

C/CAG

City/County Association of Governments of San Mateo County

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C/CAG LEGISLATIVE COMMITTEE

AGENDA

Date: May 14, 2020

Time: 5:30 p.m.

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines, which discourage large public gatherings, C/CAG meetings will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below.

Join by Zoom:

<https://us02web.zoom.us/j/87031820844?pwd=SG82UIZaTDFSWkVnMEVIQytWZlpKdz09>

Meeting ID: 870 3182 0844

Password: 016502

Join by phone:

(669) 900-6833 US (San Jose)

Meeting ID: 870 3182 0844

Password: 016502

Find your local number: <https://us02web.zoom.us/j/87031820844>

Persons who wish to address the Legislative Committee on an item to be considered at this meeting, or on items not on this agenda, are asked to submit comments in writing to rbogert@smcgov.org by 4:00 PM on Thursday May 14, 2020. Emailed comments should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda or is on the consent agenda. Members of the public are limited to one comment per agenda item. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words. Staff will read the public comments addressing matters on this agenda received before the deadline of 4:00 PM on May 14, 2020 at the time the matter is called. Staff will read the public comments addressing items not on this agenda received before the deadline of 4:00 PM on May 14, 2020 during agenda item 1 "Public comments." Comments received after the deadline but before the end of the meeting will be provided to the Legislative Committee after the meeting.

1	Public comment on related items not on the agenda.	Presentations are limited to two (2) Minutes	
2	Approval of Minutes from April 9, 2020.	Action (Mahanpour)	Pages 1-4
3	Review/ recommend approval of the C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified).	Action (Update from Shaw/Yoder/Antwih)	Pages 5-9
4	Revisit plan for “Lobby Day 2020 or 2021.”	Action (Mahanpour)	No Materials
5	Adjournment	Action (Mahanpour)	

Next Meeting: June 11, 2020

PUBLIC NOTICING:

Due to the impact of the Coronavirus (COVID–19), All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at C/CAG’s website at: <http://www.ccag.ca.gov>.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Please note that C/CAG’s office is temporarily closed to the public; please contact Mima Guilles at 650-599-1406 to arrange for inspection of public records. Such public records are also available on C/CAG’s website at: <http://www.ccag.ca.gov>.

PUBLIC PARTICIPATION: Please refer to the first page of this agenda for instructions on how to participate in the meeting. Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Mima Guilles at (650) 599-1406, five working days prior to the meeting date.

C/CAG AGENDA REPORT

Date: May 14, 2020
To: City/County Association of Governments of San Mateo County Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approve the Legislative Committee meeting summary from its April 9, 2020 meeting.

(For further information or response to questions, contact Reid Bogert at 650-599-1433)

RECOMMENDATION

That the Legislative Committee review and approve meeting summary from its April 9, 2020 meeting, as drafted.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Summary, April 9, 2020

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

**Draft Meeting Summary
April 9, 2020**

At 5:31 P.M. the Legislative Committee meeting was called to order via Zoom remote conferencing by Chair Mahanpour.

Attendance sheet is attached.

Guests or Staff Attending:

Matt Robinson - Shaw/Yoder/Antwih Inc.
Sandy Wong, Matt Fabry, Susy Kalkin, Kim Springer, Van Ocampo - C/CAG Staff

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

None.

2. Roll call for attendance.

C/CAG Executive Director, Sandy Wong, requested to take roll call for attendance, which was not previously on the agenda.

3. Approval of Minutes from December 12, 2019.

Member Garbarino moved and member Vaterlaus seconded approval of the February 13, 2020 minutes. Motion passed, 9:0:0.

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

Matt Robinson and Andrew Antwih, from Shaw/ Yoder/ Antwih,Inc. provided a legislative update from Sacramento via phone.

Updates from Sacramento:

Update on Sacramento activities, included the break starting on March 16 and plans to reconvene on May 4 after the early spring recesses. Leadership have sent out a memo that there will be COVID-19 hearings in the near future, which will include oversight of the Legislature on allocation and tracking of the response funds.

Regarding legislative deadlines, passage of the budget requires a vote by the Legislature by June 15, 2020, and the Legislature will very likely try to reconvene for this deadline. Additional budget revenue categories for wildfire response, homelessness and housing will likely be addressed later in the calendar year. The state income tax filing date has been pushed back to

July 15. Given the truncated policy schedule, Assembly leadership have directed all bills that do not address the priority issues or are necessary in 2020 to be postponed until the 2021-21 session. Housing is a priority issue, and there are few bills that may move forward, including SB 902 (Weiner) and AB 3145 (Grayerson). FASTER Bay Area is being postponed due to the COVID-19 crisis. Senator Beall is likely going to let other legislators take on this effort in 2021. The SEAMLESS Bay Area campaign is likely not going to move forward in the current session because of committee direction and regional transit service issues during the COVID crisis. BART, for example is running at as low as five percent of its normal service level. The Bay Area is slated to receive up to \$2 billion in federal funds to support this financial impact for regional transit agencies.

Finally, with the Governor's proposed budget in January, it was noted there was a \$22 billion "rainy day fund." If revenue declines continue, however, the state may see a significant reduction in this amount.

The Committee briefly discussed SEAMLESS, and what the implications may be for fiscal impact and accountability of the transit agencies. Staff shared that the bill is still a spot-bill and it is unclear how the bill will be proceed. The bill was tied to FASTER for funding to some extent, which is no longer moving forward. There is also a lack of support in the capitol now because of the regional impacts on transportation revenues.

5. Discussion of "Lobby Day" 2020.

Matt Robinson discussed the original plan to host Lobby Day in May or June. The plan now is to wait until next month for further updates from the Legislature. If the Legislature does not hold its regular summer recess in July, then it may be possible to have Lobby Day in June or July. The Committee also noted whether it will be a worthwhile trip if the policy committees are not moving bills of interest forward this session.

The Committee will bring this topic back for discussion at its May meeting.

7. Adjournment.

The meeting adjourned at approximately 5:57 P.M.

Legislative Committee 2020 Attendance Record

Agency	Name	Jan 9	Feb 13	Mar 12	Apr 9	May 14	Jun 11	Jul 9	Aug	Sep 10	Oct 8	Nov 12	Dec 10
Atherton	Elizabeth Lewis												
Foster City	Catherine Mahanpour (Leg Chair)		x		x								
Hillsborough	Marie Chuang (C/CAG Vice Chair)		x		x								
Menlo Park	Catherine Carlton				x								
Millbrae	Gina Papan		x		x								
Pacifica	Sue Vaterlaus		x		x								
Portola Valley	Maryann Moise Derwin (C/CAG Chair)		x		x								
Redwood City	Shelly Masur (Leg Vice Chair)		x		x								
San Carlos	Adam Rak		x		x								
South San Francisco	Richard Garbarino		x		x								

 no meeting

C/CAG AGENDA REPORT

Date: May 14, 2020

To: C/CAG Legislative Committee

From: Sandy Wong, Executive Director

Subject: Review and recommend approval of C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified).

(For further information, contact Reid Bogert at 650-599-1433)

RECOMMENDATION

That the C/CAG Legislative Committee review and recommend the C/CAG Board to take a position on any legislation or direct staff to monitor any legislation for future positions to be taken.

FISCAL IMPACT

Unknown.

SOURCE OF FUNDS

N/A

BACKGROUND

The C/CAG Legislative Committee receives monthly written reports and oral briefings from C/CAG's State legislative advocates. Important or interesting issues that arise out of the committee meeting are reported to the Board.

The attached report also includes status updates on activities in Sacramento during April, as well as updates on bills currently advancing through the 2020 legislative session.

ATTACHMENTS

1. May 2020 Legislative report from Shaw/ Yoder/ Antwih, Inc.
2. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>



1415 L Street
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April 30, 2020

TO: Board of Directors, City/County Association of Governments of San Mateo County

FM: Matt Robinson & Andrew Antwih, Shaw Yoder Antwih Schmelzer & Lange

RE: **STATE LEGISLATIVE UPDATE – May 2020**

Legislative Update

With the California State Assembly set to return to Sacramento on Monday, May 4, we wanted to provide you with an update on the current plans for how either house of the California State Legislature might begin to conduct its work in Sacramento. While it was previously announced publicly that both houses of the Legislature intend on returning to Sacramento on May 4, there are now two separate dates for starting back up. The Senate is now scheduled to return on May 11, a week after the Assembly. Also, the Senate, prior to adjourning for the extended recess, approved the use of remote voting, which Senate leadership has said the house could attempt to use when the Legislature resumes its business (i.e., in lieu of coming back to Sacramento for in-person voting). Assembly leadership, on the other hand, appears set on opening up the Capitol on May 4 for scaled-back committee hearings, with in-person participation by at least committee members and key legislative staff. The Assembly is considering how to allow public participation in these more constrained hearings, for instance by allowing only one representative of any given bill's supporters to appear in person, with the other supporters required to provide testimony by phoning in; and likewise for opponents.

The Assembly Rules Committee recently released a [memo](#) detailing the processes that are being followed as subcommittees of the Assembly's budget committee conduct preliminary hearings on pandemic impacts; this memo provides some sense of how the Assembly may operate once the Legislature fully begins to conduct its business. Primary among these is the limitation of staff allowed in the Capitol to only essential staff, along with several guidelines meant to maintain social distancing as the house begins to conduct its business. While we have not seen anything concrete, we expect similar guidance to be promulgated by the Senate when that house returns to the Capitol.

In addition to these measures, some committees will be limiting the number of bills that will be set for hearing and have asked authors to prioritize their bills. We've compiled a document showing illustrative emails from committee chairs and consultants to bill authors, describing the parameters on which decisions will be made on whether or not committees will hear any particular bill; this memo can be found [here](#).

With the limited space available in the Capitol allowing for social distancing, committee hearings will likely be held in only the larger venues, like rooms 4202/4203, or, on the Floor of either house. It also seems that policy committees will only hold one hearing each, to hear all the bills for the year that have been determined to be eligible to move under the crisis circumstances. The Assembly Transportation Committee, for example, has already said they will limit their bill load to 5 or 6 measures and handling noncontroversial items in a consent agenda or through a committee omnibus bill.

Regardless of these parameters relative to hearing bills, according to California's constitution each house of the Legislature must still pass a state budget by June 15th, and we anticipate the final product being a "workload budget" based off of department needs from last year. This will surely be followed up with consideration of additional spending bills and budget trailer bills later this summer once the State's revenue picture is clarified following the extended July 15th income tax due date.

All of this is very fluid given the circumstances and this information may change. However, it is certain that when the Legislature returns, there will be measures put in place to allow for social distancing and public participation. We will keep you informed as new details are confirmed.

TIRCP Grant Awards Announced

On April 21, the California State Transportation Agency (CalSTA) announced the award of \$500 million to 17 recipients through the Transit and Intercity Rail Capital Program, funded by a combination of Cap and Trade and SB 1 moneys. In the [press release that supports the announcement](#), the Secretary Kim stated, "The \$500 million in grant awards made today will increase transit service on new and existing routes, provide for a more integrated transit system, reduce greenhouse gas emissions, and support jobs," and, "Although the current COVID-19 pandemic is putting tremendous stress on transit agencies, these funds support long-term capital projects to be completed in the years to come, and will help support the economic recovery in the years ahead." Unfortunately, Caltrain/SamTrans did not receive any funding this round. However, BART did receive \$107.1 million to purchase additional rail cars as it continues its fleet replacement. These cars will service the Peninsula stations.

Free Transit Legislation

There are several pieces of legislation that would require transit agencies to offer free transit to a specific segment of the population, or risk losing access to state funding. Three bills were introduced in the session – AB 1350 (Gonzales), AB 2012 (Chu), and AB 2176 (Holden) – and would target specific transit ridership demographics: riders under the age of 18; seniors 65 and older; and college students, respectively. As a result of the pandemic, the need to focus any legislation on certain policy areas, and the dire straits most transit systems are currently in, Assembly Members Gonzalez and Chu have indicated they do not intend to move their respective bills forward. Additionally, we believe that AB 2176 will not be heard this year as Assembly Member Frazier, as Chair of the Assembly Transportation Committee, has been very clear about the types of bills he will hear when the Legislature reconvenes.

FASTER Bay Area / Seamless Bay Area

As the Board is aware, there has been a significant effort in the Bay Area to implement a new funding source for transportation by way of a nine-county sales tax measure that would generate an estimated \$100 billion over 40 years, known as FASTER Bay Area. The measure is proposed to fund primarily large-

scale, mass transportation infrastructure projects throughout the Bay Area (e.g. second transbay crossing for at least BART, additional Caltrain improvements, regional express bus/managed lanes, subway improvements, etc.). After a lot of deliberation and stakeholder engagement, it became clear that it would be a challenge to finalize the plan in time for the November 2020 ballot. The COVID-19 outbreak only made matters worse as the Bay Area's economy and transportation system have been hit hard. On March 17, the FASTER proponents released a document stating:

*FASTER will continue to work towards passing legislation to authorize a Bay Area ballot initiative **but we will no longer be proposing that it be eligible for the November 2020 ballot.** This change will give us more time to work with the Bay Area's transit operators, elected officials, stakeholders, and the broader public.*

In addition to FASTER Bay Area, stakeholders in the Bay Area have been pushing for several policy changes meant to improve the operation and effectiveness of the region's transit agencies. Known as Seamless Bay Area, the proposal initially planned to require transit agencies to set region-wide fares and coordinate scheduling, system mapping, and data collected/shared. However, the author recently decided to pursue fewer elements than originally proposed, only creating a regional transit task force to further study and make recommendations on the items above and to require MTC, along with transit systems, to develop a regional mapping and wayfinding system. **On April 28, the author's office indicated it would not be moving forward with the Seamless effort in 2020, but plans to take it up again in 2021.**

Bills of Interest

SB 45 (Allen) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.

This bill would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of general obligation bonds in the amount of \$5.5 billion pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program. Stormwater projects are eligible for over \$400 million in funding. If approved by the Legislature, the bond would be on the November 3, 2020 ballot.

SB 278 (Beall) FASTER Spot Bill

This bill represents the legislative vehicle for a potential FASTER Bay Area framework and expenditure plan.

SB 902 (Wiener) Housing Production

This bill would authorize local governments to rezone neighborhoods for increased housing density, up to ten homes per parcel and would require a legislative body pass a resolution to adopt the plan and exempts that zoning action from being considered a project under the California Environmental Quality Act. To be eligible, an area must be urban infill, or be near high quality public transportation or a job-rich area. The local government can determine whether the individual projects will be ministerial/by right or subject to discretionary approval. The bill also authorizes two, three, or four homes per parcel to be built as a use by-right in residential areas that are outside of very high fire hazard severity zones.

SB 1100 (Atkins) California Sea Level Rise State and Regional Support Collaborative

This bill would create the California Sea Level Rise State and Regional Support Collaborative and require the collaborative to provide information to the public and support to local, regional, and other state agencies for the identification, assessment, and the mitigation of sea level rise. The bill would require, upon appropriation, the Collaborative to expend no more than \$100,000,000 annually from appropriate bond funds in grants to local governments to update local and regional land use plans to take into account sea level rise and for directly related investments to implement those plans.

AB 2057 (Chiu) Seamless Bay Area

This bill initially represented the legislative vehicle for a potential Seamless Bay Area framework, with the stated intent of requiring future regional funds for public transportation in the nine-county San Francisco Bay area to be conditioned on advancing institutional reforms that improve accountability and establish a seamlessly integrated regional transit system, so that these funds are responsibly spent and advance state mobility and environmental goals. However, if the bill is to move forward, the author is proposing to only include the establishment of a regional transit task force to further study and make recommendations on the items above and to require MTC, along with transit systems, to develop a regional mapping and wayfinding system.

AB 2237 (Berman) – Contracting Limits

This bill would raise the limit for contracts no subject to competitive bidding from \$75,000 to \$150,000 for county transportation agencies in the Bay Area, including the San Mateo County Transportation Authority. SamTrans already has a \$150,000 threshold.

AB 3145 (Grayson) Mitigation Fee Cap

This bill would prohibit a city or county from imposing a mitigation fee or exaction if the total dollar amount they would impose on a proposed housing development is greater than 12 percent of the city or county’s median home price, unless approved by the Department of Housing and Community Development.

ACA 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval.

This constitutional amendment would lower the necessary voter threshold from a two-thirds supermajority to 55 percent to approve local general obligation bonds and special taxes for affordable housing and public infrastructure projects.