



Legislation Text

File #: 17-0108, **Version:** 2

Supervisor Ranalli, pursuant to County Ordinance Section 2.03.140:

- 1) Requests the Board reconsider the Board's action on January 24, 2017, on File 17-0108, Agenda Item 38, authorizing the Chair to sign a letter of support to Senator Jim Beall in support of SB 1 and a letter of support to Assemblyman Jim Frazier in support of AB 1; and
- 2) If the Board votes to grant reconsideration of the action taken on File 17-0108, Supervisor Ranalli recommending the Board direct the Chief Administrative Office to schedule File 17-0108 as part of the February 14, 2017, Board meeting and to include information that will provide the Board and the public with a greater understanding of the projected impact of the potential tax and fee increases, as proposed within SB 1 and AB 1, on local businesses and residents. (Est. Time: 30 Min.)

DISCUSSION / BACKGROUND

As part of the January 24, 2017, (File #17-0108, Agenda Item #38) Consent Calendar, the Board approved the recommendation to authorize the Chair to sign letters of support to Senator Jim Beall and to Assemblyman Jim Frazier, supporting SB 1 and AB 1 related to transportation funding. This agenda item was added to the agenda via an addendum to the January 24, 2017, agenda.

On December 5, 2016, the California State Legislature convened the 2017-2018 Legislative Session. On January 4, 2017, the Legislature reconvened to begin the first year of the two-year 2017-2018 Legislative Session.

SB 1 was introduced by Senator Beall on December 5, 2016, and was then referred to the Senate Committee on Rules on January 26, 2017, pending a referral to the appropriate Senate policy committee. SB 1 was amended on January 26, 2017, and remains with the Senate Committee on Rules pending referral to the appropriate Senate policy committee. As of January 31, 2017, this bill had not been scheduled for its first legislative hearing.

AB 1 was introduced by Assemblyman Frazier on December 5, 2016, and was then referred to both the Assembly Committee on Transportation and the Assembly Committee on Natural Resources. As of January 31, 2017, this bill had not yet been scheduled for its first legislative hearing.

Recognizing the importance for the Board of Supervisors to discuss and potentially provide comment on legislation that proposes to allocate funds to local governments, including the County of El Dorado, for street and road maintenance, it is equally important for the Board to have a thorough as possible understanding of the potential impact to the County, local residents and businesses as part of the Board's consideration of providing comment and/or taking a formal position.

It is noted that on October 25, 2016, (File #16-1116, Agenda Item #48) the Board authorized, as part of the Consent Calendar, the Chair to sign one letter of support for both SB x1 1 (Beall) and AB x1 26 (Frazier). Both proposals contained language relatively consistent with the language now contained in both SB 1 and AB 1. These bills were introduced as part of the 2015-2016 First Extraordinary Session. Neither bill was able to secure the necessary legislative approval prior to the final adjournment of the 2015-2016 Legislative Session on November 30, 2016.

County Ordinance Section 2.03.140 allows the Board of Supervisors to, at any time and upon motion by any member of the Board who voted as part of the majority, to reconsider any action previously taken, provided the Board finds that substantial new evidence exists which was not considered at the time the previous action was taken.

Supervisor Ranalli requests the Board consider the following information as part of the consideration to determine if this information presents substantial new evidence that was not considered at the time the action was taken on January 24, 2017, and that would allow the Board to reconsider the authorization to submit letters of support:

Neither AB 1 nor SB 1 has been scheduled for their first legislative hearings as part of the 2017-2018 legislative session. As such, there has been little, if any, opportunity for the general public to have knowledge of their existence or the specifics within the proposals at this early date. The Board's consideration of File Item #17-0108, as added via addenda to the January 24, 2017, agenda (Consent Calendar) further limited the general public's awareness of the proposed legislation. As it is early in the 2017-2018 Legislative Session and due to the placement of the item on the Board's Consent Calendar and via the addendum, the general public has not had appropriate opportunity to review the proposals and provide comments to Board of Supervisors.

SB 1 was amended on January 26, 2017, two days after the Board's authorization to submit a letter in support of the legislation and well before this legislation has been scheduled for hearing before the first legislative committee and before the committee consultants, legislative caucuses, and local government organizations have had an opportunity to develop and publish analyses that provide interpretation(s) of the projected benefits and impacts.

Due to the proposed tax and fee increases proposed within SB 1 and AB 1, and with the early amendments to SB 1, it is reasonable to anticipate that both SB 1 and AB 1 will be amended, possibly repeatedly, as both bills progress through the legislative process, the Governor releases his May Revision to the State's 2017-2018 Budget, and the State Legislative Budget process begins; amendments that could contain language that might be counter to the Board's original position of support.

Absent a process whereby the County can develop an annual Legislative Proposal and can actively monitor proposed legislation that includes updates on hearing dates, amended language and resulting impacts to the County, the Board and CAO should contemplate a refined process to consider such proposals as part of the Strategic Plan, Good Governance discussions.

STRATEGIC PLAN COMPONENT

Infrastructure; Good Governance