



## APRIL 2013 LEGISLATIVE ACTION COMMITTEE & BOARD OF DIRECTORS MEETING SUMMARY

### LEGISLATIVE ACTION COMMITTEE MEETING:

- SB 629 (Beall), AB 741 (Brown), and AB 1229 (Atkins) were reviewed. The Legislative Action Committee unanimously recommended support of SB 629 and AB 1229 to the Board of Directors.
- SB 629 (Beall) will have a significant impact on the West Valley cities in Santa Clara County and proposes to correct a longstanding inequity in property tax allocations to these cities. For the 2014–15 fiscal year and for each fiscal year thereafter, SB 629 would delete the requirement that the auditor of Santa Clara County reduce the amount of property tax revenues allocated to qualified cities in that county by the ERAF reimbursement amount, and commensurately increase the amount of property tax revenues allocated to the county ERAF. SB 629 would modify property tax allocations by treating Saratoga, Los Altos Hills, Cupertino, and Monte Sereno like all other “no-low tax” cities in the State.
- AB 1229 (Atkins) would provide local jurisdictions the ability to implement inclusionary housing requirements as part of their land use authority and would ensure that a percentage of all new developments include homes affordable to low income households. Members expressed support because it restores local control of affordable housing programs and addresses the recent appellate court decision, *Palmer/Sixth Street Properties L.P. v. City of Los Angeles*, 175 Cal. App. 4th 1396 (2009), which held for the first time that the state’s Costa-Hawkins rent control law (*Civil Code* §§ 1954.50-1954.535) prohibits local governments from creating affordable rental housing through local inclusionary housing programs.
- AB 741 (Brown), addressing tax equity allocation for qualifying cities has become a two-year bill and thus committee members agreed to take no action and watch the bill as it develops.
- Suggestions for future agenda items include review and support of CEQA legislation.

### BOARD OF DIRECTORS MEETING:

- **Fire Chief Association Members (Ken Kehmna, Willie McDonald, Erik Nickel, Brad Wardle) presented** overview of Santa Clara County fire service regionalization initiatives. Members have recognized the need for local

control and operational efficiencies in order to improve and maximize service across the county.

- Motivators for regionalization include the LAFCO report, current Fire Chiefs' collaboration of spirit, current experience with resource sharing and regionalization, regional strategic planning workshop with Labor, and good public policy.
- Regionalization initiatives include renumbering of fire apparatus, incident command training centers, special operations, Op area Council (proposed consolidation of 40+ emergency preparedness groups working on similar objectives), and EMS Strategic Planning.
- Currently working on boundary drops, or when the closes unit can respond to an emergency across boundaries, seamless response protocols, and a regional dispatch center.
- Feedback from Board Members included:
  - Desire to see the plan scalable so that it can be replicated elsewhere;
  - Will this increase costs for cities? It should not; it may actually create greater economic efficiencies; guiding principle is that it will not cost more for cities;
  - Labor's reaction is positive and supportive thus far;
  - Recommendation: be transparent;
  - Support the Fire Chief's efforts and commend them for their spirit of cooperation;
  - Be wary that sharing resources is not a sacrifice of quality service.
  - Board Members can help by supporting their efforts amongst their fellow Council Members and City Managers.
- **Senator Jerry Hill and Assembly Member Rich Gordon provided Legislative update and held a roundtable discussion with Board Members.** Update included:
  - Climate is different this year since they don't have to make budget cuts; current strategy is to build reserves.
  - There are 38 new Assembly Members; new term limit is now 12 years.
  - Key issues include funding of schools, implementation of the Affordable Care Act, cap & trade education and AB 32.
  - Democratic caucus looking at how to revise the funding of schools in the state so that it is more balanced, e.g. some schools receive \$17,000/student v.s. 5,000/student; intention is that all schools become winners and that those who don't receive enough funds will receive more so that they are equivalent to the schools that receive an adequate amount of funds per student.
  - Working on addressing re-alignment consequences; property crime has increased statewide; 100,000 prisoners were released without supervision; re-adjustments will be to made to help resolve.
  - CEQA reform/streamlining; in support of Speaker Pro-Tem Senator Steinberg SB 371 legislation.

Roundtable Discussion items included:

- Recommendation for state to change procurement process and purchase California-made computer/technology only.
- Regional Housing Needs Allocation (RHNA) and the need to change the system; there are inherent flaws in the projections from the DOF; it does not create more houses; instead, cities just plan to build only to comply with the state's requirements; it turns communities against affordable housing; in response, Assembly Member Rich Gordon has assembled a work group to introduce reform legislation next year.
- CEQA; small groups are holding up significant projects; Steinberg's bill plans to address issue of transparency; recommendation from Board Members: the problem is the litigation and how it wastes years and benefits to the community.
- SB 629; recommendation to sponsoring cities included encouraging consultant to meet with legislators and address its value and necessity.
- RDA; we are in need of a clear path of resolution; only relief now is through the courts; there are 80 RDA litigation cases; this is a sign of poor public policy; legislation is needed to allow entry into global settlement. Assembly Member Atkins is currently chairing a taskforce on RDA; she is currently looking at data to craft a helpful legislation.
- **Presentation on RWRC's Technical Advisory Committee (TAC) Memorandum of Agreement** – Jim Griffith, RWRC Chair, updated the Board on the new TAC MOA coming before all cities for adoption and support. It involves 16 parties (15 cities and the county) and provides clarity of roles, transparency, and options. All cities expected to review and vote adoption in May/June.
- **Super Bowl 2016/2017 Bid Update & Request for Support** – Santa Clara Mayor and Cities Association Board Member presented overview of the Super Bowl Bid status.
  - Motivation of the bid is its economic impact (e.g. \$350-500 million) on the community and its regional exposure.
  - The preliminary bid was submitted April 1<sup>st</sup>, Final bid will be submitted on May 7<sup>th</sup>, and final decision will be made on May 21 by NFL owners.
  - Bidding against South Florida for Super Bowl L in February 2016.
  - Runner up will automatically bid against Houston for Super Bowl LI in February 2017.
  - Highly competitive process; must show capacity and desire to host event of this magnitude.
  - For a successful bid, we need: 1) to demonstrate capacity of stadium, hospitality, transportation, facility and municipalities' desire; 2) to distinguish ourselves by demonstrating how the innovative nature of the region will deliver a better experience; 3) the support of our business community – hosting will take a significant amount of investment from all parties.
  - The City of Santa Clara has provided needed resolutions and assurances of governmental support services for the Super Bowl and related events at no cost, expense or liability to the NFL or Teams playing in the Super Bowl.

The City of Santa Clara & Stadium Authority will be reimbursed for services by the San Francisco Host Committee, which is the leading bid agency.

- Future Santa Clara Council Decisions includes request for Transient Occupancy Tax (TOT) exemption for NFL and its affiliates, which is about 350 rooms, less than 10% of hotel rooms.
- Motion/Request for CASCC's and cities' support via letter/resolution was carried unanimously. City of Santa Clara to provide template letter to CASCC for distribution to all cities.
- **LAC Report: Jac Siegel reviewed recommendations of the LAC.** Recommendation to issue letters of support for SB 629 (Beall) and AB 1129 (Atkins) was carried unanimously.
- **Review of Audit Report for FY 2011-2012 –** Secretary/Treasurer Jim Griffith reviewed the conclusions of the report, which stated that the Cities Association accurately reports its expenses and revenues and protects its assets. The Audit was completed by the City of San Jose's Auditor. The Board accepted the report with a unanimous motion.
- **Dan Rich, City Manager of Mountain View, presented overview of SCCCMA's meeting.** City Managers have just received and discussed important issues of the Silicon Valley Regional Interoperability Authority. Both the Police and Fire Chief Associations were involved. All cities will soon receive news of activities.
- **Legislation Report:** Betsy Shotwell of San Jose provided update of important issues being discussed by the Legislature, e.g. cap & trade, budget, the release of the Governor's May Revise to occur on May 9<sup>th</sup> or 10<sup>th</sup>.