



**FRESNO CHAMBER OF COMMERCE  
GOVERNMENT AFFAIRS COUNCIL**

**MEETING AGENDA  
Wednesday, November 12, 2014  
12:00 p.m.**

**PRESIDING  
Ruth Evans, Chair  
Brian Domingos, Vice Chair**

**Call to Order and Roll Call**

**Approval of Minutes for November 3rd, 2014**

**New Business**

- 1. City of Fresno Water Rates ACTION  
Tommy Esqueda – City of Fresno Public Utilities**
- 2. Project Labor Agreements ACTION  
Nicole Goehring – Associated Builders and Contractors, Inc.**
- 3. Fresno Unified School District Split INFORMATION  
Mark Arax – Author / Education Advocate**
- 4. 2015 Policy Platform ACTION**
- 5. Report Cards INFORMATION**

**Chair's Report – Ruth Evans**

**Adjourn**



**FRESNO CHAMBER OF COMMERCE  
GOVERNMENT AFFAIRS COUNCIL  
MEETING MINUTES**

**Presiding:  
Ruth Evans, Chair  
Brian Domingos, Vice Chair**

Committee: Government Affairs Council  
Chairperson: Ruth Evans  
Vice-Chair: Brian Domingos  
Meeting Date/Time: November 3, 2014  
Meeting Place: Fresno Chamber of Commerce  
Committee attendees: Bill Avakian, Ruth Evans, Victoria Salisch, Lorraine Salazar, Nick Amendola, Cam Maloy, Al Smith, Austin Ewell, Scott Miller  
Committee absences: John Taylor, Sieg Fischer, Ryan Jacobsen, Larry Fortune, Brian Domingos, Debbie Hunsaker, Lydia Zabrycki  
Staff: Rachel Eslick

**CALL TO ORDER**

- **Ms. Evans called the meeting to order at 12:10 p.m.**

**OLD BUSINESS**

**1. Water Conservation Act**

City Council Members Lee Brand and Paul Caprioglio presented the final draft their Water Conservation Act, which would incentivize improvements made to residences and small businesses to conserve water, direct staff to research tiered water rates, prioritize watering trees on city property, and rework the Drought Plan. Initially, the City would set aside \$250,000 from the Water Division enterprise fund to credit residents for things like installing low flow toilets, low flow washers, low flow shower heads, on demand hot water heaters, etc. If the program took off, City Council could reauthorize more money as necessary. Other issues included in the act would provide landscape recommendations for future residential and commercial properties. Brand and Caprioglio took questions and suggestions from GAC members, including an idea of partnering with private landscapers to do conservation evaluations. Doug Vagim, water advocate, voiced concerns about residents who don't have a sprinkler system, let alone a water saving sprinkler system. Vagim suggested the City seek out grant money to assist residents in updating their irrigation systems, much like the safety grants of the 1970's. The act will be studied and amended by staff and council over a 90 day period.

*Al Smith made a motion to support the Water Conservation Act. Austin Ewell seconded the motion at it passed unanimously.*

- **Approval of Minutes**

Lorraine Salazar made a motion to approve the October 8th meeting minutes. The motion was seconded by Scott Miller and it passed unanimously.

**ADJOURNED**

- **Meeting adjourned at 1:05 p.m.**

**City of Fresno Water Rates**

**Source** – City of Fresno

**Summary** – The City of Fresno is recommending a new rate plan to support a new capital plan, authorizing staff to initiate a Capacity Fee Study for new and expanded connections to the water system and authorizing staff to change water supply plan to allow one-day watering (instead of zero) during the winter season. A proposal will be introduced to City Council members on November 20<sup>th</sup>.

**Background** – The City of Fresno has hosted four public meetings over the last two months to educate residents on water availability and sustainability. Staff also gauged the public’s reception to tiered rates. The meetings and outreach follow a contentious year of water debate after rates were increased, then rescinded after public outcry. The City would like to build a surface water treatment plant to help restore groundwater levels, which have been dropping significantly over the last few decades. How to fund such a project remains in question and tiered rates could factor into the equation.

**Support** – The Fresno City Council opted to rescind raised rates earlier this year instead of putting the rate increase out to a public vote. It is unknown specifically would support tiered rates without first knowing how they would be structured.

**Opposition** – Doug Vagim has become an advocate for a number of residents who oppose higher rates and a water treatment facility.

**Staff Recommendation** – TBD

**Project Labor Agreements**

**Source** – City of Fresno and Associated Builders and Contractors, Inc.

**Summary** – City of Fresno is repealing its ban on Project Labor Agreements (PLA) because California state law disqualifies charter cities from receiving state funding or financial assistance if they have a PLA ban. Language in the City’s ordinance would reinstate the ban if judgment comes down in the City’s favor.

**Background** – The City of Fresno was the first in the nation to establish a ban on PLAs back in 2000 with its Fair and Open Competition ordinance. Since that time, 22 states and local governments have established similar policies. Recent legislation, SB 829 (2011) and SB 922 (2012), made California cities with Fair and Open Competition policies ineligible to receive state funding or financial assistance effective January 1, 2015. The City of Fresno is waiting for judgment to find out if SB 829 and SB 922 will be upheld. If judgment goes in the City’s favor, it will reverse the repeal and Fresno will go back to having a PLA ban. PLAs would cost non-union companies an extra \$15 per hour, on top of prevailing wage, and would put them out of the game. One big project the City is state funding for is a sewage water treatment plant, to the tune of \$50 million.

**Support** – Associated Builder and Contractors, Inc., Pacific Advocacy Group, Councilmembers Steve Brandau, Lee Brand, Clint Olivier, Sal Quintero and Paul Caprioglio

**Opposition** – Construction trade unions, Councilmembers Oliver Baines and Blong Xiong

**Staff Recommendation** - Support

**NEW BUSINESS**

**ITEM 4**

Government Affairs Council

November 12, 2014

### **2015 Public Policy Platform**

**Summary** – Each year the GAC reviews its Public Policy Platform and updates it for the upcoming year.

**Fresno Chamber of Commerce  
Government Affairs Council  
2014 Public Policy Platform**

**Mission Statement:**

Represent the interests of business on legislation and regulations. Promote action on key legislative issues through grassroots efforts to ensure the business viewpoint is expressed to local, state and federal elected officials.

**Priority Issues:**

- **American Disabilities Act (ADA)**

Support legislation and policies that help businesses comply with ADA requirements.

Support legislation that reduces frivolous ADA lawsuits on businesses.

Support efforts to ensure that reforms passed in 2008 to curb the problem of small businesses being victimized by unscrupulous ADA shakedown lawsuits are maintained.

- **Air Quality**

Support viable alternative energy methods that businesses can use.

Support ways to develop infrastructure for the use of long-term viable alternative fuels.

Support legislation that reduces the expensive mandates placed on businesses when considering ways to conserve energy.

Encourage and support policies that aim to improve the quality of the air while not adversely impacting the competitiveness of California businesses.

Support policies that will not adversely impact the competitiveness of California business as a result of AB32 implementation.

- **City and County Budgets**

Encourage city and county leaders to adopt budgets that require them to control spending, limit excessive union raises and health benefit packages and establish a “rainy day” fund.

Encourage city and county leaders to plan budgets with a five-year revenue and spending forecast.

Encourage city and county leaders to engage the business community in their budget planning processes to help look for more efficient ways to operate government including the possibility, where applicable, for privatized services.

Review and evaluate all proposed city and county tax increases to ensure they do not unduly target or burden business.

Encourage city and county leaders to work together on efforts to integrate public-safety services as a way to save money and operate more efficiently.

Evaluate all fee increase proposals and support only those fee increases that are consistent with providing more efficient services without unduly harming the business climate.

- **Class-action Lawsuits**

Provide recommendations and monitor reforms to ensure timely compensation for plaintiffs.

Support legislation that protects businesses against frivolous lawsuits.

- **Economic Development**

Support private enterprise and development projects that enhance economic development and create jobs.

Support programs that provide tax credits or assistance to businesses.

Support downtown revitalization efforts.

Support legislation that reduces the excessive regulations, fees and unfunded mandates placed on businesses that interfere with economic vitality, competitiveness or job creation.

Support policies that allow for improved contracting opportunities for small businesses.

- **Education**

Support an educational system that prepares students for jobs and careers starting in middle school.

Support programs that provide student internships.

Support and promote programs that provide incentives for local companies to hire students.

Support and promote vocational and career technical training programs at the high school and post-secondary levels.

- **Eminent Domain**

Advocate for redevelopment agencies and cities and counties to strictly follow the law when utilizing eminent domain.

Support private property rights and the use of eminent domain only as a last resort.

Monitor the use of eminent domain on a case-by-case basis.

- **Energy**

Oppose legislation that subjects businesses to costly regulations and places caps on the amount of greenhouse gases they can emit.

Support measures that invest in new transmission and transmission upgrades.

Support policies that are dedicated to load reduction.

Support measures that lower the price of energy paid by customers.

Support exploration of alternative energy and the use of renewable energy.

Allow individuals or businesses to sell excess power to utilities.

- **Government-Mandated Wages and Benefits**

Support free-market determination of wages for all employees.

Support unbundling exempt salaries from minimum wage increases and any automatic escalation of wages tied to the cost of living indexes.

Support elimination of daily overtime and promote return to a weekly overtime standard.

Support the inclusion of tips in calculating minimum and living wages.

Support flexibility for employers and employees to mutually set meal and break periods and a flexible workweek.

Oppose local living wage ordinances.

Support the reform of prevailing wage laws on public works projects.

Oppose mandated sick pay.

Oppose legislation that eliminates the secret-ballot process or modifies the process for union elections as of November 2009.

Oppose Project Labor Agreement (PLA) mandates.

- **Health Care**

Oppose legislation that creates a mandatory, tax-funded, government-operated health insurance programs.

Oppose employer-mandated health coverage.

Oppose legislation that penalizes businesses that do not provide health benefits to their employees.

Support legislation that allows employers to offer a minimum benefit plan, enabling small employers and their employees to buy health care coverage at a more affordable price.

Support measures that implement a moratorium on benefit mandates.

Support measures that streamline government regulations to increase efficiencies and reduce overall administrative burdens.

Monitor state funding for Medicare and Medicaid reimbursements to providers of health care and fight future attempts to further cut reimbursement rates.

Support voluntary measures that promote wellness and disease management education programs.

Oppose measures that place unfunded mandates on hospitals.

- **Immigration**

Support legislation that creates a comprehensive guest worker program. The guest worker program should ensure future economic needs for workers and deal with the status of undocumented workers already in the United States.

Support legislation that strengthens national security by providing for a thorough screening of foreign workers and creates strong disincentives for illegal immigration.

Support legislation that creates an employment verification system that is fast and reliable for employers and those seeking employment.

Support legislation that ensures all workers enjoy the same labor law protections.

Support legislation that encourages all individuals who are trying to become permanent residents/citizens has a good understanding of the English language and American civic requirements.

- **Land Use and Development**

Support market driven development, both commercial and residential, which may include a variety of development densities.

Support policies that streamline the development process.

Support cost-effective building standards that minimize air pollution, energy use and water consumption.

Support policies that promote affordable housing in aggregate for the Greater Fresno area.

Support policies that promote future land development that will attract and retain businesses.

Support higher density mixed use development in aggregate for the Greater Fresno area.

Support mixed-use, higher density development in aggregate for the Greater Fresno area.

Support the Williamson Act Program.

Support land use, planning, housing and zoning issues that encourage and promote business development.

Monitor policies that impact developer fees.

Monitor any amendments to the general plan and provide recommendations as needed.

Monitor the San Joaquin Valley Blueprint.

Encourage changes to the Endangered Species Act that takes into consideration the economic impact.

- **Paid Family Leave**

Support policies that conform and unify current state and federal family leave laws without additional mandates.

Support policies that enact a small employer exemption from the Family Temporary Disability Insurance (FTDI) program.

- **Political Action and Campaign Financing**

Support Chamber programs that identify, recruit and educate candidates for local offices, without regard to political affiliation.

Support efforts to make California elections more competitive through redistricting.

Oppose legislation and policies that spend taxpayer dollars on political campaigns.

Oppose legislation and policies that tax or impose fees on businesses to fund political campaigns.

- **Revenue Bonds**

Only support bonds that are defined and contain built-in cost controls.

Encourage public agencies to have a plan in place to insure accountability and efficient use of funds.

- **State Budget**

Encourage state legislators to adopt a budget that promotes a healthy economy, provides for more efficient operations, curbs spending and allows for businesses to remain competitive in the global market.

Oppose new programs or services that do not have a funding source or will result in tax increases.

Encourage state legislators to adopt a two-year budget cycle.

Support legislation that establishes a “rainy day” reserve fund.

Ensure that budget cuts or tax increases don’t unduly target or burden California small businesses.

- **Tourism**

Maintain a strong relationship among the Greater Fresno Area Chamber of Commerce, the Economic Development Corporation (EDC) and the Convention and Visitors Bureau (CVB) to boost tourism.

Support efforts to include local businesses as convention hosts.

Support competitive funding from government entities for the CVB to improve tourism efforts and recruit more conventions to our community.

- **Transportation**

Support policies and legislation that repair the local, regional, and state transportation system in a fiscally responsible manner.

Support efforts to improve the current transportation infrastructure to accommodate future economic and population growth.

Provide input on the prioritization of Measure C projects in an effort to maximize the leveraging of funds where applicable.

Support efforts to bring a high-speed rail system to California with a stop in Fresno and a maintenance facility.

Encourage the California High Speed Rail Authority to contract with local private sector businesses, utilizing resources found within the Community in order to maximize opportunities for economic vitality and job creation.

Monitor the economic impact of fee increases at local airports.

Support ongoing inspection facility at the Fresno Yosemite International Airport.

Support efforts to bring more airline carriers to Fresno.

Support policies that would create a non-reimbursable port of entry status for the airport.

Oppose legislation that increases firefighting requirements at the airport.

Support the designation of Highway 99 as an interstate.

Support local private sector business as an alternative to public agencies in the design and construction of infrastructure and transportation projects.

Support the construction of Veterans Blvd and all efforts to secure additional funding.

- **Unemployment Insurance (UI)**

Support legislation that addresses ways to ensure the Unemployment Insurance fund has enough money to pay out future benefits.

Oppose legislation that proposes higher unemployment taxes on employers.

- **Unfair Competition Law**

Support policies that protect businesses and consumers from unfair business practices.

Oppose efforts to repeal limits on unfair business practice litigation.

- **Water**

Support policies and legislation that increase the developed water supply in California for agricultural and urban uses.

Support policies and legislation that increases above ground storage capacity, improves through Delta and other conveyance and encourages conservation.

Oppose legislation that places environmental restrictions on pumping water out of the Sacramento-San Joaquin Delta.

- **Workers Compensation**

Oppose changes to the Workers' Compensation Act of 2004.

Support workers' compensation reform measures that reduce financial burdens on businesses.

**NEW BUSINESS**

**ITEM 5**

Government Affairs Council

November 12, 2014

<b>Report Card Review</b>
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**Summary** – Below are the tentative 2014 report cards for state and city elected leaders.

<b>Bill</b>	<b>Chamber Position</b>	<b>Governor Brown</b>	<b>Assembly Member Patterson</b>	<b>Assembly Member Perea</b>	<b>Senator Berryhill</b>	<b>Senator Cannella</b>	<b>Senator Vidak</b>
<b>AB 1522 (Gonzalez)</b> Paid Sick Days	OPPOSE	SIGNED	ABSENT	SUPPORT	OPPOSE	ABSENT	OPPOSE
<b>AB 1723 (Nazarian)</b> Employee Wage Penalties	OPPOSE	SIGNED	OPPOSE	SUPPORT	OPPOSE	OPPOSE	OPPOSE
<b>AB 1634 (Skinner)</b> Occupational Safety and Health Violations	OPPOSE	SIGNED	OPPOSE	SUPPORT	SUPPORT	SUPPORT	OPPOSE
<b>AB 1693 (Perea)</b> Telephone Rates	SUPPORT	VETOED	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT
<b>AB 1717 (Perea)</b> Prepaid Mobile Services	SUPPORT	SIGNED	SUPPORT	SUPPORT	ABSENT	SUPPORT	SUPPORT
<b>AB 1764 (Olsen)</b> School Curriculum Math and Computer Science	SUPPORT	SIGNED	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT
<b>SB 1200 (Padilla)</b> Public Post Secondary Academic Standards	SUPPORT	SIGNED	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT
<b>HR 29 (Gomez)</b> Outsourcing Public Services	OPPOSE	NA	OPPOSE	ABSENT	NA	NA	NA
<b>AB 1660 (Alejo)</b> Driver's Licenses Nondiscrimination	SUPPORT	SIGNED	OPPOSE	SUPPORT	SUPPORT	SUPPORT	SUPPORT
<b>AB 1897 (Hernandez)</b> Labor Contracting Client Liability	OPPOSE	SIGNED	OPPOSE	ABSENT	OPPOSE	OPPOSE	OPPOSE

<b>AB 1792 (Gomez)</b> Public Benefits Reports on Employers	OPPOSE	SIGNED	ABSENT	SUPPORT	OPPOSE	SUPPORT	OPPOSE
<b>AB 2617 (Weber)</b> Arbitration and Settlement Agreements	OPPOSE	SIGNED	OPPOSE	SUPPORT	OPPOSE	OPPOSE	OPPOSE
<b>SB 1446 (DeSaulnier)</b> Health Care Coverage Small Employer	SUPPORT	SIGNED	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT
<b>AB 2280 (Alejo)</b> Community Revitalization	SUPPORT	VETOED	ABSENT	SUPPORT	OPPOSE	SUPPORT	SUPPORT
<b>SB 1249 (Hill)</b> Shredder Waste Hazard	OPPOSE	SIGNED	OPPOSE	SUPPORT	OPPOSE	SUPPORT	OPPOSE
<b>AB 52 (Gatto)</b> Native Americans CEQA	OPPOSE	SIGNED	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT
<b>AB 2616 (Skinner)</b> Worker's Compensation hospital employers	OPPOSE	VETOED	OPPOSE	SUPPORT	OPPOSE	SUPPORT	OPPOSE
<b>SB 850 (Block)</b> Community College Baccalaureate Degrees	SUPPORT	SIGNED	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT
<b>AB 1471 (Rendon)</b> Water Bond	SUPPORT	SIGNED	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT

<b>Voting With The Chamber</b>		8	14	9	14	12	17
<b>Voting Against The Chamber</b>		9	2	8	3	5	1
<b>Absent/Vacant</b>		0	3	2	1	1	0
<b>Score</b>		47					94.4

Issue	Chamber Position	District 1 Blong Xiong	District 2 Steve Brandau	District 3 Oliver Baines	District 4 Paul Caprioglio	District 5 Sal Quintero	District 6 Lee Brand	District 7 Clint Olivier
<b>BRT (First draft)</b>	<b>SUPPORT</b>	<b>Support</b>	<b>Oppose</b>	<b>Support</b>	<b>Oppose</b>	<b>Support</b>	<b>Oppose</b>	<b>Oppose</b>
<b>BRT (Final draft)</b>		<b>Support</b>	<b>Oppose</b>	<b>Support</b>	<b>Support</b>	<b>Support</b>	<b>Support</b>	<b>Support</b>
Asset Management Act	SUPPORT	Support	Support	Support	Support	Support	Support	Support
Fulton Mall	SUPPORT	Support	Support	Support	Oppose	Oppose	Support	Support
Brenntag	SUPPORT	Oppose	Support	Oppose	Support	Oppose	Support	Support
Measure W	OPPOSE	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose	Oppose
Business Friendly Fresno	SUPPORT	Support	Support	Support	Support	Support	Support	Support
Smart & Final	SUPPORT							
Water Conservation Act	SUPPORT	Support	Support	Support	Support	Support	Support	Support

Voting With The Chamber		7	6	7	6	6	7	7
Voting Against The Chamber		1	2	1	2	2	1	1
Absent/Vacant								
Score								