

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE**

**MEETING MINUTES
April 11, 2019**

At 5:23 P.M. Vice Chair Mahanpour called the Legislative Committee meeting to order in the 3rd Floor Gallagher Conference Room at the San Mateo Transit District Office.

Attendance sheet is attached.

Guests or Staff Attending:

Matt Robinson - Shaw/ Yoder/ Antwih Inc. (call in)
Sandy Wong, Jean Higaki, Matt Fabry - C/CAG Staff

1. Public comment on related items not on the agenda.

No public comments

2. Approval of Minutes from March 14, 2019.

Member Garbarino moved and member Vaterlaus seconded approval of the March 14, 2019 minutes. Motion passed 8-0.

3. Update from Shaw/ Yoder/ Antwih (SYA).

Matt Robinson, with Shaw/ Yoder/ Antwih Inc., provided a description and status update of bills that have enough details to consider for action:

SB 152 (Beall) Active Program Funding - This bill would increase the share of active transportation (ATP) funds dedicated to regional agencies to 75 percent, distributed by population. Currently, regional agencies receive 40 percent of the funding in the ATP funds for distribution. This bill would give MTC additional resources to program for ATP projects.

Staff clarified that San Mateo tends to compete better in the regional ATP program over the state program, so it would be advantageous to have a larger percent being decided at the region level.

AB 738 (Mullin) Affordable Housing - This bill would allow funds, that are set aside for construction of affordable housing, to be allocated across San Mateo County jurisdictions, allowing cities to pool resources and share credit on their housing production reports based on their proportionate share of funds contributed to fund the proposed affordable project.

It appears that this bill may not get far this year. Even though there is some support for the concept, the perception of any jurisdiction or county getting special treatment in terms of housing would have difficulty getting support in the legislature at this time.

AB 1568 (McCarty) Loss of Transportation Funding for Failure to Meet Housing Production Targets – Originally, this bill would require HCD to review each production report submitted by a city or county in to determine if that city or county has met the applicable minimum housing production goal for the reporting period. If a local agency fails to meet their production targets, the bill would originally require the Controller to withhold Road Maintenance and Rehabilitation Account (RMRA) funding for that jurisdiction and deposit those funds in a separate escrow account for each city or county that is not in compliance.

The bill has since been modified so that it no longer withholds RMRA funds but instead prohibits the jurisdiction from applying for any state grants except for grants that assist the jurisdiction in meeting housing production goals and where it is unconstitutional to prohibit an application. It was still recommended to oppose tying all grants to housing production.

Budget Request - C/CAG staff have been working with Assembly Member Mullin's staff on a budget request to advance designs of multi-benefit regional stormwater capture projects in San Mateo County. The Assembly Member submitted an \$8 million request to the Senate and Assembly budget committees for planning, environmental review, community engagement, alternatives analysis, and engineering design for regional stormwater retention projects, including existing project concepts in San Bruno and Redwood City. These projects would improve water quality, mitigate downstream flooding, protect downstream disadvantaged communities, recharge groundwater basins, provide alternative water supply, and build resiliency against climate change.

A letter from C/CAG would provide Assembly Member Mullin formal, on the record, support for the budget request in Sacramento. A letter from Assembly Mullin's office to the assembly and senate budget committee was provided as a handout. A draft letter of support from C/CAG to the assembly and senate budget committee was included in the packet.

Member Vaterlaus asked for clarification if the request was only for stormwater capture or also for sea level rise projects. Member Chuang added that the request would only cover the design phase. Matt Fabry clarified that this funding could go towards large multi-benefit projects that are very expensive to design and build. These funds would help to fund pre-construction phases which is still estimated to cost several million.

Member Lewis asked if the funds would be available for other projects, such as an Atherton project, which has experienced some setbacks and might require more funds to proceed. Staff clarified that the funds could be used for environmental work, community engagement, alternative analysis, and design. It is not for construction capital. The request did not link the funding specifically to the three concepts mentioned in the request and left openings to include other projects. Member Lewis stated a need for financial help with community engagement.

Staff pointed to a \$500,000 grant that the County received for preliminary work on two of the concept projects and an additional \$100K to identify other regional projects. These funds could potentially be used to fund other projects as well.

Member Papan moved and member Carlton seconded a recommendation that the C/CAG Board send letters of support for SB 152 (Beall), AB 738 (Mullin), and Stormwater budget request (Mullin) and moved to oppose AB 1568 (McCarty) with modifications to the letter. Motion passed 9-0. Member Masur abstained due to not hearing the full discussion on some items.

A discussion about SB 50 followed. Staff noted that because general statements of opposition are likely to be ineffective or disregarded by legislators in Sacramento, staff is requesting that individual cities provide C/CAG staff with specific city issues or city position letters to support a position in a draft letter for the Legislative Committee and C/CAG Board's consideration at the May committee and board meeting.

Staff indicated that member O'Connell had sent in some specific points. Member Masur also pointed to a write up from the Cities Association of Santa Clara County that was emailed earlier to members and was also handed out at the meeting.

Matt Robinson provided an update of SB 50 (Wiener) and SB 4 (McGuire). Both passed the Senate housing committee last week. A lot of discussion and opposition was noted on both bills. Both authors of SB 50 and SB 4 are on the housing committee and agreed to talk with each other on merging the two bills. SB 50 has bipartisan support. The bill goes to governance and finance committee next, which McGuire chairs. Bills have till the end of April to move out of the policy committee and into the appropriations committee. He anticipates a lot of work will still be done to amend both bills.

Member Papan believes the committee should oppose SB 50 and added that the San Francisco board of supervisors and planning commission opposed SB 50 and that many cities in San Mateo county have written letters in opposition. She stated that Senator Wiener has visited San Mateo but not recognized the work done by jurisdictions. She expressed concern that if C/CAG does not oppose the bill now it will send the message that the bill is okay. She does not want that message to be encouraged. She expressed further concern that a delay on taking a position may result in a lost opportunity to pull the bill. She noted that C/CAG could be provide specifics on why there is opposition to the bill but that a position should be taken.

Chair O'Connell asked if any member brought information to the meeting, per staff request, that would be helpful to present to legislature at lobby day or to include in a letter for May consideration. She also believed that a position would be needed soon but that the committee and board would need to provide specific points to staff. Member Lewis stated that Senator Hill held a large meeting regarding SB 50 and that every city there was opposed to SB 50.

Chair O'Connell called on Cliff Lentz to speak. Cliff Lentz passed out some information from the MTC Housing Legislative Working Group (HLWG). He thanked the cities for putting their trust in Donna Colson, Don Horsley, and himself to represent them. The CASA compact was adopted by ABAG and MTC. A lot of legislation was sprouted from that effort that needs to be addressed now. Cliff asked the committee to define what it is that they collectively want. The City of Brisbane faced a similar loss of local control with their Baylands development project but negotiated with Senator Hill to come up with a compromise. He cited Burlingame's master

planning effort. Cliff would like a joint meeting with the HLWG and the Legislative Committee to understand what we want as a county and use it to change what the legislation is trying to impose and shape legislation to our county's terms.

Member Papan stated that she just sent staff a letter of opposition from the City of San Mateo. Chair O'Connell asked if the letter included specifics of opposition or positive things that they could point to. Member Papan said that there is a difference in perspectives. She doesn't believe in taking the tact of requesting amendments as the Senator will not be able to sufficiently amend the bill to remove negative impacts. Instead she wants to see the committee and board just take an oppose position that states specifics on why it negatively impacts jurisdictions.

Member Garbarino asked about the latest amendments for SB 50. There was no time to go into details.

4. Discussion in preparation for "2019 Lobby Day"

Staff pointed to a hand out of the latest version of the Lobby Day itinerary. There were still some blank slots on the schedule but a room and start date were set. Lunch will be brought into the room. Matt Robinson is trying to set up a meeting with Housing and Community Development staff. He is also trying line up Senator Wiener and Assemblyman Berman.

Staff will send out parking information to members. Matt advised the committee not to script the discussion as much as past years and to provide more time for a free flowing discussion about the housing bills. This would be an opportunity to communicate main points to delegates and housing committee chairs. The committee will meet with Ronda Paschal and Mark Tollefson, who are housing policy staff from the Governor's office. The schedule should allow participants to leave by 3:15pm.

Staff pointed out that there was a handout provided with highlights regarding housing points that the group was suggested to review. It was staff's guess and it was requested that members look at some of the points and other provided resources to solidify some points to make at Lobby Day, during the half hour preparation time before the meetings.

Member Papan asked about bills in other areas that should be discussed in regards to transportation and water. Staff replied that those area were more straight forward and due to time constraints wanted to focus the discussion on housing points.

Member Carlton asked if a conference call before Lobby Day was needed. Chair O'Connell suggested that members review the resources that staff provided and bring their top three point to staff to compile and provide during the preparation time before meetings start. Chair O'Connell stated that San Bruno, Brisbane, and Burlingame all put in a lot of effort to develop plans around transit. San Bruno's plan contains almost everything in SB 50 except the parking and noted that the plan has buyoff from the community.

She is hoping to bring the message that there should be some sort of exemption for the cities that are doing or have done their part in addressing housing near transit. It could also be requested

that the state give jurisdictions some time and financial help to develop their own locally accepted plans that addresses the overall goals that state legislators want to see.

5. Adjournment

The meeting adjourned at approximately 6:00 P.M.

Legislative Committee 2019 Attendance Record

Agency	Name	Jan 10	Feb 14	March 14	April 11	May 9	June 13	July 11	August	Sept 12	Oct	Nov	Dec 12
Elizabeth Lewis	Atherton	N/A	N/A	x	x								
Foster City	Catherine Mahanpour	x		x	x								
Hillsborough	Marie Chuang (C/CAG Vice Chair)	x	x	x	x								
Menlo Park	Catherine Carlton		x		x								
Millbrae	Gina Papan	x	x		x								
Pacifica	Sue Vaterlaus	x	x	x	x								
Portola Valley	Maryann Moise Derwin (C/CAG Chair)	x	x	x	x								
Redwood City	Shelly Masur	x		x	x								
San Bruno	Irene O'Connell (Leg Vice Chair)	x	x	x	x								
Sounth San Francisco	Richard Garbarino	x	x	x	x								

 no meeting