



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
LEGISLATIVE COMMITTEE MEETING

COMMITTEE MEMBERS

TOM BATES - CHAIRPERSON
JOHN AVALOS
JENNIFER HOSTERMAN
ASH KALRA

SUSAN GARNER - VICE CHAIRPERSON
SCOTT HAGGERTY
DAVID HUDSON
NATE MILEY
JOHANNA PARTIN

MONDAY
JANUARY 30, 2012
9:30 A.M.

4TH FLOOR CONFERENCE ROOM
939 ELLIS STREET
SAN FRANCISCO, CA 94109

AGENDA

1. **CALL TO ORDER - ROLL CALL**

2. **PUBLIC COMMENT PERIOD**

(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.

3. **APPROVAL OF MINUTES OF SEPTEMBER 26, 2011**

4. **DISTRICT 2012 LEGISLATIVE AGENDA**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will discuss a proposed agenda for the 2012 legislative year.

5. **DISCUSSION OF GOVERNOR'S PROPOSED BUDGET FOR 2012-2013 FISCAL YEAR**

J. Broadbent/5052
jbroadbent@baaqmd.gov

Staff will report to the Committee on the Governor's proposed budget and its implications for the Air District and air quality.

6. **DISCUSSION OF NEW BILLS**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will discuss new bills and consider recommending Board of Directors' positions where appropriate.

7. **COMMITTEE MEMBERS' COMMENTS**

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

8. **TIME AND PLACE OF NEXT MEETING – AT THE CALL OF THE CHAIR**
9. **ADJOURNMENT**

**CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET
SAN FRANCISCO, CA 94109**

**(415) 749-5130
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov**

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities (notification to the Executive Office should be given at least three working days prior to the date of the meeting so that arrangements can be made accordingly).
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all members of the body to which this Agenda relates shall be made available at the District's offices at 939 Ellis Street, San Francisco, CA 94941, at the time such writing is made available to all, or a majority of all members of that body. Such writing may also be posted on the District's website (www.baaqmd.gov) at that time.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF DISTRICT MEETINGS

JANUARY 2012

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Legislative Committee <i>(At the Call of the Chair)</i>	Monday	30	9:30 a.m.	4 th Floor Conf. Room

FEBRUARY 2012

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	1	9:45 a.m.	Port of Oakland Commissioners' Board Room 530 Water Street Oakland, CA 94607
Advisory Council Regular Meeting <i>(Meets 2nd Wednesday each Month)</i>	Wednesday	8	9:00 a.m.	Board Room
Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation	Wednesday	15	9:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets 3rd Monday Every Month)</i>	Wednesday	15	Immediately Following Board Meeting	Board Room
Board of Directors Public Outreach Committee	Thursday	16	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Executive Committee <i>(Meets 3rd Monday Every Month)</i> - CANCELLED and RESCHEDULED TO FEBRUARY 15, 2012 IMMEDIATELY FOLLOWING THE BOARD MEETING	Wednesday	20	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(Meet 3rd Monday Every Other Month) - CANCELLED</i>	Monday	20	10:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets the 4th Wednesday Each Month)</i>	Wednesday	22	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	23	9:30 a.m.	4 th Floor Conf. Room

MARCH 2012

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	7	9:45 a.m.	Board Room
Advisory Council Regular Meeting <i>(Meets 2nd Wednesday each Month)</i>	Wednesday	14	9:00 a.m.	Board Room
Board of Directors Public Outreach Committee	Thursday	15	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Executive Committee <i>(Meets 3rd Monday of each Month)</i>	Monday	19	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(Meets 3rd Monday Every Other Month)</i>	Monday	19	10:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	21	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	22	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets the 4th Wednesday Each Month)</i>	Wednesday	28	9:30 a.m.	4 th Floor Conf. Room

MM – 1/26/12 (8:20 a.m.)

P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Bates and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 20, 2012

Re: Legislative Committee Draft Meeting Minutes

RECOMMENDED ACTION

Approve attached draft minutes of the Legislative Committee meeting of September 26, 2011

DISCUSSION

Attached for your review and approval are the draft minutes of the September 26, 2011 Legislative Committee meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared By: Vanessa Johnson
Reviewed by: Jennifer C. Cooper

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 749-5000

DRAFT MINUTES

Summary of Board of Directors
Legislative Committee Meeting
Monday, September 26, 2011

1. **Call to Order:** Chairperson Susan Garner called the meeting to order at 9:50 a.m.

Roll Call: Present: Chairperson Susan Garner, Vice Chairperson, Directors John Gioia, Jennifer Hosterman, and Carol Klatt

Absent: Directors John Avalos, Ash Kalra, Nate Miley, and Brad Wagenknecht

2. **PUBLIC COMMENTS**

There were no public comments.

3. **APPROVAL OF MINUTES OF APRIL 4, 2011**

Committee Action: Director Hosterman made a motion to approve the April 4, 2011 Legislative Committee minutes; Director Klatt seconded the motion; which carried unanimously without objection.

4. **SUMMARY OF 2011 LEGISLATIVE YEAR**

Tom Addison, Senior Advanced Projects Advisor, presented the staff report.

Mr. Addison gave the Committee an update of the 2011 legislative year. Mr. Addison informed the Committee that as of September 9, 2011 the Governor has acted on only a small percentage of bills, as the majority of his work is completed during the second week of October. Mr. Addison also stated that the majority of the Air District issues have been resolved. Largely, as a result of the poor economic climate, no major new environmental legislation passed, including air quality legislation. The one exception was an extension of the renewable portfolio standard, putting into law a requirement that by 2020, thirty percent of the State's power must come from renewable sources.

Mr. Addison noted that on the positive side, the Air District did not receive funding cuts in the budget this year. Also, while a host of bills were introduced that would have harmed air quality, none became law. In fact, not a single bill that the Air District opposed became law.

Mr. Addison stated that the bad news was that it was very tough to get positive things done, and a good illustration of this is Senate Bill (SB) 582. SB 582, co-sponsored by the Metropolitan Transportation Commission (MTC) and the Air District, would have allowed regional transit commute benefit programs.

Mr. Addison stated the bill was vetoed by the Governor, largely as a result of opposition by the California Air Resources Board (CARB). CARB had expressed informally their support for the bill throughout the year, but surprised the Air District by recommending a veto without sharing that recommendation with Air District staff. Mr. Addison discussed our subsequent meetings with Chair Nichols at CARB and her staff, including a discussion of amendments to remove their opposition.

Chair Garner urged that SB 582 be reintroduced by the Air District next year. Mr. Addison replied that he is scheduled to meet with the Governor's Legislative staff in October, to discuss the feasibility of reintroducing the bill in 2012.

Mr. Addison discussed other bills on the Air District's Bill List, including some that were on the Governor's desk and some that had failed to pass the Legislature.

Chair Garner asked about the outlook for air quality bills in 2012 and where the Air District stands going forward. Mr. Addison responded it will be tough for major new programs to cut emissions unless the economy turns around. If the Governor's office is receptive to the amended version of SB 582 affecting employers with 50 or more, staff recommends pursuing this in 2012. Chair Garner and the Committee concurred.

Public Comments: None.

Committee Action: None.

5. COMMITTEE MEMBERS' COMMENTS:

Director Hosterman asked how could can the Air District become visionary and create bipartisan support for reducing emissions. Mr. Addison stated there was strong support from both parties for SB 582.

Director Hudson asked about the lawn mower program under AB 118. Jean Roggenkamp, Deputy Air Pollution Control Officer, stated the Air District was awarded funding through CARB.

6. TIME AND PLACE OF NEXT MEETING: At the call of the Chairperson.

7. ADJOURNMENT: Chair Garner adjourned the meeting at 10:45 a.m.

Vanessa Johnson
Executive Secretary II

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Bates and
Members of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 24, 2012

Re: District Legislative Agenda for 2012

RECOMMENDED ACTION:

The Committee will discuss a legislative agenda for the upcoming legislative year and propose an agenda to the Board.

BACKGROUND

At its last meeting, the Legislative Committee discussed priorities and whether to sponsor a bill in 2012. Staff was directed to explore amending the transit commute benefits bill the District sponsored in 2011. This bill, Senate Bill (SB) 582, ultimately passed both houses of the Legislature, only to be vetoed by the Governor. The measure was authored for most of the year by Senator Bill Emmerson (R-Riverside), and later by Senator Leland Yee (D-San Francisco). While the measure was supported by multiple businesses and business associations, it ultimately was opposed by three organizations: the California Chamber of Commerce, the California Taxpayers Association, and the California Manufacturing and Technology Association. Additionally, the Air Resources Board recommended the Governor veto the measure, to the great surprise of District staff and others. Staff met with the Governor's legislative staff, the Air Resources Board Chair and staff, and others at the Capitol, and based on those discussions, have crafted amendments (discussed below) to address concerns expressed by the Administration.

DISCUSSION

2012 is the second year of the current California legislative session and an election year. The November election will be the first election to use the newly-redrawn State Senate and Assembly districts, as well as the 'top two' primary system. Both of these factors will undoubtedly influence how current members of the Legislature vote on issues this year, with some members trending more conservative and others trending more liberal, depending on their perception of their new districts and their opponents' political stances.

Perhaps even more significant is that the State's fiscal problems continue to be severe, despite the unprecedented magnitude of cuts made in the last several years. These continuing economic problems are expected to again have profound impacts on the legislative climate

this year, with measures that either have State costs or are perceived as bad for business or the economy unlikely to advance. In this cautious political climate, major new initiatives are unlikely to fare well.

Unfortunately, staff believes there will continue to be pressure to waive or relax environmental programs this year, particularly those perceived as having costs to California businesses. Thus, we expect to see multiple bills introduced cutting air quality programs, as well as efforts to accomplish this in the budget process.

At the direction of Legislative Committee Chair Bates, staff have investigated a number of legislative ideas addressing the public health impacts of land use decisions. Staff is prepared to present these ideas at our January 30th meeting for the Committee's consideration.

Staff recommend a two-part legislative agenda for 2012. Given the dire state of California's finances, and its continuing economic problems, staff recommend the District prioritize trying to prevent efforts to weaken existing air quality regulations or programs, either through changes in policy or funding.

Additionally, staff recommend the District sponsor an amended version of last year's transit commute benefits legislation. SB 582 would have authorized metropolitan planning organizations and air districts across the State to jointly adopt transit commute benefit programs. These essentially would have required employers to offer their employees one of three options: funding for transit or vanpooling, shuttle service to the worksite, or allowing their employees to pay for their own transit, vanpooling, or bicycling expenses with pre-tax dollars. The third option, sometimes referred to as Commuter Check, is already allowed under Federal and State law. It significantly cuts the cost of taking transit for employees, but it also saves money for employers by reducing their payroll taxes. The bill is modeled after local ordinances in San Francisco, Berkeley, and Richmond.

Senator Yee is anxious to try again this year, and would like to work with us on an amended version of the bill. After consultation with the Governor's legislative staff and ARB, as well as others in the Capitol, staff suggests two primary amendments to the bill. One would limit the pilot program to the Bay Area, so the program would take effect if both the Metropolitan Transportation Commission and the District jointly adopt it. The second would increase the size of employers who would be covered by the program, from 20 or more in last year's bill, to 50 or more in this year's bill.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Thomas Addison
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Bates and
Members of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 24, 2012

Re: Discussion of Governor's Proposed Budget for 2012-2013 Fiscal Year

RECOMMENDED ACTION:

None; informational item.

DISCUSSION

California's annual budget deliberations begin with the January release of the Governor's proposed budget for the Fiscal Year starting July 1, 2012. Next, the budget subcommittees in both the Assembly and Senate begin work with a continuing series of budget hearings. In May, the Governor puts out a revised version of his budget, using updated financial information. The Legislature then, at least in theory although rarely in practice, merges their budgets, and adopts a combined budget by its June 15, 2012 deadline. Thus, while this report discusses the recently-released Governor's proposed budget, staff stress that the final budget will invariably be different.

Nevertheless, staff are pleased to report that the Governor's proposed budget contains no cuts to the District. There is neither a diversion to the State of local property tax revenues the District receives, nor a reduction in the roughly \$1.8 million in State funding the District receives. This direct State funding is passed through the Air Resources Board, and is called the State subvention, and all local air districts receive such funds. Given the level of other cuts proposed, and the poor fiscal health of the State, this is very good news for the District.

The Governor and the Department of Finance believe that California currently faces a gap of \$9.2 billion between revenues and expenditures. This is a very significant shortfall, given the total revenue projections for the year are less than \$90 billion. To close that gap, the proposed budget relies on placing a constitutional amendment in front of the voters in November that ostensibly would raise \$6.9 billion. If the voters approve the amendment in November, there would be temporary increases in primarily sales and income taxes. If this is defeated by the voters, another \$5.4 billion of cuts (primarily to education) would be triggered. Regardless of the outcome in November, the proposal also contains major cuts, primarily in social services and child care, as well as increased borrowing. Obviously, the budget depends on the mood of the voters this November. But there is other uncertainty, with the nonpartisan Legislative Analyst stating that the revenues raised by the tax increases are likely to be significantly less than the Governor believes. In fact, their estimate is that if approved by the voters, the measure would raise only \$4.8 billion in the 2012-2013 Fiscal Year.

Staff will continue to monitor budget proposals, and report significant developments to the Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Thomas Addison

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Bates and
Members of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 24, 2012

Re: Discussion of New Bills

RECOMMENDED ACTION:

The Committee will discuss new bills, and consider recommending positions on them to the Board.

BACKGROUND

February 24, 2012 is the last day for new bills to be introduced, and most legislators do not introduce their measures significantly in advance of this deadline. Thus, most bills will not be in print and available to review until after that date. There will be far more bills for the committee to review at its subsequent meeting.

DISCUSSION

Staff wants to alert the committee to one bill that would affect the District directly. Senator DeSaulnier's Senate Bill (SB) 878 deals primarily with the Joint Policy Committee (JPC). A copy of the bill is attached. This bill was amended last summer to address regional government issues in the San Francisco Bay region. While the bill was not heard in 2011, it has moved rapidly through Senate policy and fiscal committees in January of 2012.

The bill would require the JPC to report to the Legislature on multiple topics, including:

- 1) Developing and implementing a multiagency set of policies and guidelines for the Bay Area's sustainable communities strategy
- 2) Improving coordination among the four regional agencies
- 3) Ensuring public input into the JPC's work on sustainable communities
- 4) Recommending organizational reform to implement this work, including how to achieve interagency collaboration.

It would also require the JPC to prepare an economic development plan for the region, and submit that to the Legislature. Finally, it requires each of the four JPC member agencies, including the District, to report to the Legislature on our public outreach efforts and strategies. Staff presents this bill to the Committee for its consideration.

Additionally, staff may present other measures for the Committee to consider, if relevant measures are introduced between the preparation of this memorandum and January 30, 2012.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

SB 878 would have some staff costs for compliance, although these are anticipated to be relatively minor.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Thomas Addison

AMENDED IN SENATE JUNE 9, 2011

SENATE BILL

No. 878

Introduced by Senator DeSaulnier

February 18, 2011

~~An act to amend Section 24409 of the Vehicle Code, relating to vehicles.~~ *An act to add Section 66536.3 to the Government Code, relating to regional planning.*

LEGISLATIVE COUNSEL'S DIGEST

SB 878, as amended, DeSaulnier. ~~Vehicles: headlights: use of multiple beams.~~ *Regional planning: Bay Area.*

(1) The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a regional agency in the 9-county Bay Area with comprehensive regional transportation planning and other related responsibilities, including development of a regional transportation plan with a sustainable communities strategy. Existing law requires a joint policy committee of the commission, the Association of Bay Area Governments, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission to coordinate the development and drafting of major planning documents prepared by the 4 agencies.

This bill would require the joint policy committee to submit a report to the Legislature by January 31, 2013, on, among other things, methods and strategies for developing and implementing a multiagency set of policies and guidelines relative to the Bay Area region's sustainable communities strategy, including recommendations on organizational reforms for the regional agencies. The bill would require preparation of a work plan for a regional economic development strategy to be submitted to the Legislature on that date. The bill would also require

the member agencies to report on public outreach efforts that they individually or jointly perform. The bill would require public meetings in each of the region's 9 counties and creation of advisory committees, as specified. By imposing new duties on local agencies, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(1) Existing law requires, whenever a motor vehicle is being operated during darkness, a driver to use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the specified requirements and limitations. A violation of the Vehicle Code is a crime.

This bill would revise these specified requirements and limitations to prohibit the use of light of such an intensity that it poses a distraction to drivers of oncoming vehicles and to drivers of vehicles being followed. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.*

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *The Counties of Alameda, Contra Costa, Marin, Napa, San*
4 *Francisco, San Mateo, Santa Clara, Solano, and Sonoma share*
5 *the shoreline of the San Francisco Bay estuary system.*

1 **(b)** *The transportation technologies of the 19th and 20th*
2 *centuries progressively integrated the movement of people and*
3 *goods among the nine counties, beginning with ferryboats plying*
4 *the San Francisco Bay and the rivers flowing into it; the passenger*
5 *railroad service between San Jose and San Francisco beginning*
6 *in 1864; the interurban rail networks linking the communities*
7 *within the East Bay and the communities of the North Bay; the*
8 *Golden Gate Bridge and the San Francisco-Oakland Bay Bridge,*
9 *erected as public works projects during the Great Depression to*
10 *facilitate the movement of motor vehicles throughout the region;*
11 *the construction of the regional freeway network after World War*
12 *II; and the creation of the Bay Area Rapid Transit District in 1957*
13 *and the inauguration of BART transit service in 1972.*

14 **(c)** *The investments in a multimodal transportation network*
15 *created an integrated regional manufacturing, financial, and*
16 *technology economy as well as opportunities for housing a growing*
17 *population. Regional business, governmental, and conservation*
18 *interests recognized that the infrastructure investments and the*
19 *dynamic economy they support created unintended consequences,*
20 *including the degradation of the atmosphere, despoiling of the*
21 *shoreline shared by the counties, land use decisions often*
22 *inconsistent and at cross purposes with neighboring communities,*
23 *and a continuing need to rationalize the transportation system and*
24 *to marshal resources for its expansion, maintenance, and*
25 *operations.*

26 **(d)** *Various institutional reforms were initiated during the*
27 *mid-20th century to address the unintended consequences of*
28 *economic development, including the formation of the Bay Area*
29 *Air Quality Management District in 1955; the formation of a*
30 *voluntary council of governments, the Association of Bay Area*
31 *Governments, in 1961 to enhance the coordination of policy*
32 *decision across municipal and county boundaries; the formation*
33 *of the Bay Conservation and Development Commission in 1965*
34 *with the mission of persevering in protection of San Francisco Bay*
35 *and its estuary system from destructive and ill-planned*
36 *encroachment; and the establishment of the Metropolitan*
37 *Transportation Commission in 1970, California's first statutorily*
38 *created regional transportation planning agency, to plan the*
39 *region's transportation infrastructure, to prioritize transportation*

1 *investments, and to organize and manage the allocation of financial*
2 *resources necessary to implement the regional transportation plan.*

3 *(e) The accomplishments of the above-referenced regional*
4 *institutions are among the most significant in the state and nation*
5 *and have been acknowledged by emulation or peer recognition.*
6 *The Legislature recognized that the accomplishments of the special*
7 *purpose regional institutions are noteworthy, but a new benchmark,*
8 *the integration of regional planning and environmental regulations,*
9 *is necessary to achieve the goals of sustainable communities as*
10 *called for in SB 375 of the 2007–2008 Regular Session (Chapter*
11 *728, Statutes of 2008). To this end, it is necessary to direct the*
12 *imagination and talent of the San Francisco Bay Area’s most*
13 *significant regional institutions to addressing the new benchmarks*
14 *and expectations established by SB 375.*

15 *SEC. 2. Section 66536.3 is added to the Government Code, to*
16 *read:*

17 *66536.3. (a) The joint policy committee shall prepare a report*
18 *for submission to the Senate Committee on Transportation and*
19 *Housing and the Assembly Committee on Transportation on or*
20 *before January 31, 2013, addressing all of the following:*

21 *(1) Methods and strategies for developing and promulgating a*
22 *multiagency set of policies and guidelines governing the*
23 *sustainable communities strategy required pursuant to*
24 *subparagraph (B) of paragraph (2) of subdivision (b) of Section*
25 *65080.*

26 *(2) Methods and strategies for improving the efficiency and*
27 *effectiveness of policy setting and managerial coordination among*
28 *the regional agencies constituting the joint policy committee.*

29 *(3) Methods and strategies for ensuring that the public in the*
30 *nine counties of the region has an opportunity to comment on the*
31 *proposed policies and standards that will be promulgated by the*
32 *joint policy committee for implementing the sustainable*
33 *communities strategies. When preparing the strategies, there shall*
34 *be included criteria to assess the transparency in regional*
35 *decisionmaking.*

36 *(4) Recommendations on organizational reform to effectuate*
37 *the above requirements, including recommendations as to whether*
38 *such a regional organization shall be established by legislation,*
39 *a joint exercise of power agreement, or some other institutional*
40 *arrangement specifying the terms of interagency collaboration*

1 *that address the sustainable communities requirements. The report*
2 *should include the criteria for selecting the recommended*
3 *institutional arrangement.*

4 *(b) The joint policy committee shall prepare a work plan for a*
5 *nine-county economic development strategy to be submitted to the*
6 *Senate Committee on Transportation and Housing and the*
7 *Assembly Committee on Transportation on or before January 31,*
8 *2013. The report shall include, but not be limited to, the following:*

9 *(1) Coordination of the regional sustainable communities*
10 *strategy with local goals for the recruitment and retention of*
11 *manufacturing, production facilities, business services, and other*
12 *business enterprises providing high quality jobs that will*
13 *remunerate employees sufficiently so that their household incomes*
14 *will allow them to live in the Bay Area, educate their children, and*
15 *enjoy the region's amenities.*

16 *(2) Regional strategies to ensure the coordination of*
17 *infrastructure investments, including transportation facilities and*
18 *services, for planned employment centers.*

19 *(3) Strategies for ensuring a common regulatory system for*
20 *deployment and permitting of energy conservation facilities and*
21 *improvements.*

22 *(4) Regional strategies for adaptation to climate change.*

23 *(c) The activities associated with development of the reports in*
24 *subdivisions (a) and (b) shall include public meetings in each of*
25 *the region's counties. In addition, communication with the public*
26 *in that regard shall include the use of conventional media as well*
27 *as social media. Advisory committees shall be formed that include*
28 *representation from the regional business community, labor, and*
29 *other interests.*

30 *(d) The member agencies of the joint policy committee shall*
31 *also prepare a report identifying the public outreach and*
32 *community outreach efforts that they individually or jointly perform*
33 *under federal and state law when carrying out the respective*
34 *missions of their agencies. The report shall identify the criteria*
35 *they use to determine the communities and groups that will be the*
36 *subject of outreach. The report shall identify the actions and*
37 *methods that the agencies employ to ensure that policy decisions*
38 *are made in a transparent and accessible fashion. The report*
39 *prepared by each agency shall be submitted to the Senate*
40 *Committee on Transportation and Housing and the Assembly*

1 *Committee on Transportation on or before January 31, 2013, and*
2 *may be incorporated with the other reports required by*
3 *subdivisions (a) and (b).*

4 *SEC. 3. If the Commission on State Mandates determines that*
5 *this act contains costs mandated by the state, reimbursement to*
6 *local agencies and school districts for those costs shall be made*
7 *pursuant to Part 7 (commencing with Section 17500) of Division*
8 *4 of Title 2 of the Government Code.*

9 ~~SECTION 1. Section 24409 of the Vehicle Code is amended~~
10 ~~to read:~~

11 ~~24409. Whenever a motor vehicle is being operated during~~
12 ~~darkness, the driver shall use a distribution of light, or composite~~
13 ~~beam, directed high enough and of sufficient intensity to reveal~~
14 ~~persons and vehicles at a safe distance in advance of the vehicle,~~
15 ~~subject to the following requirements and limitations:~~

16 ~~(a) Whenever the driver of a vehicle approaches an oncoming~~
17 ~~vehicle within 500 feet, the driver shall use a distribution of light~~
18 ~~or composite beam so aimed that the glaring rays are not projected~~
19 ~~into the eyes of the oncoming driver and shall not use a light of~~
20 ~~such intensity that it poses a distraction to drivers of oncoming~~
21 ~~vehicles. The lowermost distribution of light specified in this article~~
22 ~~shall be deemed to avoid glare at all times regardless of road~~
23 ~~contour.~~

24 ~~(b) Whenever the driver of a vehicle follows another vehicle~~
25 ~~within 300 feet to the rear, he shall use the lowermost distribution~~
26 ~~of light specified in this article and shall ensure that it is not of~~
27 ~~such an intensity as to pose a distraction to the driver of the vehicle~~
28 ~~being followed.~~

29 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
30 ~~Section 6 of Article XIII B of the California Constitution because~~
31 ~~the only costs that may be incurred by a local agency or school~~
32 ~~district will be incurred because this act creates a new crime or~~
33 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
34 ~~for a crime or infraction, within the meaning of Section 17556 of~~
35 ~~the Government Code, or changes the definition of a crime within~~
36 ~~the meaning of Section 6 of Article XIII B of the California~~
37 ~~Constitution.~~