



Reply to: Alice Fredericks
Chair, Legislative Committee
MCCMC Tiburon Town Hall
1505 Tiburon Blvd
Tiburon, CA 94920

September 24, 2018

The Honorable Edmund G. Brown
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814
VIA Email: Leg.Unit@gov.ca.gov

RE: AB 2923 (Chiu) San Francisco Bay Area Rapid Transit: TOD
Request for Veto

Dear Governor Brown,

The Marin County Council of Mayors and Councilmembers urges you to veto AB 2923 (Chiu). The bill would give a transportation agency, San Francisco Bay Area Rapid Transit (BART), land use authority for projects on BART owned land within one-half mile of an existing or planned BART station. While the cities and towns of Marin are not directly affected by this bill, the precedent it sets threatens local accountability for land use actions that impact the citizens we all serve. Further, AB 2923 overrides the constitutionally bestowed land use authority of local cities, saddles cities with all costs of the unfunded planning mandate, precludes community engagement, and sets a dangerous statewide precedent – all without reasonable justification.

AB 2923 authorizes BART to regulate density, height and parking of projects on land owned by the transit agency and requires the affected local government to conform their land use planning to BART's TOD plan. The bill potentially requires a costly planning process in affected cities to achieve that conformity and removes decision making from the local governments closest to the people who are affected. As proposed, AB 2923 denies the citizens we serve the meaningful participation that makes local government trustworthy and accountable.

Government transparency and accountability is best served by decision making that occurs at the level closest to the people impacted. Please don't sign this bill without clear evidence of a defined problem that merits such intrusive intervention and overreaching precedent.

Respectfully,

A handwritten signature in cursive script, appearing to read "Alice Fredericks", is positioned below the word "Respectfully,".

Alice Fredericks, Chair
Legislative Committee
Marin County Council of Mayors and Councilmembers

cc: The Honorable David Chiu, California State Assembly, District 17
Graciela Castillo-Krings, Deputy Legislative Secretary, Office of Governor Brown (Leg.Unit@gov.ca.gov)
Your Regional Public Affairs Manager
Meg Desmond, League of California Cities, cityletters@cacities.org