

**TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE
HIGHLIGHTS**

Thursday, January 19, 2012

Sacramento Convention Center, 1400 J Street, Room 202, Sacramento

ATTENDANCE

Members: Glancy, Tom (Chair); Hudson, Mike (V.Chair); Biery, James; Boga, Terrence; Bond, James; Breault, Randy; Breen, Kate; Chew, Ken; DeBrum, Stephen; Espinosa, Robert; Fredericks, Alice, Freeland, Chris; Gustavson, David; Herrera, Rose; Johnson, Richard; Matsumoto, Michael; Parks, Yvonne; Parra, Daniel; Patterson, Larry; Pieper, Darold; Rios, Mona; Robertson, Deborah; Robinson, Jacque; Rodarmel, Willard; Rodriguez, Ralph; Schaefer, John; Silveira, Margaret; Slowik, Matthew; Starosciak, Joyce; Swanson, Angela; Taylor, Jerry; Teaford, Bonnie; Ucovich, Miguel; Wilson, Fred

League Staff: Jennifer Whiting, Nancy Hall Bennett, Jennifer Quan

I. Special Order of Business – Joint State Budget and Redevelopment Briefing

Prior to each committee meeting, city officials were provided a joint briefing on a variety of issues of statewide importance. League Executive Director Chris McKenzie and California Redevelopment Association Interim Director Jim Kennedy provided background and outlined next steps related to the looming redevelopment dissolution deadline and SB 659 (Padilla), which seeks to postpone the redevelopment dissolution deadline until April 15. City officials were also encouraged to join the Coalition for Jobs and Neighborhood Renewal (http://www.cacities.org/resource_files/30419.SB659CoalitionList.pdf). McKenzie also updated committee members on the status the League's lawsuit regarding the sweep of \$130 million dollars in constitutionally protected vehicle license fees through SB 89.

League Fiscal Policy Advisor Michael Coleman provided a summary of the Gov. Jerry Brown's proposed FY 2012-13 Budget (<http://www.californiacityfinance.com/PolicyComm120118p.pdf>), while League Legislative Representative Jennifer Whiting gave an overview of federal issues (http://www.cacities.org/resource_files/30433.FederalUpdate1-19-12.pdf) including FY 2013 appropriations, the eighth reauthorization of SAFETEA-LU, and efforts to limit local taxation authority over mobile phones.

Following the general briefing each committee met to discuss items on their respective agendas.

II. Welcome and Introductions

Committee Chair Tom Glancy welcomed everyone to the first TCPW meeting of 2012 and asked for a motion to accept the Supplemental Agenda for the meeting. A motion was made and seconded, and passed unanimously. Committee members then introduced themselves.

III. Public Comment

Chairman Glancy presented an award of appreciation to Harry Armstrong for his service as Chair of the Committee in 2011. There was no additional public comment.

IV. Overview of Parliamentary Procedure and Roberts Rules

Staff reminded the committee that we generally follow Robert Rules at the policy committee meetings, and referred committee members to a handout summarizing the rules.

V. Committee Orientation

Chairman Glancy gave a short committee orientation and referred committee members to Attachment A in their agenda packets.

VI. Strategic Goals for 2012

Staff briefly reviewed the League process for setting annual strategic goals, read the 2012 Strategic Goals to the committee and referred committee members to Attachment B in their packets.

VII. Review of Summary of Existing Policy & Guiding Principles

The committee reviewed the proposed changes to the Summary of Existing Policy and Guiding Principles and unanimously adopted the changes. Staff briefly discussed that some of the telecommunications policy is antiquated, and the committee formed a subcommittee to review and recommend changes to the telecommunications policy.

VIII. Committee Work Program

The committee reviewed updates of the 2011 Work Program. The committee then discussed the draft 2012 Work Program. The committee voted unanimously to add rail issues, including High Speed Rail and Federal Rail Funding. The committee also asked staff to add any sponsored legislation to the work program following discussion on the legislative update. In accordance with this direction, staff will be adding PID Response Standards and the CalTrans Business Logo Service Program to the work program for approval at the next meeting (subject to Board approval).

IX. Legislative Update

Staff provided a handout of the final status of TCPW bills in 2011. In addition, the committee reviewed the following proposals. At the time of the committee, none of the proposals had been introduced.

1. PID Response Standards

League staff introduced this bill proposal to the committee and invited Randy Breault, committee member and President of the Public Works Officers Department to discuss why the Department is bringing the proposal forward. He explained that there are different processes and results from different CalTrans divisions, and they would like to see some minimum standards set up.

Committee members suggested that staff confer with CMAs and Will Kempton at OCTA. It was moved and seconded that the committee recommend that the League sponsor this legislation. The motion carried unanimously.

2. Water Board Fees and Permits

League Staff Kyra Ross updated the committee on ongoing discussions regarding State Water Board permitting. Ross explained that she expects multiple bills to be introduced this year on stormwater permitting. These issues were outlined for the committee members in the agenda packet as well as highlighted in a fall 2011 legislative hearing.

(http://www.stormwatercosts.com/?page_id=13) Legislation in 2012 is expected to address a number of issues including: ex-parte communication (SB 965, Wright); economic analysis of statewide permits (SB 964, Wright); have both been introduced but several more are expected to come in the next few weeks. The following motion was made and seconded:

“In order to position the League to take action, the committee recommends discussion by the Coastal Issues Group, EQ and TCPW committees and authorization for staff to draft spot bills and amendments and to give the League the option to sponsor legislation on this matter in early 2012. In addition, the League supports a fair, consistent and transparent state water board process.”

The motion passed unanimously.

As part of this agenda item, Kelye McKinney and Sean Bigley made a presentation to the Committee on the Statewide Stormwater Coalition (SSC). The SSC was formed last year in response to the reissuance of the Phase II Small MS4 Stormwater permit. The initial goal of the SSC was to influence changes to the draft permit. Concerns included a very short review period (30 days), limited stakeholder process and no ability to meet with Board Members (ex-parte). The SSC did get some success including extending the review period and some ability to communicate with State Water Board staff. The Phase II MS4 Stormwater permit is currently being revised after State Water Board staff acknowledged that they over-reached in the permit and are making significant modifications. The SSC is currently 70 agencies strong and is working on their longer term goal to create a fair, consistent and transparent permit process at the State Water Board and are focusing currently on legislative reform of the State Water Board permit process, Federal and State Policies and Permits (EPA National Stormwater Rulemaking, Phase II Permit, Ocean Plan Amendment), member support (both Phase I and Phase II permittees) and stormwater awareness. Cities are encouraged to consider joining the SSC (no cost to join) and can find more information at www.stormwatercost.com or contact Ms. McKinney (kmckinney@roseville.ca.us) or Mr. Bigley (sbigley@roseville.ca.us) with the City of Roseville or Kyra Ross with the League.

3. Weight Limits for Transit

The committee held a lengthy discussion on this legislative item. Several members raised concerns about the impact this would have on the already underfunded local streets and roads system. Members suggested that this opens up a bigger issue about how mandates are set, as the increased bus weights are due to new mandates. Some members also challenged the claim that it is impossible to run lighter buses, and suggested that smaller buses be ordered or composite materials be used. It was suggested that transit buses be handled separately from privately run buses, and that any changes – if approved – should be based only on the current real weight of buses. Committee members also said that this has to do with how roads are designed, and therefore we need to study what roads the buses will be running on.

However, beyond the concerns, committee members accepted that these are the buses currently running on our roads and could not see eliminating buses for residents. They requested that more research be done by staff and the sponsors. Specifically, committee members asked that staff research and discuss with the sponsors the following items:

- Would this need to be addressed in RTPs, and how would that be done?
- Are alternate fuel technologies heavier than traditional fuel? Is one option lighter than others?
- Request the sponsor do a traffic impact study to provide evidence on what impact this will have on roads.
- Are there any alternatives such as lighter or smaller buses?
- What will be the approximate cost to cities?

There was a motion and a second to direct staff to express concerns, and to set up a meeting to see if we can work through technical issues and more fully develop the proposal. The committee requested that the product of those discussions be brought back at the next policy committee meeting. The motion was adopted unanimously.

4. Food Trucks – Local Authority to Regulate

Committee members discussed a variety of issues regarding mobile food trucks. Several members noted that they operate in the public right of way and that some cities have regulated mobile food trucks using already existing law. One committee member noted that this is a new kind of business, and it should be encouraged. Several committee members argued that this gives

cities more flexibility, and therefore it should be supported. There was a motion and second made to support, not sponsor, the legislation. The motion passed with a vote of 16-11.

5. AB 1050 (Ma) – Collecting UUTs on Prepaid Wireless

Staff briefed the committee on the purpose of AB 1050 and explained that there was a small group of attorneys reviewing draft language. The League will be hosting a webinar in the future to discuss the bill more fully to all cities that have a UUT.

6. Transportation Revenues Working Group

Staff noted that given the large deficit in transportation funding, conversations are beginning on how to fund transportation in the future on both the state and federal level. The committee formed a subcommittee to work with staff to develop recommendations for the League on proposals that come forth.

7. Broken Parking Meters

Staff provided the background on this proposal, and asked for direction from the committee. Committee members noted that cities should be responsible for fixing parking meters, and that this bill provides clarity for vehicle operators. Several committee members argued that parking is a local issue, and no state law is needed. Committee members also offered a possible amendment to the bill such as limiting the bill to parking meters. Committee members felt that vehicle operators could easily locate another parking payment center, and therefore they didn't need to be included.

Ultimately, there was no motion for a position on the bill.

X. Proposed Restructure of Regional Water Boards

Martha Guzman-Aceves and Michael Lauffer (Chief Counsel, SWRCB) spoke to the committee on the Governor's budget proposal to consolidate and reorganize the state's nine regional water quality control boards. Members concurred with the Governor's office that some changes are needed to address the lack of quorums at the regional boards, but also had a number of comments on the proposal. These comments included inherent political risk of having the chair of the board appointed by the Governor; concerns over lack of justification for raise in board members' per diem; lack of regional board members from the region being permitted (so the members do not understand local issues); need to address ex-parte communication at the regional board level (and in turn this may help with lack of technical knowledge by board members). Staff requested that no action be taken on this item as there is only preliminary language available for review. Further action on this item may be needed at the March policy committee meeting.

XI. Everyday Counts Initiative

Rebecca Bennett, Director of Local Programs for FHWA, briefed the committee on the FHWA Everyday Counts (EDC) Initiative. The initiative strives to reduce project delivery time on transportation projects. Ms. Bennett reported that the first round of initiatives was rolled out in May 2010, and California had a good showing. FHWA is encouraging states to create an EDC Statewide Innovation Council (StIC) to allow for an exchange of ideas and input on the initiative. California began holding EDC exchanges on December 7, 2011, in Los Angeles and the first was a great success. The next exchange on geosynthetic soils is scheduled in February at CSU, Sacramento. Additional exchanges will be available later in the year.

XII. League Partner Webinar Program Discussion

Hal Conklin, Executive Director of Local Public Affairs for Southern California Edison, and Mike Egan, League staff, visited the committee on behalf of the League Partners Program. They explained to the committee that the League Partner Program is interested in holding quarterly

webinars to provide information to cities, and this year the theme is Disaster Recovery and Response. They asked the committee members for ideas of topics they would be interested in. Committee members suggested the issue of Cost Recovery on both the state and federal levels. Mr. Conklin and Mr. Egan thanked the committee for their input and invited the committee to contact them if they had additional input.

XIII. CalTrans Business Logo Service Program

The committee revisited the issue of expanding the CalTrans Business Logo Service Program. Committee members noted that where signs are actually needed is in congested areas where you can't see businesses from the freeway, not rural areas. There was a motion and second the sponsor legislation to remove the requirement that signs be placed in rural areas. The motion passed with a unanimous vote.

XIV. Federal Legislative Update

1. Transportation Reauthorization

Staff briefed the committee on the current status of the federal transportation reauthorization and on a CalTrans working group that has convened with the goal of identifying points of consensus between all California transportation stakeholders. Staff then presented the committee with seventeen recommendations for the current language of MAP 21. There was some discussion on the recommendation to oppose the requirement that a certain amount of CMAQ funding be spent on diesel retrofits of construction equipment, and to instead suggest that item be optional. Some committee members believed that the California Air Resources Board should be funding the program from existing funds, while other committee members said that air quality management districts are already doing this. Members argued that transportation funding is already over-diluted, and that this should not be a requirement. Three members disagreed with this recommendation, arguing that business, especially farming, is being hit hard and are in great need of these funds.

Committee members also requested that two items be brought back to the committee for further discussion at the next meeting. Committee members requested additional information on the off-system bridge funding. Committee members also asked to discuss broadening the eligibility for the Projects of National and Regional Significance. Staff committed to bring forth more information at the next meeting.

There was a motion to support staff recommendations with considerations of committee comments.

There was a substitute motion to support staff recommendations excluding #12 regarding the CMAQ funding for diesel retrofits. The substitute motion received 3 ayes and many opposed.

Subsequently, the main motion passed with three members opposed.

2. HR 1746 – The CAP Act

Due to time constraints of the committee, there was little discussion on this item. League staff briefly summarized the bill, and communicated the League's support position. A committee member stressed the importance of the bill to cities, and asked other committee members to review and support.

XV. Next Meeting

The next committee meeting is scheduled for Thursday, March 29, 2012, at the Doubletree Hotel in Ontario, CA.