C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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AGENDA

The next meeting of the Legislative Committee
will be as follows.

Date: Thursday, November 11, 2004 – 5:00 p.m. to 7:00 p.m. (sandwiches will be served)

Place: San Mateo County Transit District Office[1]
1250 San Carlos Avenue
Fourth Floor Dining Room
San Carlos, California

PLEASE CALL WALTER MARTONE (599-1465) IF YOU ARE UNABLE TO ATTEND.

1.	PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA	Presentation is limited to 3 minutes.		5:00 p.m. (5 mins.)
	REGULAR AGENDA			
2.	Minutes of the meeting of September 9, 2004	Action (Martone)	Pages 1-3	5:05 p.m. (5 mins)
3.	Update from C/CAG's Lobbyist in Sacramento (in person). A position may be taken on any legislation, including legislation not previously identified.	Potential Action (Wes Lujan & Chuck Cole)	Pages 5-15 & oral report	5:10 p.m. (40 mins)
4.	Review and approval of Legislative score sheet for Advocation and Legislators.	Action (Napier & Martone)	Pages 17-21	5:50 p.m. (20 mins)
5.	Review and approval of the C/CAG Board State Legislative Priorities for the 2005 State Legislation Session.	Action (Napier & Martone)	Pages 23-26	6:10 p.m. (20 mins)

[1]From Route 101 take the Holly Street (west) exit. Two blocks past El Camino Real go left on Walnut. The entrance to the parking lot is at the end of the block on the left, immediately before the ramp that goes under the building. Enter the parking lot by driving between the buildings and making a left into the elevated lot. Follow the signs up to the levels for public parking.

For public transit access use SamTrans Bus lines 390, 391, 292, KX, PX, RX, or take CalTrain to the San Carlos Station and walk two blocks up San Carlos Avenue.

6.	Review and approval of the program definition for AB 1546 - Environmental/ Transportation Pilot Program.	Action (Napier)	Pages 27-32	6:30 p.m. (15 mins)
7.	Approval of Resolution 04-28 authorizing the C/CAG Chair to execute an amendment to the agreement with Advocation, Inc. to provide lobbying services during the 2005 Legislative Session for an additive amount of $72,000.	Action (Napier & Martone)	Pages 33-35	6:45 p.m. (10 mins)
8.	Establish date and time for next meeting (December 9, 2004).	Action (Panza)		6:55 p.m. (5 mins)
9.	Adjournment.	Action (Panza)		7:00 p.m.

NOTE: All items appearing on the agenda are subject to action by the Committee. Actions recommended by staff are subject to change by the Committee.

Other enclosures/Correspondence

- None

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE

MINUTES
MEETING OF SEPTEMBER 9, 2004

At 5:10 p.m. Chairman Lee Panza called the meeting to order in the Fourth Floor Dining Room at the San Mateo Transit District Office.

Members Attending: Chairman Lee Panza, Vice-Chair Sue Lempert, Deborah Gordon, Marc Hershman, Joe Silva, Mike King, and Deborah Wilder.

Staff/ Guests Attending: Richard Napier (C/CAG Executive Director), Brian Moura (City of San Carlos), David Burruto (Speaker pro Tem Leland Yee's Office), Walter Martone (C/CAG Staff).

1. Public comment on items not on the agenda.

- None

2. Minutes of the Meeting of August 12, 2004.

Motion: To approve the minutes of August 12, 2004 as presented. Hershman/Gordon, unanimous.

3. Update from C/CAG's Lobbyist in Sacramento (via conference call).

- September 30th is the last day for the Governor to sign or veto bills passed by the legislature.
- AB 2702, the Steinberg bill to restrict local jurisdiction discretion over the approval or disapproval of 2nd units has made it to the Governor's Desk. More letters are needed to encourage a veto of this bill. The Board of Realtors has made passage of this bill its top priority. C/CAG has already taken an "oppose" position on AB 2702.
- There are currently 841 bills on the Governor's Desk for consideration.
- AB 923 by Assemblyman Firebaugh, would increase the vehicle registration fee by $6 to support air quality programs. Our Lobbyist is concerned that this bill, which is also on the Governor's Desk, may be viewed as competitive with C/CAG's AB 1546.
- To date LOCAL has raised $4.7 million to support the campaign to pass Proposition 1A. Although the Governor has committed to campaign to pass this measure, he has also signed on to a number of other campaigns. There is concern that he has spread his support or opposition to too many causes and therefore his effectiveness may be wearing thin.

4. Legislative status on AB 1546, provide Board direction to C/CAG staff on AB 1546 Program, and approval of resolution 04-18 of the Board of Directors of the City/County Association of Governments of San Mateo County authorizing a C/CAG Board AB 1546 Negotiating Committee.

AB 1546 has been assigned to a member of the Governor's Staff for review. This individual is very conservative and generally critical of any "fee" bills or increases in taxes. However this individual is also a long time friend of Chuck Cole at Advocation. Chuck and Wes Lujan have scheduled an appointment to meet with the Governor's Staff to encourage a favorable review.

In an effort to make this bill extremely attractive to the Governor, C/CAG staff has written a Resolution whereby the C/CAG Board would make a commitment in the event of the approval of AB 1546, to explore ways that C/CAG could participate in implementing the Governor's Executive Order to advance the development of a "hydrogen highway" for California. This resolution would also appoint a C/CAG Subcommittee to work with Advocation and the Governor's Staff if necessary to clarify and strengthen C/CAG's commitment in this area if necessary.

Motion: To recommend that C/CAG adopt Resolution 04-18. Lempert/Gordon, unanimous.

5. Funding options for the Bay Bridge cost overruns.

The Legislature adjourned without coming up with a solution to the added finances needed to pay for the construction of the new span of the Oakland-Bay Bridge. The Administration has still not indicated whether it will seek an extension of the existing bid or allow it to expire and rebid the project. Executive Director Napier has sent a letter encouraging the Administration not to pursue redirecting funds that were approved under Regional Measure 2 to pay for the cost overruns of the Bay Bridge. These funds were approved by the voters for specific projects, some of which are critical to San Mateo County.

6. Consideration of positions on other pending legislation.

David Burruto, representing Assembly Speaker Pro Tempore Leland Yee, requested consideration by the Committee on two pieces of legislation that are pending in the Governor's Office.

AB 2466, authored by Assemblyman Yee, will guarantee that local governments throughout California receive their fair share of jet fuel sales tax dollars. Under a loophole in the current law, United Airlines has been able to divert all of the sales tax dollars for its entire California fleet, to the City of Oakland. In return for this diversion, Oakland has rebated 65% of these sales tax dollars to United Airlines. San Mateo, San Francisco, and Santa Clara Counties are losing millions of sales tax dollars due to this exploitation of the loophole.

SB 792, authored by Senator Sher, will require Caltrans to transfer certain surplus right-of-way property to State Parks. This bill is needed in order to resolve issues related to a final appeal of the construction of the Devil's Slide Tunnel.

> ***Motion: To recommend that C/CAG "support" AB 2466 and SB 792. Lempert/Gordon, unanimous.***

7. Establish date and time for next meeting (September 9, 2004).

Due to the fact that the Legislature is in recess, it was decided to cancel the October and November meetings. Therefore the next meeting was set for December 9, 2004 at 5:00 p.m. at the Fourth Floor Dining Room at the San Mateo County Transit District Office.

8. Adjournment.

The meeting was adjourned at 6:35 p.m.

SIGNIFICANT ACTIONS IN THE 2004 LEGISLATIVE SESSION

1. AB 1546 (sponsored by C/CAG) was signed by Governor.

2. AB 1426 (opposed by C/CAG) to establish affordable housing requirements in the Sacramento area was vetoed by the Governor.

3. AB 2702 (opposed by C/CAG) to impose rules on local governments regarding the approval of 2nd units was vetoed by the Governor.

4. AB 2782 to allow members of Joint Powers Agencies to disclose information from closed sessions of that JPA, to members of their member agency in a closed session was signed by the Governor.

5. AB 269 to allow redevelopment agencies in San Mateo County to use its funds for housing projects within ½ mile of a Samtrans, SMTA, or JPB right-of-way was signed by the Governor.

6. SB 849 to study the feasibility of consolidating functions of ABAG and MTC was signed by the Governor. The Governor also requested that the committee conducting this review be expanded to include the Secretary of Business, Transportation and Housing.

7. AB 2466 (supported by C/CAG) to close a loophole in the sales tax law that has allowed United and other airlines to apportion the sales tax on jet fuel to a single jurisdiction was vetoed by the Governor.

8. SB 792 (supported by C/CAG) to transfer a piece of Caltrans property to State Parks in order to close the deal to build the Devil's Slide Tunnel was signed by the Governor.

C/CAG LEGISLATIVE POSITIONS AND TRACKING STATUS FOR 2004

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation * indicates a match with the C/CAG position. Abstentions/absences noted with "A"				
							Sher	Simitian	Speier	Mullin	Yee
Airport Land Use											
AB 920 amend-5/10/04	Nakano	Sale of property-airport disclosure	No action		*Chaptered*		YAY	YAY	AY	YYY	YYY
Bicycle and Pedestrian											
AB 775 5/24/04	*Parra*	*Safe Routes to Schools extension*		*DEAD*	*Sen Trans*			YYY		YY	YY
SB 1087 6/24/04	*Soto*	*Safe Routes to Schools extension*			*Chaptered*		AY	YY	AYAY	Y	YY
SB 1381 6/21/04	*Kuel*	*Task Force for bicycling and walking*			*Vetoed*		YY	YY	YYYY	Y	YY
Contracting											
ERAF											
ACA 5 Intro 12/11/02	Cogdill	Cap on ERAF	Support	*DEAD*	Asm App					Y*	
SB 407 amend-9/12	Torlakson	Previously exempt special districts brought into ERAF	Oppose	*DEAD*	Asm Inactive (reconsideration granted)	Ten	Y	YA*A* A*A*	Y	YYYY	YYYY Y
SB 1804 2/20/04	*Senate Com on Local Gov't*	*Reduction of 50% in ERAF contributions*		*DEAD*	*Sen Local Gov't*						

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
Housing											
AB 1426 amend-9/8	Steinberg	Housing, Sacramento area.	Oppose		*Vetoed*		*Y*	YY*A**	A**Y*	YYYY	YY*Y*
AB 1970 2/12/04	*Harman*	*No new housing in housing element*		*DEAD*	*Asm Local Gov't*						
AB 2158 8/17/04	*Lowenthal*	*Procedures for determining regional housing needs assessments*			*Chaptered*		*Y*	*YY*	*YY*	*YYYY*	*YYY*
AB 2264 4/12/04	*Chavez*	*Must identify available private funds in housing elements*		*DEAD*	*Asm H & CD*						
AB 2348 8/23/04	*Mullin*	*Reductions in regional housing needs assessments*			*Chaptered*		#	*YY*	*Y#*	*YYY*	*YYY*
AB 2980 4/19/04	*Salinas*	*Housing element self-certification*		*DEAD*	*Asm App*					*YY*	
SB 744 amend-5/25/04	Dunn	State preemption of local land use authority	Oppose	*DEAD*	*Asm Local Gov't*	Five	*N**		*YN**		
Land Use Authority											
AB 1268 amend-*6/9/04*	Wiggins	*Allow land use element to express community intentions*	Oppose in concept		*Chaptered*		*Y*	YY*Y*	*Y*	YY*Y*	YY*Y*

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
AB 2135 4/15/04	*Levine*	*City/county land available for tele-communications facilities*		*DEAD*	*Asm App Suspense*						
AB 2702 8/23/04	*Steinberg*	*2nd unit requirements*	*Oppose*		*Vetoed*		*A**	*A*A**	*N*N*N**	*YYYY*	*N*N*N**
SB 1263 2/13/04	*Torlakson*	*Mandatory approval of developments*		*DEAD*	*Sen Local Gov't*						
SB 1592 6/9/04	*Torlakson*	*Infill incentive requirement in General Plans*		*DEAD*	*Asm Local Gov't*		*Y*		*YY*		
SB 1641 3/31/04	*Alarcon*	*Big box stores – restrictions on local gov'ts*		*DEAD*	*Sen Local Gov't*						
SB 1656 2/20/04	*Karnette*	*Development Fees (intent bill)*		*DEAD*	*Sen Rules*						
SB 1815 4/27/04	*Johnson*	*Mandated refund of permit fees*	*Oppose*		*Chaptered*		*Y*	*Y*	*Y*	*YY*	*YY*
Local Government Finance											
AB 1546 amend-8/18	Simitian	Vehicle registration fee for San Mateo County	Support		*Chaptered*	One	*Y**	Y*Y* Y*Y* Y*	*NN*	Y*Y* Y*Y*	Y*Y* Y*Y*
AB 1690 amend-9/4	Leno	Local income tax for public safety	Watch	*DEAD*	Sen App			YY		YY	YY

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
AB 1804 3/23/04	*Dutra*	*VLF offset*		*DEAD*	*Asm. App*						
AB 3105 4/1/04	*Campbell/ Steinberg*	*Hertzberg proposal to restructure local gov't funding.*		*DEAD*	*Asm Rev & Tax*					*Y*	
ACA 9 amend-4/21	Levine	Lower vote threshold for special taxes	Support in concept	*DEAD*	Asm Inactive			Y*		Y*	Y*
ACA 11 amend-4/21	Levine	55% vote for infrastructure bonds	Support	*DEAD*	Asm Inactive			Y*		Y*	Y*
ACA 14 amend-6/23	Steinberg	55% vote for infrastructure special taxes	Oppose	*DEAD*	Asm Inactive			YA*		YY	YY
ACA 15 amend-4/7	Wiggins	Majority vote for public safety special taxes	Neutral	*DEAD*	Asm Inactive			YY			Y
ACA 30 4/1/04	*Campbell/ Steinberg*	*Hertzberg proposal to restructure local gov't funding.*		*DEAD*	Asm Rev & Tax					*Y*	
SB 1212 6/28/04	*Ducheny*	*Replacement of VLF backfill*		*DEAD*	*Asm App*		*Y*		*AY*	*Y*	
SB 1774 5/24/04	*Torlakson/ Johnson*	*Hertzberg proposal to restructure local gov't funding.*		*DEAD*	*Asm Local Gov't*		*A*		*AY*		

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
SB 1885 6/16/04	*Sher*	*San Mateo County Regional Park District*		*DEAD*	*Asm Local Gov't*						
SBX5 1 12/12	Brulte	VLF Backfill	Support	*DEAD*	Sen Local Gov't	YES					
SCA 1 amend-3/23/04	Alarcon	55% vote for infrastructure bonds	Oppose	*DEAD*	*Sen Inactive*						
SCA 21 4/1/04	*Torlakson/ Johnson*	*Local Taxpayers & Public Safety Protection Act (League proposal)*		*DEAD*	*Sen App 6/28*						
SCA 22 4/1/04	*Torlakson/ Johnson*	*Hertzberg proposal to restructure local gov't funding.*		*DEAD*	*Sen App 6/28*						
Mandates											
SB 1573 2/19/04	*Battin*	*Limits on costs reimbursed due to State mandates*		*DEAD*	*Sen Local Gov't*						
Other Local Government Interest											
AB 204 1/22/04	Nation	$6 vehicle reg. fee for Coastal Conservancy		*DEAD*	*Sen Trans (failed)*		*Y*	*YYY*		*YY*	*YY*
AB 1827 7/12/04	*Benoit*	*Closed session to consider audit reports*			*Chaptered*		*Y*	*YY*	*Y*	*YYY*	*NN*
AB 2318 8/23/04	*Hancock*	*Records retention for audit records*			*Chaptered*		*YYY*	*AY*	*Y*	*YYY*	*YY*

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Spcier	Mullin	Yee
AB 2366 8/26/04	*Chan*	*~~BAAQMD $1 VLF increase~~ Amended to be Bay Bridge Financing Bill*		*DEAD*	*Sen Desk*		*YY*	*YY*	*AY*	*YY*	*YY*
AB 2782 6/24/04	*Benoit*	*JPA closed session disclosure rules.*			*Chaptered*		*A*	*YY*	*Y*	*YYY*	*NN*
AB 2854 3/23/04	*Laird*	*Makes optional a cost effectiveness study before consolidating local elections*			*Chaptered*			*Y*		*YY*	*YY*
AB 2880 7/15/04	*Pavley*	*$2 increase in the vehicle registration fee for Air Districts*		*DEAD*	*Sen App*		*Y*	*YY*	*YY*	*Y*	*YY*
Property Tax											
ACA 16 amend-6/23	Hancock	Non-residential property assessments	Oppose	*DEAD*	Asm Rev & Tax						
ACA 17 amend-6/26	Daucher	Property and sales tax swap	Oppose	*DEAD*	Asm Local Gov't						
SB 17 Amend-6/26	Escutia	Commercial property reporting	Watch	*DEAD*	Asm *Failed*		Y	YY*Y*	Y	Y*Y*	Y*Y*
Public Employees Compensation and Benefits											
SB 1602 3/25/04	*Sen Com on Pub Employees*	*Extension of PERS death benefits*		*DEAD*	*Sen App Suspense*						

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
Redevelopment											
AB 269 amend-7/13/04	*Mullin*	*Use of redevelopment $ within 1/3 mile of a JPB, TA, or Samtrans right of way.*			*Chaptered*		*Y*	*YY*	*A*	*YYY*	*YY*
AB 1358 amend-6/3	Simitian	Use of redevelopment $ within 5 miles	Support	*DEAD*	Sen H & C D			Y*		Y*Y*	A
Sales & Use Tax											
AB 2107 amend-5/17/04	*Levine*	*Use Tax: Vehicles, vessels and aircraft*	*Support*	*DEAD*	*Asm 3rd reading*			*Y**			
Smart Growth											
AB 723 amend-7/22/04	*Matthews*	*Jobs-housing opportunity zones*		*DEAD*	*Sen Inactive*			*YY*		*YY*	*YY*
AB 2466	*Yee*	*Jet fuel sales tax.*	*Support*		*Vetoed*		*A*	*Y**	*Y**	*Y**	*Y**
Solid Waste and Recycling											
AB 736 *amend-8/17/04*	Hancock	School "green buildings"	No action		*Vetoed*		Y	YY		YY	YY
SB 983 amend-5/1	Alarcon	Waste Management Plan requrements	Ask for input from Sher	*DEAD*	Asm Nat Res		YY				
Stormwater Pollution Prevention											
ACA 10 Intro-2/11	Harman	Exclude stormwater from Prop. 218	Support	*DEAD*	Asm Inactive	Four		Y*		Y*	Y*

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
SB 1089 7/8/04	*Johnson*	*State water pollution control revolving fund*	*Support*		*Chaptered*		*Y*Y*Y**	*Y**	*Y*Y**	*Y**	*Y*Y**
Transportation - Roads											
AB 57- amend- 9/4	Yee	Vehicle registration fee for San Francisco	Neutral	*DEAD*	Sen App			YYY		YY	YY
AB 1187 7/15/04	*Leno*	*Vehicle license fee for San Francisco*		*DEAD*	*Sen App*						
SB 792	*Sher*	*Caltrans right-of-way transfer to State Parks*	*Support*		*Chaptered*		*Y*Y**	*Y*Y**	*Y**	*Y*AY**	*Y*Y**
Transportation – All Modes											
AB 392 6/22/04	*Montanez*	*Environmental Justice and Community Based Trans Planning Grants*	*Support*	*DEAD*	*Sen Trans*			*Y*Y*Y**		*Y*Y**	*Y*Y**
AB 1065 5/12/03	*Longville*	*Increase TDA sales tax funding for transit & roads*		*DEAD*	*Sen Rev & Tax*			*YY*		*Y*	*Y*
AB 2741 3/30/04	*Salinas*	*MTC Composition*	*Oppose*	*DEAD*	*Asm Local Gov't*			*Y*			
AB 2847 4/27/04	*Oropeza*	*5 cent increase in gas tax*		*DEAD*	*Asm App*			*YY*		*Y*	
AB 2908 2/20/04	*Wolk*	*MTC Composition*	*Oppose*	*DEAD*	*Asm Trans*						

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
AB 3011 4/1/04	*Laird*	*Vehicle Registration Fee for Santa Clara County*		*DEAD*	*Asm App Suspense*			*Y*		*Y*	
ACA 7 amend 5/22	Dutra	Reduce sales tax voter threshold for transportation	Support	*DEAD*	Asm Inactive	Three		Y*Y*			Y*
ACA 2[illegible] 1/7/04	*Bogh*	*4/5 vote to suspend Congestion Relief Program*		*DEAD*	*Asm Trans (failed)*			*N*			
ACA 24 4/29/04	*Dutra*	*Tighter restrictions for loans of Prop 42 funds to the General Fund*		*DEAD*	*Asm App Suspense*			*A*		*Y*	
ACA 2[illegible] 3/11/0[illegible]	*Harman*	*Deletes ability of Governor to use gas sales tax $ for the General Fund*		*DEAD*	*Asm App Suspense*			*Y*			
SB 849 amend 6/15/04	*Torlakson*	*Study of joint MTC/ABAG functions*			*Chaptered*		*Y*	*AA*	*Y*	*YY*	*YY*
SB 1443 5/24/04	*Murray*	*Ensures continuous flow of transportation $*		*DEAD*	*Asm App Suspense*		*A*		*YYY*		
SB 1614 4/29/04	*Torlakson*	*5 cent increase in gas tax when retail price is below $2*		*DEAD*	*Sen Trans*				*AY*		
SB 1701 2/20/04	*Karnette*	*Intent to provide $ to reduce traffic congestion*		*DEAD*	*Sen Rules*						

Bill #	Author	Subject	C/CAG Position	Status	Location	Lobbyist Priority	Votes of San Mateo County Delegation				
							Sher	Simitian	Speier	Mullin	Yee
SCA 2 amend-2/20	Torlakson	Reduce sales tax voter threshold for transportation + smart growth	Oppose unless amended	*DEAD*	Sen *Const Amend*	Three			Y		
SCA 7 amend-4/28	Murray	Repayment of fuel taxes	Support	*DEAD*	Sen App suspense				Y*		
SCA 2-5/11	*Brulte*	*Restricts raids on Congestion Relief Fund*		*DEAD*	*Sen Ed*				*A*		
Transportation - Transit											
Water											
SB 1132 4/13/0-	*Brulte*	*Water bond $ to So. Calif.*		*DEAD*	*Sen Env. Quality (failed)*		*A*				

Italics = New bills tracked and votes taken in 2004

Does not includes bills from the Special Session on 11/18/03		
Total # of bills introduced in the 2003-04 session		5,588
Total # of bills that C/CAG reviewed and took positions on		80
% of total bills that C/CAG took positions on		1%
# of bills with no action taken		6 bills = 7.5%
Summary of C/CAG positions		
• Support		37 bills = 46%
• Oppose		26 bills = 33%
• Neutral		4 bills = 5%
• Request additional information		1 bills = 1%
• Watch		6 bills = 7.5%

Updated October 4, 2004		

C/CAG AGENDA REPORT

Date: November 11, 2004

To: City/County Association of Governments Legislative Committee

From: Richard Napier, Executive Director

Subject: REVIEW AND APPROVAL OF LEGISLATIVE SCORE SHEET FOR ADVOCATION AND LEGISLATORS.

(For further information contact Walter Martone at 599-1465)

RECOMMENDATION

That the Legislative Committee recommend approval to the C/CAG Board of the attached Legislative Score Sheet for Advocation and the members of the San Mateo County Legislative Delegation.

FISCAL IMPACT

The total cost of the contract with Advocation, Inc. for the period of December 2003 through December 2004 was $60,000.

SOURCE OF FUNDS

Funding to support the contract with Advocation was available in the currently approved budget.

BACKGROUND/DISCUSSION

The attached chart provides information on the 2004 voting records of the California State Assemblypersons and Senators that represent the jurisdictions in San Mateo County. As approved by the C/CAG Board in November 2003, the method of calculating the voting record gives ½ credit for abstaining from or being absent on votes where C/CAG has taken an "oppose" position, and subtracts ½ credit where C/CAG has taken a "support" position. Not included in the votes is the fact that Assemblyman Simitian authored C/CAG's bill (AB 1546) and presented/ defended C/CAG's bill before seven Committees of the Legislature. Assemblymembers Mullen and Yee also became co-authors of the bill.

ATTACHMENTS

- Voting record for San Mateo Legislative Delegation - 2004 Legislative Session.
- Record for Advocation.

VOTING RECORD FOR SAN MATEO COUNTY LEGISLATIVE DELEGATION

2004 Calendar Year

TOTAL VOTES ON BILLS THAT C/CAG TOOK A POSITION ON	Sher	Speier	Mullin	Simitian	Yee
Total votes supporting C/CAG's positions (does not include reconsideration or suspense file votes).	7	8	5 ½	9 ½	10
Total votes opposing C/CAG's positions (does not include reconsideration or suspense file votes).	3	4	8	3	4
Percent voting with C/CAG (does not include reconsideration or suspense file votes).	58%	67%	37%	68%	71%

BILLS VOTED ON IN 2004	Sher	Speier	Mullin	Simitian	Yee
AB 1426 – Housing requirements for Sacramento Area (C/CAG Opposed)	Yes	Yes	Yes	***Abstained**	Yes
SB 744 – State preemption of local land use authority (C/CAG Opposed)	***No**	***No**			
AB 1268 – Expansion of General Plan land use elements (C/CAG Opposed)	Yes	Yes	Yes	Yes	Yes
AB 2702 – 2nd Unit requirements for approval (C/CAG Opposed)	***Abstained**	***No (3x's)**	Yes (4x's)	***Abstained (2x's)**	***No (3x's)**
SB 1815 – Mandated refund of permit fees if deadline is exceeded (C/CAG Opposed)	Yes	Yes	Yes (2x's)	Yes	Yes (2x's)
AB 1546 – Vehicle registration fee for San Mateo County (C/CAG Sponsored)	***Yes**	No			
AB 2107 – Use tax for vehicles, vessels and aircraft (C/CAG Supported)				***Yes**	
AB 2466 – Equitable payment of jet fuel sales tax (C/CAG Supported)	Abstained	***Yes**	***Yes**	***Yes**	***Yes**
SB 1089 – Include NPDES in State water pollution control revolving fund (C/CAG Supported)	***Yes (3x's)**	***Yes (2x's)**	***Yes**	***Yes**	***Yes (2x's)**
SB 792 – Transfer of Caltrans property to State Parks as a condition of Devil's Slide project (C/CAG Supported)	***Yes (2x's)**	***Yes**	***Yes (2x's)** & Abstained (1x's)	***Yes (2x's)**	***Yes (2x's)**
AB 392 – Environmental Justice Grants (C/CAG Supported)			***Yes (2x's)**	***Yes (3x's)**	***Yes (2x's)**
AB 2741 – Amend the composition of MTC (C/CAG Opposed)				Yes	
Total Possible Votes Cast	12	12	15	14	14

Bold * = vote consistent with C/CAG's stated position.

Notes:

- The method of calculating the voting record gives ½ credit for abstaining from or being absent on votes where C/CAG has taken an "oppose" position, and subtracts ½ credit where C/CAG has taken a "support" position.
- Not included in the votes is the fact that Assemblyman Simitian agreed to author C/CAG's bill (AB 1546); Assemblymembers Mullen and Yee became co-authors of the bill; and Senator Sher carried the bill on the Floor of the Senate.
- Not included in the votes is the fact that Assemblyman Simitian presented and defended C/CAG's bill before seven Committees of the Legislature.

RECORD FOR ADVOCATION

2003-04 Legislative Session Priorities for Advocation

	# of Priority Bills	Legislature			Governor		
		Passed	Died	% Success	Signed	Vetoed	% Success
Bills sponsored by C/CAG	1	1	0	100	1		100
Bills supported by C/CAG	2	0	2	0			
Bills opposed by C/CAG	7	0	7	100			

2003-04 Legislative Session – In cludes all of the Bills that C/CAG took positions on in 03-04

	# of Bills	Legislature			Governor		
		Passed	Died	% Success	Signed	Vetoed	% Success
Bills sponsored by C/CAG	1	1	0	100	1	0	100
Bills supported by C/CAG	36	16	20	44	13	3	81
Bills opposed by C/CAG	26	10	16	62	8	2	20

Evaluation of Lobbyist by C/CAG Staff

Measurement	Comments
Results of bills assigned to Lobbyist	C/CAG's top priorities for this legislative session have been securing the passage of AB 1546 and advocating for Constitutional protection of local government resources. On both of these priorities Advocation has aggressively represented C/CAG's interests. As a result, C/CAG's first bill sponsored, AB 1546 to provide over $11 million to San Mateo County jurisdictions, was signed into law. Proposition 1A, to amend the Constitution to protect local resources, will go before the voters on November 2, 2004.
Feedback from Legislators and other relevant parties such as the League, etc.	Assemblyman Simitian, the author of C/CAG's bill – AB 1546, unequivocally stated that Advocation did an excellent job in securing the passage of AB 1546. They did most of their work behind the scenes, including securing the votes of key legislators, and ensured that all those who were partners in the effort, received the credit.

Degree to which C/CAG has been visible in Sacramento.	There has been a marked increase in the extent to which the opinion of C/CAG has been sought by State elected officials. Legislators' and their staff now routinely contact C/CAG for information, for advice, and to request the support of C/CAG on measures they are carrying.
Degree to which the Lobbyist has been responsive to staff requests.	Advocation Staff have made themselves available to C/CAG Staff during and after regular work hours, and on weekends. In the absence of the chief liaison to C/CAG, Wes Lujan, other Advocation representatives have ably filled in and made themselves equally available. Generally whenever C/CAG Staff have left a message for someone at Advocation, we have heard back within two hours.
Degree to which the Lobbyist has kept Staff informed.	Advocation has provided staff with regular (weekly) alerts of potential legislation of interest to C/CAG; generally there are been weekly phone conversations with Advocation on the status of important issues; and periodic meetings in Sacramento where Advocation introduced C/CAG Staff to key Legislative contacts.
Degree to which the Lobbyist was knowledgeable and managed the Legislative process.	Securing the passage of AB 1546 was a true test of Advocation's knowledge of the workings of the Legislative process and its ability to orchestrate the process. This bill was discussed in an unprecedented seven Committee hearings and was negotiated with the staffs of these Committees and the staffs of many of the Legislators sitting on these Committees. They also negotiated rule waivers for the bill and ultimately worked with the Governor's Office to secure his signature. The results speak for themselves – the passage of a bill that was opposed by all Republicans and signing it into law by a Republican Governor. There were five other bills that were very similar to AB 1546 that were introduced during this Legislative Session. All of them either died or were defeated.

Overall Conclusion and recommendation of C/CAG Staff

C/CAG Staff strongly recommends that the contractual relationship between C/CAG and Advocation be renewed for another year. The cooperative working arrangement between this agency and C/CAG has been outstanding; the service provided has been excellent; the responsiveness has been superb; and the skill that this organization has demonstrated in advocating for C/CAG's goals has surpassed our expectations. Furthermore, they have more than achieved C/CAG number stated goal for Legislation – "Follow the Money!" The passage of AB 1546 will be worth $11 million to San Mateo Local Jurisdictions over the next four years.

C/CAG AGENDA REPORT

Date: November 11, 2004

To: City/County Association of Governments Legislative Committee

From: Richard Napier, Executive Director

Subject: REVIEW AND APPROVAL OF THE C/CAG BOARD STATE LEGISLATIVE PRIORITIES FOR THE 2005 STATE LEGISLATIVE SESSION

(For further information or questions contact Richard Napier at 599-1420 or Walter Martone at 599-1465)

RECOMMENDATION

That recommend approval to C/CAG Board of the list of State legislative priorities for 2005 as attached to this report.

FISCAL IMPACT

Many of the priorities listed in the attached chart have the potential to greatly increase the fiscal resources available to C/CAG member agencies.

SOURCE OF FUNDS

New legislation.

BACKGROUND/DISCUSSION

Each year the C/CAG Board adopts a set of legislative priorities to provide direction to its Legislative Committee, staff, and its Lobbyist. The C/CAG Board in the past has established the following things that the priorities are intended to accomplish:

- Identify a clearly defined program with objectives at the beginning of the Legislative Session.
- Identify specific priorities to be accomplished for the Session by the Program and the Lobbyist.
- Limit the activities of C/CAG to areas where we can have the greatest impact.

The adoption of a list of priorities will hopefully maximize the impact of having a Lobbyist represent C/CAG in Sacramento and will also significantly reduce the amount of C/CAG staff time that is needed to support the program. The list developed by staff includes all of the items that have been priorities of C/CAG in the past.

ATTACHMENTS

- Proposed C/CAG Legislative Priorities for 2005.

PROPOSED C/CAG LEGISLATIVE PRIORITIES FOR 2005

Objective	Strategy	Relevant Bills	Priority
1. Secure stable funding to pay for increased NPDES mandates.	• Support efforts to exempt NPDES from the super majority voting requirements. • Include NPDES as a priority for funding in new sources of revenues (i.e. water bonds). • Advocate for C/CAG and San Mateo County jurisdictions to be identified as a pilot project to receive earmarked funding.	• Reintroduce, support and aggressively work for the passage of ACA 10.	ONE
2. Encourage the State to protect transportation funding.	• Urge the State to restrict or eliminate transfer of State transportation funds to the State General Fund. • Urge the State to continue to pursue a solution to the Federal Ethanol tax problem. • Urge the State to pay back the previous loans within the next four years. • Urge the passing of legislation to close the Proposition 42 loophole that allows the State to borrow the funds at will. • Direct the C/CAG legislative advocate to monitor and advocate these positions.		
3. Guard the right of local jurisdictions to establish and enforce local land use policy (support the efforts of the League, but do not take an active role).	• Oppose efforts to limit the ability of local jurisdictions to determine appropriate land uses within its boundaries. • Support efforts that provide added flexibility to local jurisdictions so that they can implement smart growth programs.		
4. Support incentives for increasing low and moderate income housing stock, and oppose State housing mandates.	• Support efforts to allow jurisdictions to contribute to affordable housing projects in other jurisdictions and receive State credit for the contribution. • Oppose State dictated criteria for the approval of housing. • Support incentives for housing that represent new funding. • Oppose redirecting existing revenues and adding new requirements. • Support efforts to give jurisdictions increased flexibility to meet housing needs.		

5. Support lowering the 2/3rd super majority vote for local special purpose taxes.	• Support bills that reduce the vote requirement for special taxes such as public safety, infrastructure, and transportation. • Oppose bills that lower the threshold, but dictate beyond the special tax category, how locally generated funds can be spent.		
6. Protect against increased local costs resulting from State action without 100% State reimbursement for the added costs.	• Ensure that there is real local representation on State Boards and Commissions that are establishing policies and requirements for local programs. • Advocate for the appointment of Administration Officials who are sensitive to the fiscal predicament faced by local jurisdictions. • Oppose State action to dictate wage and benefits for local employees. • Oppose State action to restrict the ability of local jurisdictions to contract for services. • Advocate for State actions that are required to take into consideration the fiscal impact to local jurisdictions.		
7. Support congestion pricing as a tool to manage traffic congestion.	• Support a congestion pricing demonstration on the Dumbarton Bridge (such as a high-occupancy-toll lane) to address traffic congestion in the 2020 Peninsula Gateway Corridor study area.		

C/CAG AGENDA REPORT

Date: November 11, 2004

TO: C/CAG Board of Directors

From: Richard Napier - C/CAG

Subject: Review and approval of the program definition for the AB 1546- Environmental/ Transportation Pilot Program

(For further information or response to question's, contact Richard Napier at 650 599-1420)

Recommendation:

Review and approval of the program definition for the AB 1546-Environmental/ Transportation Pilot Program in accordance with the staff recommendation.

Fiscal Impact:

AB 1546 allows C/CAG to assess up to $4 per registered motor vehicle for four years. There are 685,384 registered vehicles in San Mateo County. Therefore, AB 1546 will provide up to $10,966,144 in revenue.

Revenue Source:

Up to $4 motor vehicle fee for vehicles registered in San Mateo County.

Background/ Discussion:

In order to leverage the limited funds available C/CAG sponsored AB 1546. AB 1546 was signed by Governor Schwarzennegger and will become law on January 1, 2005. AB 1546 will create a four-year demonstration project in San Mateo County. This bill will authorize C/CAG to increase the Vehicle Registration Fee on vehicles registered in San Mateo County by up to $4.00 in order to fund programs to minimize storm-water pollution in the San Francisco Bay and to support the management of traffic congestion including the establishment of an Alternate Fuel Vehicle Shuttle Program to improve air quality. AB 1546 is a pilot program for San Mateo County with strong management controls including public hearings, specific work program/ budget, performance measures, independent audit, sunset provision, and a report to the legislature.

On August 12, 2004 the C/CAG Board adopted Resolution 04-13 to use a portion of the revenues generated by AB 1546 to explore the use of technologies such as Hydrogen Fuel Cell, Hydrogen Combustion, Hybrids/ Plug-In Hybrids, Battery-Electric, Bio-diesel, Compressed Natural Gas, and other technologies for use in shuttle vehicles as an alternative to fossil fuel powered vehicles. Passage of AB 1546 allows the C/CAG Board to direct its staff as a first step to explore how the

AB 1546 Program can be used to identify locations, aid in permitting, and explore partnerships for the development of Hydrogen Fueling Stations in San Mateo County to further the objectives of Executive Order S-7-04 by the Governor of the State of California. This effort is consistent with the State's vision of a Hydrogen Highway in California. This commitment may have been a key factor in the Governor's decision to sign AB 1546.

AB 1546 Environmental/ Transportation Pilot Program:

A program meeting the following broad objectives is recommended.

1- Funds should be split equally between the two major programs. (Stormwater Pollution Prevention and Transportation)
2- In each major program, half of the funds be should be used to reimburse the Cities/ County for current activities in those areas.
3- New programs should be identified that recognize that the funding will only be available for four years. Therefore, a future un-funded obligation should not be created.
4- Payments to the Cities/ County should require the completion of a detailed report in a form that can be submitted directly to the State Legislature as part of the final report.

A general framework for the AB 1546 Program is shown in the attached "AB 1546 Environmental/Transportation Pilot Program."

Recommendations:

C/CAG staff recommends that the C/CAG Board take the following actions:

1- Approve the general concept of the AB 1546 Environmental/ Transportation Pilot Program.
2- Refer the program concept to the CMP TAC and CMAQ Committee to further define the Congestion Relief/ Alternative Fuel Vehicle Shuttle Program.
3- Refer the program concept to the NDES TAC to further define the Stormwater Pollution Prevention Program (Motor Vehicle related).

Attachment:

AB 1546 Environmental/ Transportation Pilot Program
Resolution 04-13

Alternatives:

1- Review and approval of the program definition for the AB 1546-Environmental/ Transportation Pilot Program in accordance with the staff recommendation.

2- Review and approval of the program definition for the AB 1546-Environmental/ Transportation Pilot Program in accordance with the staff recommendation with

modifications.

3- No Action.

AB 1546 ENVIRONMENTAL/ TRANSPORTATION PILOT PROGRAM

Revenue

Term: July 1, 2006 thru June 30, 2010

Registered Motor Vehicles: 685,384

Maximum Fees Generated: $10,966,144 ($2,741,536/ year)

Programs

	% of Total Revenue	Estimated Revenue
Congestion Relief/ Alternative Fuel Vehicle Shuttle:	50%	$5,483,072 ($1,370,768/ year)
Cities/ County Reimbursement	25%	$2,741,536 ($685,384/ year)
New Programs	25%	$2,741,536 ($685,384/ year)

a. Alternative Fuel Vehicle Shuttle Program
b. Inteligent Transportation System Enhancement
c. Operational Improvements
d. Other (TBD)

Stormwater Pollution Prevention Program: (Motor Vehicle Related)	50%	$5,483,072 ($1,370,768/ year)
Cities/ County Reimbursement	25%	$2,741,536 ($685,384/ year)
New Programs	25%	$2,741,536 ($685,384/ year)

a. To Be Defined by the NPDES TAC

Action

1- Refer program concept to the CMP TAC and CMAQ Committee to further define Congestion Relief/ Alternative Fuel Vehicle Shuttle Program.
2- Refer program concept to the NDES TAC to further define the Stormwater Pollution Prevention Program (Motor Vehicle related).

RESOLUTION 04-13

* * * * * * * * * * * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/ COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY COMMITTING TO EXPLORE THE DEVELOPMENT OF AN ALTERNATIVE FUEL VEHICLE SHUTTLE PROGRAM FOR SAN MATEO COUNTY

* * * * * * * * * * * * * * * *

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that,

WHEREAS, C/CAG is the Congestion Management Agency for San Mateo County; and

WHEREAS, C/CAG is the San Mateo County Program Manager for the Transportation Fund for Clean Air Program; and

WHEREAS, technologies such as Hydrogen Fuel Cell, Hydrogen Combustion, Hybrids/ Plug-In Hybrids, Battery-Electric, Biodiesel, Compressed Natural Gas, and other technologies are available for use in vehicles as an alternative to fossil fuel powered vehicles; and

WHEREAS, these technologies could be used for shuttles in an Alternative Fuel Vehicle Shuttle Program for San Mateo County; and

WHEREAS, an Alternative Fuel Vehicle Shuttle Program would address both Congestion Management and Air Quality; and

WHEREAS, the Bay Area Air Quality Management District, State of California, and State/ US Environmental Protection Agency are supporting the development of these alternative fuel vehicle technologies; and

WHEREAS, an Alternative Fuel Vehicle Shuttle Program is consistent with the goals and objectives of AB 1546; and

WHEREAS, an Alternative Fuel Vehicle Shuttle Program would be of direct benefit to motorists by increasing transit ridership and advancing the development of low emission alternative fuel vehicle technologies; and

WHEREAS, an Alternative Fuel Vehicle Shuttle Program could be partially funded using the revenue from AB 1546; and

WHEREAS, EXECUTIVE ORDER S-7-04 by the Governor of the State of California directs State Agencies to work with stakeholders "…. including local and regional government organizations…to implement this Executive Order, plan and build a network of hydrogen fueling stations along these roadways and in the urban centers that they connect …".

NOW THEREFORE, BE IT RESOLVED, that in the event of passage of AB 1546 the Board of Directors of the City/ County Association of Governments of San Mateo County:

1- Is committed to explore the development of an Alternative Fuel Vehicle Shuttle Program for San Mateo County;

2- Commits a portion of the revenue received from AB 1546 to leverage additional funding to explore the development of an Alternative Fuel Vehicle Shuttle Program for San Mateo County; and

3- Directs its staff as a first step to explore how the AB 1546 Program can be used to identify locations, aid in permitting, and explore partnerships for the development of Hydrogen Fueling Stations in San Mateo County to further the objectives of Executive Order S-7-04 by the Governor of the State of California.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF AUGUST 2004.

Deborah E.G. Wilder

Deborah E.G. Wilder, Chair

C/CAG AGENDA REPORT

Date: November 11, 2004

To: City/County Association of Governments Legislative Committee

From: Richard Napier, Executive Director

Subject: Approval of Resolution 04-28 authorizing the C/CAG Chair to execute an Amendment to the Agreement with Advocation, Inc. to provide Lobbying Services during the 2005 Legislative Session for an additive amount of $72,000

(For further information or questions contact Richard Napier at 599-1420 or Walter Martone at 599-1465)

RECOMMENDATION

That the Legislative Committee recommend approval to the C/CAG Board of Resolution 04-28 authorizing the C/CAG Chair to execute an amendment to the agreement with Advocation, Inc. to provide lobbying services during the 2005 Legislative Session for an additive amount of $72,000 in accordance with the staff and Legislative Committee recommendation.

FISCAL IMPACT

The cost of the outside lobbyist for 2005 will not exceed $72,000 (including monthly retainer and expenses). The $72,000 is programmed in the FY 2004-05 C/CAG budget.

SOURCE OF FUNDS

The source of the funds for the lobbyist will be from Congestion Management and National Pollutant Discharge Elimination System (NPDES) revenues.

BACKGROUND/DISCUSSION

Since November 2002 C/CAG has had a Legislative Committee. A State Legislative Lobbyist was retained for the 2003 and 2004 Legislative sessions. C/CAG contracted with Advocation, Inc. for these services. The best way to put the success of this endeavor into perspective is to note that this effort has resulted in AB 1546 being passed and signed into law during the 2004 legislative session. Advocation played a pivotal role in the passage of AB 1546. This bill will be worth $11M over the next four years to the cities and the County.

It is recommended that the C/CAG Board approve the recommendation to continue C/CAG's efforts to impact State Legislation and to renew the agreement with Advocation, Inc. for the 2005 Legislative Session at an added cost of $72,000. The amount represents a $12,000 increase over the current annual amount. This recommendation was based on an evaluation of

C/CAG's Legislative Program and the performance of Advocation as the C/CAG Lobbyist during the 2004 Legislative Session. It also reflects the fact that Advocation will be utilized for more expanded efforts during the 2005 Legislative Session. For example the effort required for the passage of ACA 10, to enable local jurisdictions to apportion the cost of the Stormwater Pollution Prevention Program to individual parcel holders, will be substantially greater than other bills advocated for by C/CAG. This bill will likely be one of the most important priorities for C/CAG in 2005. Unlike AB 1546, which was exclusively for San Mateo County, ACA 10 will require a State-wide effort to lobby Legislators, rally local jurisdictions around the State, influence the priorities of various State-wide organizations. Also under this contract amendment Advocation will be called upon to assume a greater role in the screening of legislation.

The following are some of the strengths of this effort and the ways that it can be improved in 2005.

General Strengths (in comparison to no Legislative Committee or Lobbyist):

- Increased visibility and recognition of C/CAG by individual members of the Legislature and Legislative Staffers.
- Increased information, more timely information, and more detailed information has been made available about specific bills, the Legislature, and specific Legislators.
- Increased coordination and cooperation with C/CAG's partners in the Legislative process (League of Cities, Individual Cities, County, Individual Legislators).

Program Strengths (in comparison with prior years' efforts):

- Limited the activities of C/CAG to areas where we can have the greatest impact.
- Specific and focused staff support on key legislative priorities.
- Reduced the level of C/CAG staff support by demanding more screening of bills by the Lobbyist.

Improvements/ Directions that should be made:

- Identify a clearly defined program with objectives at the beginning of the Legislative Session.
- Identify specific priorities to be accomplished for the Session by the Program and the Lobbyist.
- Limit the activities of C/CAG to areas where we can have the greatest impact.

The implementation of the improvements will also minimize the amount of C/CAG staff time that is needed to support the program.

ATTACHMENTS

- Resolution 04-28.

RESOLUTION 04-28

* * * * * * * * * * * * *

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) AUTHORIZING THE C/CAG CHAIR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ADVOCATION, INC. TO PROVIDE LOBBYING SERVICES DURING THE 2005 LEGISLATIVE SESSION FOR AN ADDITIVE AMOUNT OF $72,000

* * * * * * * * * * * * * * * * *

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, C/CAG is a joint powers agency representing all twenty-one local jurisdictions in San Mateo County; and

WHEREAS, the C/CAG Board has determined that it is vital and necessary that its interests be actively promoted with the California Legislature and Administration; and

WHEREAS, C/CAG has determined that outside lobbying services would be the most appropriate method to ensure that C/CAG is adequately represented in the legislative and administrative processes in the Capitol of the State of California; and

WHEREAS, ADVOCATION initially competed through a request for proposals and qualifications, and C/CAG selected ADVOCATION to provide these services in 2003 and 2004; and

WHEREAS, ADVOCATION has verified that it is qualified and properly licensed to provide these services; and

WHEREAS, ADVOCATION provided assistance in the passage of AB 1546; and

WHEREAS, the C/CAG Board has determined that it desires to continue these services for calendar year 2005, ending on December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Directors of C/CAG is hereby authorized and directed to execute said amendment to the agreement with Advocation, Inc. for an additive amount not to exceed $72,000 for and on behalf of C/CAG, subject to approval as to form by C/CAG Legal Counsel. The new grand total for this agreement will be $192,000. All provisions of the original agreement with Advocation adopted on December 12, 2002 will remain the same.

PASSED, APPROVED, AND ADOPTED THIS 11TH DAY OF NOVEMBER 2004.

Deborah E.G. Wilder, Chair