

C/CAG

City/County Association of Governments of San Mateo County

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C/CAG LEGISLATIVE COMMITTEE

AGENDA

Date: July 9, 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/87802034177?pwd=RlhQekZRRdTdIZHJTckEzTWtSTnRLdz09>

Meeting ID: 878 0203 4177

Password: 804390

Join by Phone:

(669) 900-6833

Meeting ID: 878 0203 4177

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 July 9, 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 July 9, 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 July 9, 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	Committee roll-call	Bogert	
2	Public comment on related items not on the agenda.	Presentations are limited to two (2) Minutes	
3	Approval of Minutes from May 14 and June 11, 2020.	Action (Mahanpour)	Pages 1-9
4	Receive information regarding C/CAG's legislative consultant's process and procedure for handling potential conflicts of interest among clients.	Information (Mahanpour)	Pages 10-12
5	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/Schmelzer/Lange)	Pages 13-22
6	Receive information on proposed plan for holding virtual meetings with members of the San Mateo County delegation and other State representatives on bills of interest and other legislative matters.	Information (Mahanpour)	Page 23
7	Adjournment.	Action (Mahanpour)	

Next Meeting: September 10, 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: July 9, 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 summaries from its May 14 and June 11, 2020 meetings.

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

RECOMMENDATION

That the Legislative Committee review and approve the meeting summary from its May 14, 2020 meeting with a minor correction in attendance identified at the June 11, 2020 meeting, and review and approve the summary from the June 11, 2020 meeting, as drafted.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Summary, May 14, 2020
2. Draft C/CAG Legislative Committee Meeting Summary, June 11, 2020

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

**Draft Meeting Summary
May 14, 2020**

At 5:33 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 / Schmelzer and Lange, Inc.
Sandy Wong, Matt Fabry, Susy Kalkin, Kim Springer, Sean Charpentier Van Ocampo - C/CAG Staff

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

None.

2. Roll call for attendance.

Staff announced roll-call for Committee attendance.

3. Approval of Minutes from April 9, 2020.

Member Garbarino moved and member Rak seconded approval of the April 9, 2020 minutes. Motion passed, 11:0:0.

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

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

Updates from Sacramento:

Update on Sacramento activities included announcements about the State Assembly and Senate returning from spring recess on May 4 and May 11, respectively. Matt Robinson shared that the legislative calendar for the 2020 session has been pushed back by about two weeks due to shelter-in-place, but that committee hearings are proceeding, mostly pertaining to COVID-19 response and funding. The chairs of committees in both houses have provided fairly strict guidance in terms of which bills should be held in committee hearings and which should be postponed to next session. The Senate and Assembly are planning to take summer recess from July 2 to July 13, with final adjournment of the legislative session on August 31. The other constitutionally mandated deadline is the passage of a budget bill for 2020-21 by both houses by

June 15. The Governor has until July 1 to enact the budget after any additional modifications from his May Revision of the proposed budget from January.

Regarding the State budget, Governor Newsom released the May Revision of the draft budget from January on May 14, which included sweeping budget cuts across the board. Notably, the revised budget is a “workload budget,” meaning existing programs will continue to be funded, but no new programming allocations will be included in the proposed budget for consideration by the legislature. The Governor announced an anticipated budget shortfall of \$54 billion by the end of the calendar year due to COVID-19, and the State will look to budget cuts, spending down the State’s “rainy day funds” and other reserves, as well as requesting significant federal support to close the budget gap in the coming year. Because of the delayed deadline for filing income tax, there will likely be additional “trigger cuts” to the proposed budget after being approved in June and July. Policy and fiscal committees will be hearing budget and other bill proposals in the coming weeks, and C/CAG staff with support from SYA will provide a bulleted list of bill updates based on the truncated session timeline by the next Legislative Committee meeting in June. It was noted that transportation revenues are expected to be reduced, though State funding will continue with relatively minimal impact on overall expenditure plans for existing programs. Local sales tax and property tax impacts will likely be more significant for municipalities.

Policy Updates:

The Committee discussed the status of the Bay Area FASTER and SEAMLESS campaigns, and Robinson noted the FASTER funding initiative is off the table for the November 2020 ballot, while the SEAMLESS campaign has been scaled back to the formation of a policy task force and the development of integrated wayfinding and mapping among regional transit agencies. Member Papan mentioned she was selected to partake in the Blue Ribbon Task forces that is part of the SEAMLESS initiative, and also stated there will likely be future legislation to implement the measures included in the SEAMLESS campaign around better transparency, streamlined regional transit, equity, etc. There was additional discussion around current COVID-19 and housing related policies, including SB 939 (Weiner/Gonzalez) and SB 902 (Weiner), which may have important implications for local revenues and housing production. Robinson noted, their staff will have more information on these and other bills in the coming weeks. Robinson also noted the Governor has withdrawn his own proposal for a state resilience measure, which is an indicator of the extent to which the budget and current legislation are constrained. With that said, the legislature will likely push hard on some housing and transportation solutions this year to make moving money easier and to help fund projects. There will also be a focus in the coming weeks on how to advance and direct federal funds, including the proposed Heroes Act. Members briefly discussed the possibility of unrestricted federal dollars moving through programs like the Active Transportation Program, which has occurred in past.

No actions were taken by the Committee.

5. Discussion of “Lobby Day 2020 or 2021.”

Matt Robinson discussed the original plan to host Lobby Day in May or June of 2020. Robinson

shared the access to the Capitol is very restricted with legislators being allowed only one staffer to attend hearings and other meetings. Members of the Committee discussed the possibility of holding a virtual Lobby Day this year, given there are enough focused issues to address with the San Mateo delegation, potentially even holding several one-off meetings with three or four Committee Members. Members shared potential discussion topics, including the proposed SB 902 on housing production and possible interest from some municipalities on issues of approved housing projects now conflicting with the Governor's plans for instituting rapid transit. Robinson also suggested there could be opportunities to weigh in on bills as they move through appropriations committees and State funding for regional and local transportation projects. C/CAG staff will work with SYA staff and members of the Committee to develop a proposal for a potential Summer 2020 virtual Lobby Day(s) with an update at the June Legislative Committee 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					x							
Belmont	Davina Hurt (C/CAG Vice Chair starting April 2020)					x							
Foster City	Catherine Mahanpour (Leg Chair)		x		x	x							
Hillsborough	Marie Chuang (C/CAG Vice Chair through April 2020 and Chair starting April 2020)		x		x	x							
Menlo Park	Catherine Carlton				x	x							
Millbrae	Gina Papan		x		x	x							
Pacifica	Sue Vaterlaus		x		x	x							
Portola Valley	Marian Moise- Derwin (C/CAG Chair through April 2020)		x		x								
Redwood City	Shelly Masur (Leg Vice Chair)		x		x	x							
San Carlos	Adam Rak		x		x	x							
South San Francisco	Richard Garbarino		x		x	x							

 no meeting

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

**Draft Meeting Summary
June 11, 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 / Schmelzer and Lange, Inc.
Sandy Wong, Matt Fabry, Kim Springer, Sean Charpentier - C/CAG Staff

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

None.

2. Roll call for attendance.

Staff announced roll-call for Committee attendance.

3. Approval of Minutes from April 9, 2020.

Staff was informed of an error in the attendance for the April 9, 2020 meeting during the June 11, 2020 meeting. Staff will bring back the approval of the minutes from April 9, 2020 meeting in July.

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

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

Updates from Sacramento:

Robinson provided an update on the Legislature’s 2020 calendar and relevant session deadlines. Policy Committee hearings for bills in the house of origin has passed, and the Assembly Appropriations Committee hearings wrapped up last week. Many Assembly bills were held in suspense. The Senate Appropriations Committee meetings are scheduled for next week. The overall legislative session has been on a truncated timeline and as a result the Assembly is planning its summer recess June 19 to July 13, while the Senate is planning a shorter recess from July 2 to July 13. The current legislative session ends on August 31. Both houses are working on versions of the state budget for consideration by the Governor by July 15. Some budget issues that need further consensus include trigger cuts, such as state employee pay and raises and salary

cuts if requested federal funds are not received. It is unknown whether the Governor is likely to veto the entire plan or individual line items. Statewide, projected sales tax revenue reductions of 27% will likely have trickle-down effects on local community transportation and sales tax measures. Counties have reported, anecdotally, however, the expected impacts on transportation related funds may not be as dire as expected because of the slow reopening. Robinson briefed the Committee on the status of state Cap and Trade funds from the auction on May 20, emphasizing the slow down in the market for allowances as a result of the COVID situation. The state had \$600 million in allowances for sale with only \$25 million in revenues this auction, and no allowances were sold for the current year (allowances sold as future vintages). The next auction is in August. Altogether, these impacts will not impact currently funded projects, but it is likely there will be impacts on the next programming cycle for C/CAG-relevant fund sources, including the STIP, SHOPP and other competitive grant programs.

Committee members were interested in hearing more about the Education Revenue Augmentation Funds (ERAF), and plans from the state on the use of these funds. Robinson plans to provide further information after following up with staff.

Policy Updates:

The Committee discussed several bills included in the agenda packet. Robinson provided an update on SB 288 (Weiner), which would provide CEQA relief for some transportation projects, including those that have greenhouse gas reduction benefits (e.g., HOV lanes, designated bus lanes on highways, public transit projects, transit maintenance facilities and bike/ped projects). Staff plan to bring back this item for consideration of a “support” or “support in concept” of the bill, and C/CAG’s consultant will work with the bill authors to provide additional input from staff and the Committee to incorporate any changes if desired (e.g., eligibility for stormwater components on bike/ped projects). It was specified that only public right-of-way projects would be applicable projects, and regional transportation projects would need to be included in an existing regional transportation plan.

SB 899 (Weiner), a bill regarding housing on faith institutions and non-profit hospitals, was raised as a topic of interest; however, as it was not included in the agenda, the Committee did not have in-depth discussion. The Committee did discuss briefly some aspects of the proposed bill, including the issue that faith-based and other non-profit organizations are having difficulty getting approval to develop their land for multi-family housing. Members are interested as to whether these types of projects could be counted toward RHNA numbers. C/CAG’s consultant will follow-up with the Committee on this as well as whether cities could implement impact fees under this type of project.

Other bills have been marked as “not moving” but may be proposed in 2021, including SEAMLESS and AB 3145 (Grayson) on mitigation fee caps. Several other bills are moving along, and those that are held in the Senate finance committees will have updates in July. The possibility of a climate resilience related bond is still pending, though the Governor continues to show lack of interest in supporting any bond measures this year.

No actions were taken by the Committee.

5. Discussion of “Lobby Day 2020 or 2021.”

Reid Bogert provided a brief update on plans to host virtual meetings with the San Mateo County delegation in 2020, based on staff considerations and recommendations to the committee. Due to the limited number of bills that are advancing this session as well as the status of existing bills of interest to C/CAG, staff and C/CAG’s consultant are not recommending scheduling virtual meetings at this time. If there are bills of interest to C/CAG that come back in July after summer recess, opportunities for new grants or project update discussions can still be scheduled after the recess.

Several Committee Members expressed an interest in addressing pressing issues, such as housing, transportation and climate resiliency, which C/CAG may like to take a position on. The members suggested this could be more important for discussions with other authors of bills that are outside of the San Mateo County delegation. Other considerations include the need for C/CAG to lobby with consensus on positions that the collective supports as a governing body, as well as whether drafting letters to representatives prior to engaging in meetings would make sense, given the current economic and social conditions surrounding COVID recovery. Staff will work with the Chair/Vice Chair to develop a list of topics that the Legislative Committee can consider for scheduling meetings with state representatives to consider at the July Committee meeting.

7. Adjournment.

The meeting adjourned at approximately 6:30 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					x	x						
Belmont	Davina Hurt (C/CAG Vice Chair starting April 2020)					x	x						
Foster City	Catherine Mahanpour (Leg Chair)		x		x	x	x						
Hillsborough	Marie Chuang (C/CAG Vice Chair through April 2020 and Chair starting April 2020)		x		x	x	x						
Menlo Park	Catherine Carlton				x	x	x						
Millbrae	Gina Papan		x		x	x	x						
Pacifica	Sue Vaterlaus		x		x	x	x						
Portola Valley	Marian Moise- Derwin (C/CAG Chair through April 2020)		x		x								
Redwood City	Shelly Masur (Leg Vice Chair)		x		x	x	x						
San Carlos	Adam Rak		x		x	x	x						
South San Francisco	Richard Garbarino		x		x	x	x						

 no meeting

C/CAG AGENDA REPORT

Date: July 9, 2020

To: C/CAG Legislative Committee

From: Sandy Wong, Executive Director

Subject: Receive information regarding C/CAG's legislative consultant's process and procedure for handling potential conflicts of interest among clients.

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

RECOMMENDATION

That the C/CAG Legislative Committee receive information regarding C/CAG's legislative consultant's process and procedure for handling potential conflicts of interest among clients.

FISCAL IMPACT

Unknown.

SOURCE OF FUNDS

N/A

BACKGROUND

C/CAG's current legislative consultant firm, Shaw Yoder Antwih Schmelzer & Lange, Inc. (SYASL), has provided state legislative advocacy services to C/CAG's Legislative Committee and Board of Directors since January 2014 (and under a subcontract with Advocation, Inc. for several years prior to that), after having gone through two rounds of Requests for Qualifications for legislative services..

At the last Legislative Committee meeting on June 12, 2020, a question was raised by a Committee Member regarding C/CAG's consultant representing clients who may potentially have conflicting economic or policy interests, and whether an issue of conflict of interest among clients with respect to the consultant representing various positions in front of State Representatives may be a concern. C/CAG staff, legal counsel, the Vice Chair of the Legislative Committee, the Chair and Vice Chair of the C/CAG Board of Directors and C/CAG's consultant had a follow-up conference call on June 30 to get clarification on the procedures in place by SYASL via contract language (see Attachment 1) and best practices to avoid potential conflicts of interest among clients and to address a potential conflict of interest should the situation arise.

C/CAG staff and consultant will provide a brief summary of the main ways in which SYASL safeguards against potential conflicts of interest among clients, including staff redundancy among clients, maintaining a retainer for a separate firm in rare cases of conflict of interest, hiring another firm for specific work if necessary, and following best practices stipulated by the Institute of Governmental Advocates to inform clients of potential conflict of interest among clients should an

issue arise.

ATTACHMENTS

1. Excerpt from Agreement with Shaw/Yoder/Antwih, Schmelzer & Lange, Inc.

Conflict Resolution

SYA strives to recognize and resolve potential conflicts between its clients as early as possible. We hold regular meetings to discuss the legislative priorities of our clients. This practice helps identify potential issues and generally leads to an agreeable solution before an issue becomes a significant conflict. SYA also has a team of lobbyists sharing the workload for each client so that we are not presented with a scenario in which we cannot support a client's legislative program in front of the Legislature. If, in the rare instance there was no way to avoid a conflict amongst clients, SYA's policy is to give deference to the client under contract with the firm the longest. Over the last four years, we cannot recall a single conflict arising between C/CAG and our many local government clients.

C/CAG AGENDA REPORT

Date: July 9, 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 includes status updates on activities in Sacramento during June, focusing on the state budget process and bill progress from the 2020 legislative session.

ATTACHMENTS

1. July 2020 Legislative report from Shaw/ Yoder/ Antwih/ Schmelzer and Lange, Inc.
2. C/CAG 2020 Legislative Policies
3. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>

July 2, 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 – July 2020**

Legislative Update

The Legislature continues to hold policy and fiscal committee hearings and recently started holding Floor Session again. As we reported, the Senate and Assembly adopted revised calendars for the remainder of the 2019-20 Legislative Session. The calendars have been slightly different for the last month, but sync up on July 13, when both houses return from Summer Recess. The Legislature is scheduled to adjourn on August 31.

Most recently, the Legislature passed, and the Governor signed, a series of budget-related bills that make up the initial FY 2020-21 Budget Act, with the new fiscal year beginning July 1. We expect additional work on the budget to continue through the remainder of the session as the state's fiscal outlook becomes clearer. Additionally, depending on when/if additional federal funding arrives, the Legislature may need to work on additional budget items in the fall to account for the new revenues.

New Metric for Transportation Impacts Under CEQA

On July 1, the state began using a new metric for measuring transportation impacts under CEQA, known as Vehicles Miles Traveled (VMT). For decades, the state has measured these impacts using Level of Service (LOS), which measures the projected increase or decrease in automobile delay that a project will have. SB 743 (Steinberg, 2013) required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. For land use projects, OPR identified Vehicle Miles Traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis. For transportation projects, lead agencies for roadway capacity projects have discretion, consistent with CEQA and planning requirements, to choose which metric to use to evaluate transportation impacts (VMT versus LOS). Regulatory changes to the CEQA Guidelines that implement SB 743 were approved on December 28, 2018 and go into effect July 1. Recently, there have been calls from some stakeholders to delay the implementation date for the change. So far, the Administration has not signaled they're willing to go along.

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 288 (Wiener) CEQA Exemptions for Transportation Projects

The California Environmental Quality Act requires a lead agency to prepare and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have an effect. CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects for the institution or increase of passenger or commuter service on high-occupancy vehicle lanes already in use. This bill would revise and recast the above-described exemptions and further exempt from the requirements of CEQA certain projects for the institution or increase of bus rapid transit and regional rail services on public rail or highway rights of way, as specified, whether or not it is presently used for public transit. The bill would additionally exempt projects for rail, light rail, and bus maintenance, repair, storage, administrative, and operations facilities; and projects for the repair or rehabilitation of publicly-owned local, major or minor collector, or minor arterial or major arterial bridges.

SB 899 (Wiener) Housing Development on School and Church Properties

This bill would provide that housing is a use by right on land owned ,on or before January 1, 2020, by a religious institution, defined as an institution owned, controlled, and operated and maintained by a bona fide church, religious denomination, or religious organization; or land owned by nonprofit colleges, specifically non-public, non-profit higher education institutions that are accredited by an agency recognized by the US Department of Education.

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.

SB 995 (Atkins) Jobs and Economic Improvement Through Environmental Leadership Act

The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 authorizes the Governor, until January 1, 2020, to certify projects that meet certain requirements for CEQA streamlining. This bill would extend the authority of the Governor to certify a project to January 1, 2024

and would add housing projects meeting certain conditions to the list of projects eligible for certification.

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.

SB 1120 (Atkins) Housing Density

This bill would require a proposed housing development containing 2 residential units (duplexes) to be considered ministerially, without discretionary review or hearing, in areas zoned as single-family if the proposed housing development meets certain requirements. CEQA requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects. By establishing the ministerial review process described above, the bill would exempt these projects from CEQA.

AB 2057 (Chiu) Seamless Bay Area (Not Moving in 2020)

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 (Not Moving in 2020)

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 (Not Moving in 2020)

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.

AB 3256 (Garcia) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020

This bill would enact the Economic Recovery, 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 \$6.98 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 \$400 million in funding from various programs, including \$200 million for projects that provide multiple benefits, including rainwater capture, reduction of stormwater pollution, and increased use of natural spaces for urban vegetation and forestry. If approved by the Legislature, the bond would be on the November 3, 2020 ballot.

ACA 1 (Aguir-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.

C/CAG LEGISLATIVE POLICIES FOR 2020

Policy #1 -

Protect against the diversion of local revenues, promote equitable distribution of state/regional resources and revenues, and protect against increased local cost resulting from State actions.

- 1.1 Support League, CSAC, and other initiatives to protect local revenues.
- 1.2 Provide incentives and tools to local government to promote economic vitality.
- 1.3 Support appropriate new funding or the reinstatement of state funding for economic development and affordable housing, including the use of tax-increment financing or “Redevelopment 2.0.”
- 1.4 Pursue and support efforts that direct state and regional funds equitably to ensure a return to source.
- 1.5 Support State actions that ensure adequate funding is made available by the State, for delegated re-alignment responsibilities and ensure that all State mandates are 100% reimbursed.
- 1.6 Oppose State actions that delegate responsibilities to local jurisdictions without full reimbursement for resulting costs.

Policy #2 -

Protect against loss of local land use authority from State action.

- 2.1 Support State actions that provide funding for local agencies to plan, incentivize, and mitigate for future housing development.
- 2.2 Support State actions that allow flexibility for local agencies to pool resources and share credit on their housing production reports.
- 2.3 Oppose State actions that would inhibit local agencies’ ability to make decisions that address the specific needs of that community.
- 2.4 Oppose State actions that would withhold funding (including transportation) from jurisdictions based on housing production performance outcomes.

- 2.5 Alert the Legislative Committee and C/CAG Board on legislation that impacts local housing and land-use authority and oppose any legislation that would usurp a local government's authority regarding land-use decisions.
- 2.6 Support legislation that identifies revenue to fund airport/land use compatibility plans.

Policy #3 -

Support actions that help to meet municipal stormwater permit requirements and secure stable funding to pay for current and future regulatory mandates.

- 3.1 Primary focus on securing additional revenue sources for both C/CAG and its member agencies for funding state- and federally mandated stormwater compliance efforts.
 - a. Advocate for funding for implementing the San Mateo County Stormwater Resource Plan, San Mateo County Sustainable Streets Master Plan, and local Green Infrastructure Plans, and advocate to support long-term reductions in harmful bacteria, trash, plastics, mercury, PCBs, and other pollutants discharging to the Bay and Ocean and to reduce flooding, recharge groundwater, adapt to a changing climate, and enhance communities.
 - b. Advocate for inclusion of water quality and stormwater management as a priority for funding in new sources of revenues (e.g. water bonds) and protect against a geographically unbalanced North-South allocation of resources.
 - c. Track and advocate for resources for stormwater management in State and Federal grant and loan programs.
 - d. Support efforts to identify regulatory requirements that are unfunded state mandates and ensure provision of state funding for such requirements.
 - e. Pursue and support efforts that address stormwater issues at statewide or regional levels and thereby reduce the cost share for C/CAG and its member agencies and limit the need to implement such efforts locally.
 - f. Advocate for better integration between parallel statewide efforts to manage stormwater for water quality improvement, long-term climate change adaptation, and groundwater recharge.
 - g. Support legislative efforts to provide additional funding for stormwater projects in San Mateo County, including funding for regional stormwater management efforts through the San Mateo County Flood and Sea Level Rise Resiliency District.
- 3.2 Support efforts to secure statewide legislation mandating abatement of polychlorinated biphenyls (PCBs) in building materials prior to demolition of relevant structures, in accordance with requirements in the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit.

- 3.3 Pursue and support efforts that control pollutants at the source and extend producer responsibility, especially in regard to trash and litter control, including microplastics and tire wear byproducts.
- 3.4 Support efforts to place the burden/ accountability of reporting, managing, and meeting municipal stormwater requirements on the responsible source rather than the cities or county, such as properties that are known pollutant hot spots and third-party utility purveyors.
- 3.5 Advocate for integrated, prioritized, and achievable stormwater regulations that protect water quality and beneficial uses and account for limitations on municipal funding.
- 3.6 Pursue and support pesticide and rodenticide regulations that protect water quality and reduce pesticide toxicity.

***Policy #4 -
Advocate and support an integrated approach to funding.***

- 4.1 Advocate for appropriate and effective integrated approaches to both funding and project types for statewide and regional infrastructure efforts including stormwater management, transportation, and affordable housing.
- 4.2 Advocate for efforts that provide flexibility in funding sources to enable a holistic approach to fund programs and projects.

***Policy #5 -
Support lowering the 2/3rd super majority vote for local special purpose taxes and fees.***

- 5.1 Support constitutional amendments that reduce the vote requirements for special taxes and fees.
- 5.2 Oppose bills that impose restrictions on the expenditures, thereby reducing flexibility, for special tax category.

***Policy #6 -
Protect and support transportation funding.***

- 6.1 Support efforts that protect transportation revenues from being pledged, transferred, or used for non-transportation purposes.
- 6.2 Support the implementation of SB 1 (Road Repair and Accountability Act of 2017) programs and monitor the implementation of Executive Order N-19-19, which calls for aligning transportation spending with the state's climate goals.
- 6.3 Monitor and engage in the implementation of the SB 1077 "Road User Charge."
- 6.4 Support revisions in the Peninsula Joint Powers Agreement that provide equitable funding among the Caltrain partners.

- 6.5 Support a dedicated funding source for the operation of Caltrain and monitor the implementation of High Speed Rail.
- 6.6 Support legislation that identifies funding for active transportation and bike/pedestrian infrastructure projects, including multi-benefit projects that integrate transportation improvements with green stormwater infrastructure.
- 6.7 Support efforts to secure the appropriation and allocation of “cap and trade” revenues to support San Mateo County needs.
- 6.8 Support or sponsor efforts that finance and/ or facilitate operational improvements on the US 101 corridor, including the 101 Express Lane project..
- 6.9 Support alternative contracting methods, such as Public Private Partnerships, that could result in project cost savings.
- 6.10 Monitor the development of the new bridge toll program (Regional Measure 3) and advocate for an appropriate share of new revenues for projects in San Mateo County.
- 6.11 Monitor and engage in the effort to seek voter approval for a regional funding measure for transportation.
- 6.12 Support efforts that incentivize ridership and improve integration & connectivity among Bay Area transit systems.

Policy #7 -

Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ Counties

- 7.1 Support measures to ensure that local governments receive appropriate revenues to service local communities.
- 7.2 Support measures and policies that encourage and facilitate public private partnerships.

Policy #8 -

Support reasonable climate protection action, Greenhouse Gas reduction, and energy conservation legislation

- 8.1 Support incentive approaches toward implementing AB 32 (California Global Warming Solutions Act of 2006), SB 32 (extension of the target date and goals), and AB 398 (Cap and Trade), and legislation that supports electrification of infrastructure and the adoption of alternative fuel technologies.
- 8.2 Monitor climate legislation that would conflict with or override projects approved by the voters.
- 8.3 Support funding for both transportation and housing investments, which support the implementation of SB 375 (Sustainable Communities and Climate Protection Act of 2008), so that housing funds are not competing with transportation funds.

- 8.4 Monitor the regulatory process for implementing SB 743 (Evaluation of Transportation Impacts in CEQA) and impacts the new regulations may have on congestion management plans.
- 8.5 Support legislation that would require recording of vehicle miles of travel (VMT) as part of vehicle registration and initiatives to provide VMT and vehicle data from the DMV to evaluate trends in community greenhouse gas emissions and transit project outcomes.
- 8.6 Support efforts that ensure continued funding for local government partnerships to foster energy conservation, or expand funding for generation and use of renewable and/ or clean energy sources (wind, solar, etc.).
- 8.7 Work to initiate legislation that provides new funding for building energy electrification, transition to electric vehicles, or other greenhouse gas reducing initiatives, in support of local government climate action plans.
- 8.8 Support efforts to improve the disadvantage community screening tools used by the state on the allocation of “cap and trade” and other state funding programs to ensure that San Mateo County needs are addressed.
- 8.9 Support legislation that supports Peninsula Clean Energy (PCE) objectives and oppose proposed legislation that impairs that effort.
- 8.10 Support legislation that provides local government access to data necessary for completing greenhouse gas emission inventories, or legislation that requires the State to make use and emissions data and community-scale greenhouse gas emission inventories publicly available.
- 8.11 Support efforts that will engage the business community in making contributions to community improvements associated with stormwater, transportation congestion relief and mobility options, affordable housing, greenhouse gas emissions reductions, and energy savings.
- 8.12 Support legislative efforts to create a unified voice in San Mateo County and to manage integrated water issues including sea level rise, flooding, coastal erosion, and stormwater vulnerabilities.
- 8.13 Support legislation to provide funding and policy guidance on wildfire preparedness and emergency response to local jurisdictions.
- 8.14 Monitor efforts to address emergency preparedness and response activities by PG&E.

<p><i>Policy #9 - Protection of water user rights</i></p>
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- 9.1 Support the Bay Area Water Supply and Conservation Association (BAWSCA) efforts in the protection of water user rights for San Mateo County users.

C/CAG AGENDA REPORT

Date: July 9, 2020

To: C/CAG Legislative Committee

From: Sandy Wong, Executive Director

Subject: Receive information on proposed plan for holding virtual meetings with members of the San Mateo County delegation and other State representatives on bills of interest and other legislative matters.

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

RECOMMENDATION

That the C/CAG Legislative Committee receive information on proposed plan for holding virtual meetings with members of the San Mateo County delegation and other State representatives on bills of interest and other legislative matters. Committee members will have an opportunity to provide additional direction on plans to set up virtual meetings.

FISCAL IMPACT

Unknown.

SOURCE OF FUNDS

N/A

BACKGROUND

At the May 14, 2020 Legislative Committee meeting, the committee discussed options for meeting with members of the San Mateo County delegation to address bills of interest during the 2020 legislative session, potential funding opportunities for C/CAG transportation and stormwater projects and to build relationships with the delegation. Due to COVID-19 related restrictions on meetings at the Capitol, C/CAG's legislative advocate recommended considering virtual meetings in-lieu of the regular "Lobby Day," where members of C/CAG's Legislative Committee hold meetings with members of the delegation at the Capitol in spring or summer to discuss priority legislative issues.

C/CAG staff sent a survey to the Committee Members on June 29 to receive input on potential legislative topics and specific bills of interest for virtual meetings with the San Mateo County delegation and other State representatives. C/CAG staff and consultant will provide a verbal summary of the initial responses from Committee Members and provide an opportunity for Committee Members to further provide input and direction regarding scheduling meetings before the end of the legislative session on August 31.

ATTACHMENTS

None.