



JUNE 2012 LEGISLATIVE ACTION COMMITTEE, CITY SELECTION COMMITTEE & BOARD MEETING SUMMARY

LEGISLATIVE ACTION COMMITTEE MEETING:

- AB 2312 (Ammiano) proposes to create a state oversight board to regulate medical marijuana dispensaries – this bill was reviewed and recommended for opposition.
- Opposition to AB 2312 was recommended for the following reasons:
 - It erodes local control and takes away the authority to regulate the location, operation, or establishment of medical marijuana cooperatives or collectives from local jurisdictions.
 - It is premature – the California Supreme Court is now reviewing permissible local regulation of medical marijuana distribution in conjunction with state and federal law in three cases that it accepted this year. Any legislative action would only create further confusion and should be postponed until rulings from the courts are delivered.
 - It requires cities to permit one medical marijuana dispensary per 50,000 people – this standard may not be the best fit for all communities.
 - The Cities Association passed a Resolution on Medical Marijuana Dispensaries in 2011 calling for consistent regulation between state and federal law; 10 of the 15 cities supported this resolution.
- The LAC passed motion unanimously to make a recommendation to the Board to oppose AB 2312.
- Future Meeting unless otherwise notified: September 13, 2012.

CITY SELECTION COMMITTEE MEETING:

- Diane Mcnutt of Los Gatos was appointed to an ongoing term expiring September 2016 as the West Valley Cities Representative on the Recycling, Waste & Reduction Commission.

BOARD OF DIRECTORS MEETING:

Oral Communications: Jessica Stanfill, League of California Cities Peninsula Division Area Public Affairs Manager, presented a brief update on budget bill negotiations, post RDA Legislation and legislation to be aware of. The budget bill is currently being negotiated and it looks like several amendments are being made per the LCC's request. The budget bill should be ready for review either

Friday, June 15th, or early next week. Several components of AB 1585 (Perez) are expected to be included in the budget trailer bill. Other bills to be aware of and to watch include:

- AB 1151 & 1156 (Steinburg) – AB 1151 creates an alternative process by which communities can use their former redevelopment agencies assets for specified economic development and housing purposes. The alternative process requires a Sustainable Communities Investment Authority to develop a long-range asset management plan to govern the disposition and use of former redevelopment agency assets that are placed into a Sustainable Economic Development and Housing Trust Fund. AB 1156 allows a city council and county board of supervisors representing the geographic territory served by a former redevelopment agency to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law's provisions.
- SB 2135 (Blumenfeld) - requires state entities to develop a guidebook to assist cities and counties in implementing building standards and permitting processes for solar distributed generation technology. The bill also allows the Air Resources Board and the California Energy Commission to give priority in certain grant programs to cities and counties that adopt the policies in the guidebook.

Priority Focus Presentations/Discussion on Regional Economic Development:

Sam Liccardo presented an overview of the draft recommendations submitted by Champions of **Supporting Innovative Schools** (Sam Liccardo, Rod Sinks, Jim Griffith).

- Recommendations are based on presentations to the Board from Rocketship Education and Sunnyvale School District and how cities can be supportive of innovative and high performing schools.
- Sam disclosed potential conflict of interest: fiancée has recently been employed by Rocketship Education; according to City of San Jose's counsel, involvement with the recommendations are permissible as long as involvement is focused in general and not on a specific school.
- Feedback on [draft recommendations](#) from Board Members included:
 - Verification that item 3(b) is legal – legal counsel will review to ensure legality.
 - Clarification of item 2 or what it means to commit to a standard set of clearly defined specific measures – it was clarified that this item suggests that there should be a regional standard to define and measure success.
 - Item 3(a) and concerns about preserving objectives of General Plan, e.g. converting commercial or residential zoned land to a schools' use can potentially lead to a net-loss to cities.
 - Revision of item 3 to remove private schools and focus on public and no tuition schools.

- Revision of item 1(d) or “coordinating library programs” because not all cities are responsible for their library programs.
- Revision of item 1(e) or “spearheading collaborations” ; recommended to replace “spearheading” with encouraging or facilitating – some cities do not have the staff to lead efforts.
- Recommendation to address and work on communication between municipalities and school districts.

SCC Board of Education: Leon Beauchman presented the Board’s plan to study re-alignment of school boundaries with city boundaries.

- With the state’s fiscal challenges and movement toward the re-alignment responsibility for providing social services and the administration of justice on local communities, schools and cities have been significantly impacted by the State’s fiscal challenges.
- The situation suggests that cities and schools need to increase efforts toward collaboration in order to maximize the effectiveness of limited resources.
- The closer that cities boundaries are aligned with school boundaries, the better that services can be coordinated between school districts and cities to provide more resources and services to students.
- The task is quite complex and will be difficult with conflicting city and school boundaries; there are 15 cities and 32 school districts in Santa Clara County.
- The Board of Education has hired a consultant to perform the study; an advisory committee will be formed to promote community engagement. Val Carpenter of Los Altos has volunteered to serve on the Advisory Committee.
- There is no underlying Board expectation that this survey will lead to anything but meaningful dialog. In the end, the goal is to empower communities through being more informed about their options. The whole county does not have to implement all the recommendations; it could be that only a part of the county chooses to do so or not.
- Timeline – the study should take no less than 3 years.
- The Cities Association support of the study was requested; motion to support the study passed with a vote of 8:1; one opposition from Sunnyvale noted.

CSC Appointee Report: ABAG

- Joe Pirzynski, current appointee to ABAG, presented an overview of the long term land-use strategy (one of three component of the Plan Bay Area), also known as the Jobs-Housing Connection Strategy, has been approved by ABAG and MTC.
- The region is expected to experience more modest growth than in past decade: 1.1 million jobs and 2 million people by 2040.
- To accommodate the expected growth by 2040, existing infrastructure investments must be maximized and new needed investments must be recognized.

- The jobs-housing connection strategy addresses the challenges by focusing planning efforts and investments in Priority development Areas (PDAs) and Priority Conservation Areas (PCAs).
- Regional centers Oakland, San Francisco, and San Jose account for about 14 percent of new housing and 17 percent of job growth.
- Ronit Bryant, ABAG appointee, reported on the [Regional Housing Need Allocation \(RHNA\)](#), also a component of the Plan Bay Area.
- The RHNA is based on 5 methodological components:
 1. Sustainability Component – 70% allocation based on PDA growth
 2. Fair Share – 30% allocated based on transit, jobs and housing outside PDAs
 3. Needs by Income – affordability in all jurisdictions
 4. Sphere of Influence Adjustments – division of responsibility
 5. Sub-regional shares of the RHNA – alternative allocation options, e.g. San Mateo County
- The draft RHNA numbers are not too different from the last RHNA cycle numbers for the bay area and SCC (60,338 vs 60,607). SCC has been allotted 32.2% of the housing share in the Bay Area, the largest share of the 9 counties.
- ABAG's final adoption of the RHNA methodology is July 19, 2012; 60-day period for public and local jurisdiction input will conclude on July 16, however feedback is requested by June 30 so that it is considered before the Executive Board Meeting on July 19th; send to RHNA_Feedback@abag.ca.gov.

VTA Representative, Jon Ristow presented a review of OBAG, the third component of the Plan Bay Area and the Transportation Investment Strategy.

- OBAG was approved by MTC on May 17th.
- OBAG connects land-use and transportation with federal discretionary funding and is the model to be utilized in the future.
- Many strings and requirements are attached with the funding.
- \$87 million dollars will be allocated to SCC over 4 years; 70% will be distributed to PDA and PDA serving areas, while 30% of funds are available to other non-PDAs. Unfortunately, some cities may be eligible for no or very little funds.
- VTA staff is currently working on a distribution plan to cities, which will be presented to the VTA Board in September.
- **City Managers' Report: Debra Figone, City Manager of San Jose,** reported on recent activities/presentations of SCCCMA, which included a presentation from ABAG on the Final Preferred Scenario and Emergency Management Efforts between cities and water agencies; appointed liaisons to the lead organizing committee include Beau Goldie of SCVWD and Amy Brown, Campbell City Manager.

- Board of Directors unanimously accepted the LAC's recommendations to oppose and issue a letter of **opposition for AB 2312 (Ammiano) Controlled Substances.**
- **Legislation Report: Betsy Shotwell of San Jose**, presented a legislative update. The Budget bill should be approved by June 15th, midnight. The budget trailer bill has grown from 30 pages to 90 pages and will most likely include RDA clean-up language. There are 39 measures now in circulation; 8 are qualified, and two of them include the Governor's tax increase initiative and Molly Munger's State Income Tax Increase initiative. It is expected that pension reform will also be addressed this year. Action on Legislation that the Cities Association has taken a position include, AB 57 (Beall) MTC Representation - this passed in the Senate Transportation Committee with a 9-0 vote; AB 1816 (Beall) Tax Equity Allocation – this bill failed to pass out of the Assembly; AB 2382 (Gordon) Innovation District Demonstration Program passed in the Assembly 63-10.

Joys and Challenges

- Chuck Page of Saratoga noted that a group of people are objecting to music in downtown Saratoga.
- Jim Griffith shared that in Kiplingers Magazine, in the Top 10 List of Best Cities to Raise Kids, Sunnyvale was number 7.
- Margaret Abe-Koga of Mountain View shared several joys including the city just opened its 37th park, and a bridge leading to the Google Plex has also just opened.