



Item #05-12-20
Receive/File

SACOG Board of Directors

December 8, 2005

Update on 2005/06 State Legislation

Issue: What is the status of bills of interest to SACOG from the 2005 legislative session?

Recommendation: None, this item is for you to receive and file only.

Discussion: Attached are three lists of bills of interest to SACOG from the 2005 legislative session:

- Attachment A lists nine bills of particular significance or interest that were not passed in 2005 and remain active for the 2006 session.
- Attachment B lists eight bills SACOG followed closely, and in many cases expressed a position on, during the 2005 session. Of these eight bills, the Governor signed one and vetoed three, the Legislature failed to pass two, and the remaining two remain in play for the 2006 session.
- Attachment C lists 76 bills of potential interest that were introduced in the 2005 session, showing present status going into the 2006 session. Of these 76 bills, the Governor has signed 30 and vetoed six, and the remaining 40 remain in play in the 2006 legislative session. Attachment C includes most of the bills noted in Attachments A and B.

Staff intends to begin discussion about these bills, and perhaps others that may be newly introduced, with committees and the Board in January.

Approved by:

Mike McKeever
Executive Director

MM:PH:ts

Attachments

Key Staff: Pete Hathaway, Director of Transportation Planning, (916) 340-6235

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Item #05-12-20
Attachment B

The Legislative Action Summary is designed to provide updates on state legislation of significance to SACOG's core policy areas or our member cities and counties. These bills are active and currently moving through the legislature. A brief synopsis of the bill and its most recent activity are provided for our directors and their colleagues in our member jurisdictions. Should you need information, our legislative team and lobbyist are available to assist you.

AB 691 (Hancock)

Title: Transit Village Plans

The Transit Village Development Planning Act of 1994 authorizes a city or county to prepare a transit village plan for a transit village development district including all land within 1/4 mile of a transit station and addresses specified characteristics. AB 691 authorizes a county or city to declare that a previously adopted specific plan or redevelopment plan conforming to specific requirements constitutes a village transit plan, after publishing a notice stating the intent to make the declaration, describing the general location of the proposed plan, and stating the time, date and place of the public meeting.

Action: Signed by Governor on September 22, 2005.

AB712 (Canciamilla)

Title: Land Use - Density

Would have required each city, county or city and county to ensure its housing element inventory or housing element program make sites available to accommodate its share of the regional housing need throughout the planning period, and lowered the residential density below which a city, county or city and county would be required to make specific written findings.

Action: Vetoed by Governor on October 7, 2005.

AB 1221 (Jones & Leslie)

Title: Air Pollution – State Air Resources Board

Would have increased the membership of the State Air Resources Board from eleven to thirteen board members to provide for a member from the federal one-hour ozone non-attainment area representing one of the following: the Sacramento Metropolitan Air Quality Management District, the Placer County Air Pollution Control District, the Yolo-Solano Air Quality Management District, the Feather River Air Quality Management District, or the El Dorado County Air Pollution Control District. The other new member would be someone with expertise in global climate change.

Action: Vetoed by Governor on October 7, 2005.

SB 44 (Kehoe)

Title: General Plans: Air Quality Element

Would have required the governing body of each city and county located in specified areas to either adopt an air quality element to their general plan or amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and implementation strategies to improve air quality during their next general plan update (but no later than the date specified for their fifth housing element revision) occurring after January 1, 2007.

Action: Failed passage in the Assembly by vote of 34-38.

SB 409 (Kehoe)

Title: General Plans: Air Quality Element

Would have required the water supply portion of the conservation element of a city or county's long-term general plan be prepared, adopted and correlated with the land use element no later than one year from the date specified for the next housing element revision occurring after January 1, 2007.

Action: Failed passage (6 -8) in the Assembly Water, Parks, and Wildlife Committee on June 28, 2005.

SB 521 (Torlakson)

Title: Local Planning – Transit Village Plans

Would require a transit village plan to include a transit station and a parcel, at least ½ of which is within no more than ¼ mile of the exterior boundary of the parcel on which the transit station is located. Further, SB 521 would define blight under the Community Redevelopment Plan to include the lack of high density development within a transit village development district.

Action: Held in Assembly Housing and Community Development Committee.

SB 523 (Torlakson)

Title: Bicycle Transportation Account - Funding

Would have maintained the monthly transfer amount of \$600,000 from the Highway Users Tax Account to the Bicycle Transportation Account by deleting the provision in Streets and Highways Code Section 2106 reducing the amount to be transferred after June 30, 2006.

Action: Vetoed by Governor on September 29, 2005.

SB 832 (Perata)

Title: CEQA – Infill Development

Would expand provisions under Public Resource Code Section 21159.24 for CEQA exemptions applying to residential projects located on infill sites. Current law allows a CEQA exemption for residential projects within urbanized areas no more than four acres in total area with no more than 100 residential units. SB832 would extend the exemption for residential projects on infill sites in cities with populations more than 200,000 persons if the site is not more than 10 acres in total area including no less than 200 or more than 300 residential units. SACOG is participating in amendment discussions that may broaden the CEQA reform initiated by this legislation.

Action: Passed the Assembly Appropriations Committee August 18th, 2005. Placed on inactive on the Assembly Floor.

Legislative Team:

Pete Hathaway, Deputy Executive Director, 340-6235

Rebecca Thornton Sloan, Communications Manager, 340-6224

Will Gonzalez, Gonzales & Associates, 442-4977

(revised 9/29/05)

SACOG Key Bills of Interest in 2006

TRANSPORTATION

SB 1024 (Perata) would place on the ballot a \$7.825 billion transportation/infrastructure bond. The Governor has also proposed a bond measure which is substantially larger than that provided for in SB 1024. Whatever the ultimate size of the bond, it is expected that SB 1024 will ultimately serve as the authorizing legislation.

SB 705 (Runner) would allow Caltrans to use design sequencing for large projects, allowing construction to begin on early project stages while design is still underway for later stages. This bill is pending in the Senate Housing and Transportation Committee.

AB 850 (Canciamilla) would allow Caltrans to enter into public/private partnerships to build two toll road projects; this kind of partnership built the Alameda freight rail corridor in Los Angeles and various toll road projects in other states and countries. Although this bill does not directly affect SACOG, Caltrans, one of our key partners, considers it to be highly important. This bill was held in the Assembly Appropriations Committee.

AB 1266 (Niello) would increase Caltrans' existing authority for design-build contracts, whereby one contractor is hired to complete both the design and construction of a project, from 12 to 16 projects; under the current authority Caltrans has undertaken 11 projects, generally successfully, and the procedure is federally authorized and commonly used nationwide and worldwide. This bill was held in the Assembly Appropriations Committee.

FLOOD CONTROL

AB 798 (Wolk) would place on the ballot a yet to be defined flood control bond measure. AB 798 is pending in the Assembly Water, Parks, and Wildlife Committee.

AB 1244 (Wolk) would extend the sunset provision of the CALFED Bay-Delta Authority and is a likely vehicle for further flood protection measures. AB 1244 is pending on the Assembly Floor.

AB 1665 (Laird) would rename the Reclamation Board to the Central Valley Flood Control Board. This bill is the administration's vehicle to create an assessment district to fund flood control projects. AB 1665 is pending in the Senate Natural Resources and Water Committee.

SB 153 (Chesbro) and SB 1024 (Perata) are both large scale bond measures which include substantial funding for flood control projects. SB 153 is pending in the Assembly Appropriations Committee while SB 1024 is on the Senate Floor.

CEQA

SB 832 (Perata) would extend the existing CEQA exemption to larger projects of up to 10 acres in size in cities of no more than 200,000 in population. This bill is expected to be the vehicle for any CEQA reform efforts in 2006. SB 832 is currently pending on the Assembly Floor.

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