



Item #09-11-9

## Government Relations & Public Affairs Committee Information

October 22, 2009

### State Advocacy Update

**Issue:** Update on progress for 2009 advocacy principles and discussion of 2010 advocacy goals.

**Recommendation:** None; this will be an informational report and discussion.

**Discussion:** SACOG's state advocate, Jack Molodanof, prepared the attached memo with a summary of progress on the 2009 state advocacy principles. Additionally, work continues on comprehensive water legislation. Staff and Mr. Molodanof will also be reporting orally at the committee meeting.

#### 2010 Advocacy Principles

SACOG's advocacy principles for 2009 are attached. Staff is interested in feedback from the committee to inform its recommendation for 2010, forthcoming in December.

Approved by:

Mike McKeever  
Executive Director

MM:RS:EJ:sb

Attachments

Key Staff: Rebecca Sloan, Director of External Affairs & Member Services, (916) 340-6224  
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# MOLODANOF GOVERNMENT RELATIONS

## Memorandum

To: SACOG  
From: Jack Molodanof  
Re: Summary of Progress on State Advocacy Principles  
Date: October 19, 2009

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Below is a summary of Progress on State Advocacy Principles.

- 1) Economic Recovery.** SACOG was involved in the passage of AB X3 20 (Bass) to change the distribution of federal American Recovery & Reinvestment Act (ARRA), which, among other things, maximized federal funding; provided a significant boost to the State Highway and Operation Protection Program (SHOPP); provided short-term cash flow loan to eligible Prop 1B projects halted due to delayed bond sales.

In addition to active involvement on AB X3 20, SACOG also advocated for the region during a concurrent effort to identify ARRA funded SHOPP projects. The initial SHOPP project list included projects across the six county regions, except for Sacramento County. Through a successful collaboration with Caltrans District 3, eligible projects were identified and shared with staff from the Assembly Speaker's Office and the Senate Pro Tem's Office. The California Transportation Commission (CTC) finalized and approved a list that ultimately included ARRA-funded SHOPP projects in each of the six counties, including Sacramento County. A total of \$81.8 million was allocated by the CTC to the Sacramento region.

AB 672 (Bass) was passed and signed by the Governor which compliments AB X3 20 by establishing a process that allows a local or regional lead agency for a transportation project funded with specified bond funds to receive approval from an administering state agency, through a letter of no prejudice, that expenditure of local funds on that project may be reimbursed from future allocations of bond proceeds programmed for that project.

- 2) Project Delivery.** SACOG was active in several project delivery bills, including, design build and public-private partnerships. SBx2 4 (Cogdill) was passed and signed

by the Governor, which provides for a limited expansion of design build projects and also authorizes Caltrans and regional transportation agencies to enter into unlimited number of public-private partnerships agreements.

SACOG supported AB 729 (Evans), which was signed by the Governor and extends the existing design build for transit, currently sunseting in 2011. SACOG also monitored AB 878 (Caballero), which would authorize a local government agency to enter into an agreement with a private entity for financing for specified types of revenue-generating infrastructure projects (two-year bill).

- 3) **Project Financing. Local Options.** SACOG monitored several bills including, ACA 9 (Huffman), which lowers the 2/3-voter approval requirement of local jurisdictions to 55% (two-year bill); ACA 15 (Arambula), which lowers the 2/3-voter approval requirement of local jurisdictions for transportation projects to 55 percent (two-year bill), and SB 205 (Hancock), which authorizes a countywide transportation agency with voter approval to impose an annual \$10 fee on motor vehicles to be used for transportation purposes (two-year bill).
- 4) **Climate Change/AB 32 Implementation.** SACOG monitored several bills including SB 721 (Steinberg) which would create the Climate Action Team to coordinate the states overall climate policy (two-year bill); AB 231 (Huffman) which would require the California Air Resources Board to adopt a schedule of fees that would be collected into a new Climate Protection Trust Fund to be allocated for costs of implementation and goals of AB 32 (two-year bill); SB 31 (Pavley) which would require that revenues collected pursuant to compliance mechanism adopted by the state board also be deposited in the Air Pollution Control Fund for AB 32 purposes. SB 31 failed passage on the Senate, but was granted reconsideration (two-year bill).

SACOG also supported SB 279 (Hancock) which would have added the acquisition, installation and improvement of energy efficiency, water conservation, and renewable energy improvement to the type of facilities that a Community Facility District (CFD) may finance. The bill passed the legislature but was vetoed by the Governor.

- 5) **SB 375 (Implementation).** SACOG worked very closely with Senator Steinberg and staff and supported SB 575 (Steinberg), which is the clean up bill for last year's SB 375. The Governor signed SB 575. SACOG also monitored SB 406 (Desaulnier), which would authorize the MPO to impose a \$2 fee on motor vehicles and percentage to be used for regional Blueprint planning. The Governor vetoed SB 406.

SACOG also followed AB 1135 (Skinner) which would require the owner of a vehicle, upon application for renewal of a vehicle registration, to report the current odometer reading. AB 1135 is a two-year bill. SACOG also actively participated in the Regional Targets Advisory Committee (RTAC); Mike McKeever is the chair, which is in the process of developing recommendations for successful implementation of SB 375.

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- 6) **Infrastructure Bonds.** SACOG followed AB 1072 (Eng), which codifies the formula established in SB 88 (Committee on Budget and Fiscal Review)-2007 for allocating Prop 1B funds appropriated from the Public Transit Modernization, Improvement, Service Enhancement Account (PTMISEA). The formula is based on all transit operators and regions share of PTMISEA based on the average of the State Transit Assistance (STA) program allocations from prior years. AB 1072 successfully passed the Legislature and was signed by the Governor.
  - 7) **Goods Movement.** SACOG actively engaged in SB 632 (Lowenthal), which requires the ports of Los Angeles, Long Beach, and Oakland to assess their infrastructure and air quality improvement, needs and identify funding options. SB 632 is a two-year bill. SB 632 is the successor to SB 974 (Lowenthal) of the 2007-08 Session, which was vetoed by the Governor. SB 974 would have collected a \$30 fees for each cargo container entering the ports and the fees would have been used for congestion relief, air quality improvement and other measures at the ports as well as along the road and rail corridors between the port and the state border and included the Sacramento region in the area being considered for investment.
  - 8) **Williamson Act.** SACOG was actively involved with multiple efforts to protect funding for the Williamson Act including supporting SB 715 (Wolk), which would reform the Act to address enforcement concerns. SACOG advocated for maintaining the subvention funding in the state budget. While the Legislature passed the budget preserving a majority of the funding, the Governor unfortunately line item vetoed the Williamson Act subvention, essentially suspending the fund appropriation for next year. One of the reasons for the veto is that the Act is not working efficiently thought to be due to abuses by landowners, hence SB 715 (two-year-bill) to address the Governors' concerns, which if passed, may enable the funding to be restored. SACOG staff is monitoring efforts in Yolo County related to the Williamson Act and will make on going reports to the committee of the implications of local efforts.
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## 2009 State Advocacy Principles

**Economic Recovery Funding** – Seek to ensure the Sacramento region is competitive for any infrastructure funding, whether from the state or federal government. The federal economic recovery bill proposed by President-elect Obama will most likely rely on a combination of additional funding for existing formula-base programs as well as direct aid to states. Funds that flow directly to the state will be distributed by the California Transportation Commission and Caltrans. Look for opportunities to influence state legislation related to federal economic recovery bill to ensure regional and local governments get sufficient share of federal funds likely to be distributed by formula.

**Project Delivery** – Seek legislation to eliminate or reduce restrictions on project delivery for Caltrans and local agencies, removing limits on design-build contracting and public-private partnerships, and taking steps to streamline environmental review consistent with environmental protection objectives.

**Project Financing** – Seek legislation that opens up local options to improve transportation funding, particularly for road maintenance and rehabilitation and transit operation and capital flexibility. Also look for opportunities to address rural transportation challenges through a variety of funding mechanisms.

**Climate Change/AB 32 Implementation** – In 2009, the Air Resources Board will be implementing its Scoping Plan for AB 32. Seek to influence air quality and greenhouse gas targets set forth by the ARB legislation or administrative rules that guide implementation of the Global Warming Solutions Act (AB 32), especially those dealing with linkages between transportation, land use, and air quality. Encourage reduction measures that support Blueprint and Metropolitan Transportation Plan objectives.

**SB 375 Implementation** – Appointments to the Regional Targets Advisory Committee (RTAC) created by SB 375 will take place in 2009. Seek to influence the target recommended by RTAC to ARB. SACOG may also be looked to for leadership in coordination and education with the major MPOs in California. Seek funding for educating the state and other regions about the Blueprint preferred growth scenario. Work with the author on any SB 375 clean-up language to ensure that any changes do not negatively impact the region.

**Infrastructure Bonds** – Seek to influence legislation or administrative rules that guide implementation of Proposition 1B, and support local applications for Proposition 1C programs. Seek to influence future bonds for water or other regional infrastructure needs.

**Goods Movement** – Seek legislation to improve goods movement in the Sacramento region. Work with Senator Lowenthal to reintroduce container fee legislation, which could generate several million dollars annually for rail freight improvements and regional air quality.

**Williamson Act** – Seek legislation to improve Williamson Act to increase local enforcement authority, provide local resources for enforcement, increase education efforts, and require proof of productivity for agricultural lands contracted for Williamson Act.