



**Contra
Costa
County**

To: Board of Supervisors
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE
Date: June 9, 2015

Subject: Transportation, Water and Infrastructure Cmte. Report and SUPPORT Recommendation on SB 313
(Galgiani) Local govt, zoning ordinances, school districts

RECOMMENDATION(S):

RECEIVE the report from the Transportation, Water, and Infrastructure Committee, and ADOPT the following legislative position: "SUPPORT" Senate Bill 313 (Galgiani) that would:

- a) require that a vote by a school district board to declare local zoning inapplicable be based on findings, and
- b) require that such a vote only take place thirty days after notifying a city or county of the intent to take the action based on the findings.

FISCAL IMPACT:

None.

BACKGROUND:

Consistent with our legislative platform, the Transportation, Water, and Infrastructure Committee (TWIC) and County staff have been working for several years to address issues

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/09/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor

ABSENT: Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 9, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: John Cunningham (925)
674-7833

related to school siting practices and related state policies.

The issue is addressed in our 2015 State Legislative Platform, as shown in the below excerpts:

BACKGROUND: (CONT'D)

146: SUPPORT efforts to improve safety throughout the transportation system. The County supports new and expanded projects and programs to improve safety for bicyclists, pedestrians and wheelchair users, as well as projects to improve safety on high-accident transportation facilities such as Vasco Road. Data on transportation safety would be improved by including global positioning system (GPS) location data for every reported accident to assist in safety analysis and planning. The County also supports the expansion of school safety improvement programs such as crossing guards, revised school zone references in the vehicle code, Safe Routes to Schools (SR2S) grants, efforts to improve the safety, expansion and security of freight transportation system including public and private maritime ports, airports, rail yards, railroad lines, rail bridges and sidings. The County also supports limits or elimination of public liability for installing traffic-calming devices on residential neighborhood streets.

149: SUPPORT efforts to coordinate development of state-funded or regulated facilities such as courts, schools, jails, roads and state offices with local planning. The County supports preserving the authority of Public Works over County roads by way of ensuring the Board of Supervisors' control over County roads as established in the Streets & Highways Code (Ch2 §940) is not undermined. This includes strongly opposing any action by a non-local entity that would ultimately dilute current Board of Supervisors discretion relative to road design and land use.

The work of TWIC and staff include the following activities which have been reported to the Board of Supervisors:

- Prepared and distributed communication to state staff and our legislative delegation regarding our experience and concerns on the issue of school siting.
- Prepared a school siting issues white paper (*Contra Costa School Siting and Safety Initiative*) which is now used as a resource for a number of state agencies and representatives.
- Met with state staff and our legislative delegation to discuss issues related to school siting.
- Monitored, commented, on and developed legislation to improve school siting practices and school safety in general.

Recently, Senator Cathleen Galgiani introduced Senate Bill 313 (attached) that would:

- 1) Require a school district board to comply with specified Education Code provisions regarding the acquisition of agricultural land relative to local zoning, and

2) Require that the vote of the board be taken at least 30 days after notifying, the city/county in writing of its reasons for intending to take such action and based upon written findings on the record.

In summary, the bill clarifies existing requirements and expands notification requirements. Consistent with County procedures related to positions on state and federal legislation, staff has:

1) consulted the state legislative platform and found it to be directly related to and supportive of the subject legislation,

2) coordinated with Legislative Committee staff, Lara Delaney,

3) received approval from TWIC [\(5-4-15 TWIC Meeting\) for the support position](#), and

4) developed two support letters (attached), which were submitted prior to hearings on the legislation and,

5) with this report have brought the letters and the SUPPORT recommendation to the Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

By not taking the recommended actions the Board of Supervisors may need to reevaluate the attached letters regarding Senate Bill 313 (and the positions communicated therein) and may forgo an opportunity to further its legislative platform.

CHILDREN'S IMPACT STATEMENT:

The following outcome areas in the Children's Report Card are indirectly affected by the subject legislation: #14: Children are Healthy and Ready for School, Physical Fitness and #24: Families and Communities are Safe.

ATTACHMENTS

Text of SB313

April & May 2015 SB 313 Support Letters