



# LEGISLATION COMMITTEE

February 24, 2014

2:30 to 4:00 PM.

651 Pine Street, Room 108, Martinez

Supervisor Mary N. Piepho, Chair  
Supervisor Karen Mitchoff, Vice Chair

Agenda Items:	Items may be taken out of order based on the business of the day and preference of the Committee
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Present: Mary N. Piepho, Chair  
Karen Mitchoff, Vice Chair

Staff Present: Lara DeLaney, Senior Deputy County Administrator

Attendees: Vana Tran  
Cece Sellgren  
Ryan Hernandez  
Gayle Israel  
Nathan Johnson

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

None.

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff  
Passed

3. RECOMMEND support of the Resolution to the Board of Supervisors.

*The Committee voted to recommend a position of "support" to the Board of Supervisors. The Committee asked staff to follow-up on additional information related to the Delta Trail and the Bay Trail and recommended that cities include this in their GP updates.*

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff  
Passed

4. CONSIDER recommending a position of "Support" to the Board of Supervisors.

*The Committee voted to recommend a position of "support" to the Board of Supervisors.*

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff  
Passed

- 5.

*The Committee voted to recommend a position of "support" to the Board of Supervisors.*

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff

Passed

6. Comments for consideration from Flood Control District consultant: "The state made a policy change requiring 200 year level of protection for urban and urbanizing areas within the area of the Sacramento River/San Joaquin River drainage. Any time a policy change is made, there needs to be a reasonable period of time during a transition to implement the change. The question here is what is the appropriate transition period. From a "what's best for society" perspective, it is not prudent to add homes to an unprotected floodplain. However, according to San Joaquin County's project financing plan, development fees are needed to pay the local match for a federally or state funded flood control project. So, there are cities that do not have 200 year level of protection and will not unless these projects are built. It's a chicken and egg situation because they need development to pay for the protection, yet the development will be unprotected until the developer fees are collected.

The problem is that it may be difficult to get federal funding appropriated for a levee improvement project, and if the state is funding the project, those funds would come from bond proceeds, which may or may not be available. It takes many years to get federal appropriations for project, and once the appropriation is made, many more years to get Army Corps of Engineers' approval. Likewise, it can take many years to work through the state system for state funding.

There is protection in the process, however. In this case, they strengthened the process by requiring a report to the Central Valley Flood Protection Board each year on the status of their flood protection system. However, there is no teeth to enforce the policy if the goals and objectives are not achieved in a reasonable time. For example, if development is approved year after year with no advancements in a flood protection project, there is no recourse to stop further development. If the process was strengthened to include some enforcement to stop development in the future, then there would be protection in the process.

It may not be reasonable to put together a flood protection project in the San Joaquin Valley without more time and funding flexibility. A framework that allows additional time and funding flexibility is reasonable but probably should have some enforcement authority to contain the situation if things do not work out."

***The Committee took no action on this bill. Directed staff to continue to monitor the bill.***

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff

Passed

- 7.

***The Committee voted to recommend a position of "support" on this proposition to the Board of Supervisors.***

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff

Passed

8. The Legislation Committee may wish to consider recommending a position to the Board of Supervisors on any of these bills, or may request that staff provide additional information about a bill prior to taking action.

*The Committee took no action on this item.*

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff

Passed

9. ACCEPT the report and request additional information, as needed.

*The Committee took no action on this item.*

AYES: Chair Mary N. Piepho, Vice Chair Karen Mitchoff

Passed

10. This item is presented for information/discussion only.
11. The next meeting is currently scheduled for Thursday, April 3, 2014 at 10:30 a.m. in Room 101.
12. Adjourn

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

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For Additional Information Contact:

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