisition of right-of-way CE to maintain consistency with provisions of MAP-21. Previously, an FTA grant applicant was permitted to acquire only railroad right-of-way prior to the completion of the NEPA process, but with the statutory revision, FTA grant applicants are now permitted to acquire any right-of-way, at their own risk, prior to the completion of the NEPA process. Changes made by the final rule to the early acquisition provision in the regulation and to the CEs for early acquisition mirror the MAP-21 statutory language. Going forward FTA and FHWA will initiate further rulemaking to implement the various environmental provisions contained in MAP-21.

ATTACHMENT:

None.

SCAG California Legislative Matrix
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<p>FINANCE AB 3 Author Bocanegra Location Assembly Positions</p>	<p>Income Taxes: Credits: Film Bill Summary The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws, including a credit against those taxes attributable to the production of a qualified motion picture in California, or, where the qualified motion picture has relocated to California or is an independent film, as provided. This bill would state the intent of the Legislature to enact legislation to expand or continue the California Film and Television Tax Credit Program.</p>	<p>Recent Activity Introduced on 12/03/2012.</p>
<p>ENVIRONMENT AB 8 Author Perea Location Assembly: T, NR Positions</p>	<p>Alternative Fuel: Vehicle Technologies: Funding Program Bill Summary Provides the State Air Resources Board has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any person to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen fueling station. Requires the public disclosure of the number of vehicles sold or leased. Requires grants and loans for a sufficient hydrogen fueling network. Extends the Carl Moyer Program, and a vehicle registration charge to fund the Carl Moyer Program, to January 1, 2024.</p>	<p>Recent Activity Introduced on 12/03/2012. To Assembly Committees on Transportation and Natural Resources on 01/14/2013. In Transportation: Not heard on 02/04/2013.</p>
<p>ECONOMY AB 9 Author Holden Location Assembly: R Positions</p>	<p>State Government: Economic Development Bill Summary Existing law provides for the establishment of various job training and economic development programs, administered by the Employment Development Department and other state agencies. This bill would declare the intent of the Legislature to enact legislation that promotes job and business growth and encourages economic development.</p>	<p>Recent Activity Introduced on 12/03/2012. To Assembly Committee on Rules on 02/12/2013.</p>
<p>TRANSPORTATION AB 14 Author Lowenthal, B. Location Assembly: T Positions</p>	<p>State Freight Plan Bill Summary Requires the Business, Transportation and Housing Agency to prepare a state freight plan with specified elements to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. Requires the agency to establish a freight advisory committee.</p>	<p>Recent Activity Introduced on 12/03/2012. To Assembly Committee on Transportation on 01/14/2013.</p>
<p>GOVERNMENT AB 22 Author Blumenfield Location Assembly: LG Positions</p>	<p>Sidewalk: Repairs Bill Summary Prohibits a city, county, or city and county that has an ordinance in operation that requires it to repair or reconstruct streets, sidewalks, or driveways that have been damaged as a result of tree growth from repealing the ordinance without the concurrence of the local electorate by majority vote.</p>	<p>Recent Activity Introduced on 12/03/2012. To Assembly Committee on Local Government on 01/14/2013.</p>
<p>ECONOMY AB 28 Author Perez, V. Location Assembly: JEDE, LG Positions</p>	<p>Economic Development: Enterprise Zones Bill Summary Revises various definitions for purposes of the Enterprise Zone Act and modifies specified requirements for designating and administering enterprise zones, local agency military base recovery areas (LAMBRA) and geographically targeted economic development areas (G-TEDA), collectively. Imposes new requirements on the Department of Housing and Community Development with respect to the enterprise zone program and modifies department and Franchise Tax Board Reporting requirements.</p>	<p>Recent Activity Introduced on 12/03/2012. To Assembly Committees on Jobs, Economic Development & the Economy and Local Government on 01/14/2013.</p>

Assembly Committees: Jobs, Economic Development & The Economy (JEDE) | Natural Resources (NR) | Revenue & Taxation (R&T) | Transportation (T) | Water, Parks & Wildlife (WP&W)
Senate Committees: Education (Ed) | Elections & Constitutional Amendments (E&CA) | Energy, Utilities & Communications (EU&C) | Environmental Quality (EQ) | Governance & Finance (G&F)
Judiciary (J) | Natural Resources & Water (NR&W) | Rules (R) | Transportation & Housing (T&H)

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<p>FINANCE</p> <p>AB 32</p> <p>Author Perez, J.</p> <p>Location Assembly: R&T</p> <p>Positions</p>	<p>Community Development Investment Tax Credits</p> <p>Bill Summary</p> <p>Amends the Personal Income Tax Law and the Corporation Tax Law that provides a credit for a qualified investment made into a community development financial institution. Increases the limitation on the aggregate amount of qualified investments from \$10,000,000 per year to \$20,000,000 per year.</p>	<p>Recent Activity</p> <p>Introduced on 12/03/2012. To Assembly Committee on Revenue & Taxation on 01/14/2013.</p>
<p>ENVIRONMENT</p> <p>AB 37</p> <p>Author Perea</p> <p>Location Assembly: NR</p> <p>Positions</p>	<p>Environmental Quality Act: Record of Proceedings</p> <p>Bill Summary</p> <p>Requires the lead agency, at the request of a project applicant, to, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIR's, or other environmental documents for specified projects.</p>	<p>Recent Activity</p> <p>Introduced on 12/03/2012. To Assembly Committee on Natural Resources on 01/14/2013.</p>
<p>GOVERNMENT</p> <p>AB 39</p> <p>Author Skinner</p> <p>Location Assembly: NR</p> <p>Positions</p>	<p>Proposition 39: Implementation</p> <p>Bill Summary</p> <p>Requires the State Energy Resources Conservation and Development Commission to administer grants, no-interest loans, or other financial assistance to an eligible institution, defined as a public school, for the purpose of projects that create jobs by reducing energy demand and consumption at eligible institutions. Requires the computation and record of energy saved. Sets forth the project prioritization requirements for projects funded by the Jobs Creation Fund.</p>	<p>Recent Activity</p> <p>Introduced on 12/03/2012. To Assembly Committee on Natural Resources on 01/14/2013.</p>
<p>ECONOMY</p> <p>AB 53</p> <p>Author Perez, J.</p> <p>Location Assembly: JEDE</p> <p>Positions</p>	<p>Biennial California Economic Development Strategic Plan</p> <p>Bill Summary</p> <p>The Governor's Office of Business and Economic Development serves as the Governor's lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. The office, among others, makes recommendations to the Governor and the Legislature regarding policies, programs, and actions to advance statewide economic goals. This bill would require the office to lead the preparation of a biennial California Economic Development Strategic Plan.</p>	<p>Recent Activity</p> <p>Introduced on 01/07/2013. To Assembly Committee on Jobs, Economic Development & The Economy on 01/18/2013.</p>
<p>TRANSPORTATION</p> <p>AB 62</p> <p>Author Hueso</p> <p>Location Assembly: T</p> <p>Positions</p>	<p>State Highway Route 86: Relinquishment</p> <p>Bill Summary</p> <p>Authorizes the State Transportation Commission to relinquish to the Cities of Brawley, El Centro, and Imperial and the County of Imperial specified portions of State Highway Route 86 under certain conditions. This bill would also redesignate a specified portion of State Highway Route 86 as a part of State Highway Route 78 following relinquishment. This bill would also state the intent of the Legislature that State Highway Route 86 should remain as a future state highway along a new, specified route.</p>	<p>Recent Activity</p> <p>Introduced on 01/07/2013. To Assembly Committee on Transportation on 01/18/2013.</p>
<p>ENVIRONMENT</p> <p>AB 71</p> <p>Author Perez, V.</p> <p>Location Assembly: WP&W</p> <p>Positions</p>	<p>Salton Sea Restoration</p> <p>Bill Summary</p> <p>Requires the Secretary of the Natural Resources Agency to lead Salton Sea restoration efforts. Requires the secretary to form a technical advisory group to provide guidance about evaluating, developing, or proposing future restoration or economic development activities. Requires the secretary to seek input from the Salton Sea Authority with regard to specified components of the restoration of the Salton Sea.</p>	<p>Recent Activity</p> <p>Introduced on 01/10/2013. To Assembly Committee on Water, Parks & Wildlife on 01/24/2013.</p>

SCAG California Legislative Matrix

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GOVERNMENT

Proposition 39: Implementation

AB 114

Bill Summary

Recent Activity

Author Salas
Party D
Location Assembly
Positions League: Watch

Requires the Employment Development Department, using funds made available from the Clean Energy Job Creation Fund, to administer grants, no-interest loans, or other financial assistance for allocation to existing workforce development programs for the purposes of creating green energy jobs. Requires programs to give higher priority to disadvantaged youth and veterans who reside in an economically disadvantaged community or in a community with a high unemployment rate.

Introduced on 01/14/2013.

ENVIRONMENT

Environment: Salton Sea: Dust Mitigation

AB 147

Bill Summary

Recent Activity

Author Perez, V. M.
Party D
Location Assembly: WPW, NR
Positions

Requires the Secretary of the Natural Resources Agency to develop a strategic plan, containing specified elements, to guide the implementation of a project to monitor and mitigate dust pollution created at the Salton Sea as a result of the implementation of the Quantification Settlement Agreement.

Introduced on 01/18/2013. To Assembly Committees on Water, Parks & Wildlife and Natural Resources on 01/31/2013.

ENVIRONMENT

Renewable Energy: Salton Sea

AB 148

Bill Summary

Recent Activity

Author Perez, V.M.
Party D
Location Assembly
Positions

Requires the Natural Resources Agency to establish a Salton Sea Renewable Energy and Biofuel Research and Development Program in the Salton Sea basin to meet high-priority economic and environmental goals by providing grants to facilitate research and the commercial development of renewable energy and biofuel resources.

Introduced on 01/18/2013.

ENVIRONMENT

Global Warming Solutions act of 2006: Offsets

AB 153

Bill Summary

Recent Activity

Author Bonilla
Party D
Location Assembly: NR
Positions

Amends the Global Warming Solutions Act of 2006. Requires the State Air Resources Board to adopt a specified process for the review and consideration of new offset protocols and, commencing in 2014 and continuing thereafter, use that process to review and consider new offset protocols.

Introduced on 01/18/2013. To Assembly Committee on Natural Resources on 01/31/2013.

GOVERNMENT

Open and Public Meetings: Televised Meetings

AB 185

Bill Summary

Recent Activity

Author Hernandez, R.
Party D
Location Assembly: LG
Positions

Provides that an audio or video recording of an open and public meeting made at the direction of a local agency may be erased or destroyed 2 years after the recording. Requires a local agency that collects a franchise fee from the holder of a state franchise that provides PEG channels to televise open and public meetings of its legislative body and any of its advisory committees, if financially feasible, and to only use the franchise fees for that purpose.

Introduced on 01/28/2013. To Assembly Committee on Local Government on 02/07/2013.

TRANSPORTATION

Counties: Construction Projects: Design-Build

AB 195

Bill Summary

Recent Activity

Author Hall
Party D
Location Assembly: LG
Positions

Extends provisions of existing law that authorizes counties to use alternative procedures, known as design-build, for bidding on specified types of construction projects in the county in excess of a specified amount, in accordance with specified procedures, and provides that the procedures include a requirement for contracts awarded after a certain date that a county board of supervisors pay a fee into the State Public Works Enforcement Fund.

Introduced on 01/28/2013. To Assembly Committee on Local Government on 02/07/2013.

SCAG California Legislative Matrix

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FINANCE AB 229 Author Perez, J. Location Assembly Positions	Party D	Infrastructure and Revitalization Financing Districts Bill Summary Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases.	Recent Activity Introduced on 02/04/2013.
FINANCE AB 243 Author Dickinson Location Assembly Positions	Party D	Local Government: Infrastructure Financing Districts Bill Summary Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases if special conditions are met. Authorizes a district to fund various projects, including watershed land used for the collection and treatment of water for urban uses, flood management, open space, habitat restoration and development purposes.	Recent Activity Introduced on 02/06/2013.
TRANSPORTATION AB 266 Author Blumenfield Location Assembly Positions	Party D	Vehicles: High-Occupancy Vehicle Lanes Bill Summary Extends the operation of existing law that authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles, which lanes may also be used by certain low-emission or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane.	Recent Activity Introduced on 02/07/2013.
GOVERNMENT SB 1 Author Steinberg Location Senate: G&F, T&H Positions	Party D	Sustainable Communities Investment Authority Bill Summary Authorizes certain public entities of a Sustainable Communities Investment Area to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law. Provides for tax increment funding receipt under certain economic development and planning criteria. Establishes prequalification requirements for receipt of funding. Requires monitoring and enforcement of prevailing wage requirements within the area.	Recent Activity Introduced on 12/03/2012. To Senate Committees on Governance & Finance and Transportation & Housing on 01/10/2013.
ENVIRONMENT SB 11 Author Pavley Location Senate: T&H, EQ Positions	Party D	Alternative Fuel: Vehicle Technologies: Funding Program Bill Summary Provides the State Air Resources Board has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any person to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen fueling station. Requires the public disclosure of the number of vehicles sold or leased. Requires grants and loans for a sufficient hydrogen fueling network. Extends the Carl Moyer Program, and a vehicle registration charge to fund the Carl Moyer Program, to January 1, 2024.	Recent Activity Introduced on 12/03/2012. To Senate Committees on Transportation & Housing and Environmental Quality on 01/10/2013.
GOVERNMENT SB 33 Author Wolk Location Senate: G&F Positions	Party D	Infrastructure Financing Districts: Voter Approval Bill Summary Revises provisions governing infrastructure financing districts. Eliminates the requirement of voter approval for creation of the district and for bond issuance, and authorizes the legislative body to create the district subject to specified procedures. Authorizes the creation of such district subject to specified procedures. Authorizes a district to finance specified actions and project. Prohibits the district from providing financial assistance to a vehicle dealer or big box retailer.	Recent Activity Introduced on 12/03/2012. To Senate Committee on Governance & Finance on 01/10/2013.

SCAG California Legislative Matrix

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<p>FINANCE</p> <p>SB 36</p> <p>Author Rubio</p> <p>Location Senate: R</p> <p>Positions</p>	<p>Safe, Clean, and Reliable Drinking Water Supply Act</p> <p>Bill Summary</p> <p>Declares the intent of the Legislature to amend the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 for the purpose of reducing the amount of the bond.</p>	<p>Recent Activity</p> <p>Introduced on 12/04/2012. To Senate Committee on Rules on 01/10/2013.</p>
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<p>GOVERNMENT</p> <p>SB 39</p> <p>Author De León</p> <p>Location Senate: Ed, EU&C</p> <p>Positions League: Watch</p>	<p>Energy: School Facilities: Energy Efficiency Projects</p> <p>Bill Summary</p> <p>This bill would enact the Clean Energy Employment and Student Advancement Act of 2013 and would require the Office of Public School Construction to establish a school district assistance program to distribute grants, on a competitive basis, for energy efficiency upgrade projects pursuant to the California Clean Energy Jobs Act. The bill would require the office, upon the approval of the State Allocation Board, to award a school district grants for energy efficiency upgrade projects meeting specified criteria. The bill would require the office to give priority applications meeting specified criteria. This bill would state the intent of the Legislature to appropriate moneys to the Office of Public School Construction from the fund for the purposes of awarding energy efficiency grants to the most disadvantaged schools in need of modernization for the purposes of energy efficiency upgrades.</p>	<p>Recent Activity</p> <p>Introduced on 12/05/2012. To Senate Committees on Education and Energy, Utilities & Communications.</p>
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<p>FINANCE</p> <p>SB 40</p> <p>Author Pavley</p> <p>Location Senate: R, NR&W</p> <p>Positions</p>	<p>Safe, Clean, and Reliable Drinking Water Supply Act</p> <p>Bill Summary</p> <p>Changes the name of the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 to the Safe, Clean, and Reliable Drinking Water Supply Act of 2014. Declares the intent of the Legislature to amend the act for the purpose of reducing and potentially refocusing the bond.</p>	<p>Recent Activity</p> <p>Introduced on 12/10/2012. To Senate Committee on Rules on 01/10/2013. Amended by author, read second time, re-referred to Rules on 01/17/2013. Re-referred to Senate Committees on Natural Resources & Water and Rules on 01/31/3013.</p>
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<p>TRANSPORTATION</p> <p>SB 110</p> <p>Author Steinberg</p> <p>Location Senate</p> <p>Positions</p>	<p>California Transportation Commission: Guidelines</p> <p>Bill Summary</p> <p>Establishes specified procedures that the Transportation Commission would be required to utilize when it adopts guidelines relative to its programming and allocation policies. Exempts the adoption of those guidelines from the requirements of the Administrative Procedure Act.</p>	<p>Recent Activity</p> <p>Introduced on 01/14/2013. To Senate Transportation and Housing Committee (T&H).</p>
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<p>ENVIRONMENT</p> <p>SB 123</p> <p>Author Corbett</p> <p>Location Senate: J</p> <p>Positions</p>	<p>Environmental and Land-Use Court</p> <p>Bill Summary</p> <p>Requires a presiding judge of each superior court to establish an environmental and land-use division within the court to process civil proceedings brought pursuant to the California Environmental Quality Act or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality.</p>	<p>Recent Activity</p> <p>Introduced on 01/18/2013. To Senate Committee on Judiciary on 01/31/2013.</p>
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<p>ECONOMY SB 133 Author DeSaulnier Location Senate: T&H Positions</p>	<p>Enterprise Zones: Applications Bill Summary Provides that, for any application for an enterprise zone designation submitted on or after January 1, 2014, if any portion of the proposed zone is within, or was previously within, the boundaries of a previously designated zone, of if any portions of the proposed zone are within, or previously were within, the boundaries of 2 or more previously designated enterprise zones, the bill prohibits the proposed enterprise zone from exceeding a specified aggregate size.</p>	<p>Recent Activity Introduced on 01/28/2013. To Senate Committee on Transportation & Housing on 02/07/2013.</p>
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<p>TRANSPORTATION SB 142 Author DeSaulnier Location Senate: G&F Positions</p>	<p>Public Transit Bill Summary Repeals existing law that provides for creation of one or more special benefit districts within a transit or rapid transit district relative to the issuance of bonds to be repaid through special assessments levied on property within the special benefit district.</p>	<p>Recent Activity Introduced on 01/30/2013. To Senate Committee on Governance & Finance on 02/07/2013.</p>
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<p>ENVIRONMENT SB 167 Author Gaines Location Senate Positions</p>	<p>California Environmental Quality Act Bill Summary Makes technical, nonsubstantive changes to provisions of the California Environmental Quality Act that requires a lead agency to prepare an environmental impact report on a project that it proposes to carry out that may have a significant effect on the environment.</p>	<p>Recent Activity Introduced on 02/04/2013.</p>
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<p>TRANSPORTATION SB 203 Author Pavley Location Senate Positions</p>	<p>Local Transportation Funds: Ventura County Bill Summary Relates to existing law requiring the expenditure of local transportation funds by specified local governments to be apportioned to urbanized areas of those counties for allocation for public transit purposes and not for street and road purposes. Existing law exempts Ventura County from these provisions and instead authorized the Ventura County Transportation Commission to submit, by December 31, 2011, a report to the Legislature analyzing options for organizing public mass transportation services in the county and for expenditure of revenues in the local transportation fund, along with a recommended legislative proposal. Under existing law, if a legislative proposal was not enacted by the end of the 2011-12 Regular Session of the Legislature, local transportation funds in Ventura County would be required to be available solely for transit purposes beginning July 1, 2014. Repeals the provisions specifically relating to Ventura County and the expenditure of local transportation funds there.</p>	<p>Recent Activity Introduced on 02/07/2013.</p>
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<p>FINANCE SCA 4 Author Liu Location Senate Positions</p>	<p>Local Government Transportation Project: Voter Approval Bill Summary Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition.</p>	<p>Recent Activity Introduced on 12/03/2012.</p>
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<p>FINANCE SCA 6 Author DeSaulnier Location Senate: E&CA Positions</p>	<p>Initiative Measures: Funding Source Bill Summary Party D Proposes an amendment to the Constitution to prohibit an initiative measure that would result in a net increase in state or local government costs, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.</p>	<p>Recent Activity Introduced on 12/03/2012. To Senate Committee on Elections & Constitutional Amendments on 02/07/2013.</p>
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<p>FINANCE SCA 8 Author Corbett Location Senate Positions</p>	<p>Transportation Projects: Special Taxes: Voter Approval Bill Summary Party D Provides that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition.</p>	<p>Recent Activity Introduced on 12/14/2012.</p>
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<p>FINANCE SCA 9 Author Corbett Location Senate: G&F, E&CA Positions</p>	<p>Local Government: Economic Development: Special Taxes Bill Summary Party D Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects requires the approval of a specified percentage of its voters voting on the proposition.</p>	<p>Recent Activity Introduced on 12/18/2012. To Senate Committees on Governance & Finance and Elections & Constitutional Amendments on 02/07/2013.</p>
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<p>FINANCE SCA 11 Author Hancock Location Senate: G&F, E&CA Positions</p>	<p>Local Government: Special Taxes: Voter Approval Bill Summary Party D Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition. Makes conforming and technical, nonsubstantive changes.</p>	<p>Recent Activity Introduced on 01/25/2013. To Senate Committees on Governance & Finance and Elections & Constitutional Amendments on 02/07/2013.</p>
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