

AGENDA

Legislative Committee

Date: Thursday, September 12, 2019 - 5:30 p.m. to 6:30 p.m.
 Place: San Mateo County Transit District Office¹
 1250 San Carlos Avenue
2nd Floor Auditorium
 San Carlos, California

PLEASE CALL Jean Higaki (599-1462) IF YOU ARE UNABLE TO ATTEND.

1	Public comment on related items not on the agenda.	Presentations are limited to 3 Minutes	
2	Approval of Minutes from July 11, 2019.	Action (O'Connell)	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 5-8
4	Adjournment	Action (O'Connell)	

NOTE: All items appearing on the agenda are subject to action by the Committee. Actions recommended by staff are subject to change by the Committee.

PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA, and on 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. Such public records are also available on C/CAG's website at: <http://www.ccag.ca.gov>.

PUBLIC PARTICIPATION: Public comment is limited to two minutes per speaker. 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.

¹From Route 101 take the Holly Street (west) exit. Two blocks past El Camino Real go left on Walnut. The entrance to the parking lot is at the end of the block on the left, immediately before the ramp that goes under the building. Enter the parking lot by driving between the buildings and making a left into the elevated lot. Follow the signs up to the levels for public parking.

For public transit access use SamTrans Bus lines 390, 391, 292, KX, PX, RX, or take CalTrain to the San Carlos Station and walk two blocks up San Carlos Avenue.

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

**MEETING MINUTES
July 11, 2019**

At 5:32 P.M. Vice Chair Mahanpour called the Legislative Committee meeting to order in the 4th Floor “Dining Room” at the San Mateo Transit District Office.

Attendance sheet is attached.

Guests or Staff Attending:

Matt Robinson - Shaw/ Yoder/ Antwih Inc.
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 June 13, 2019.

Member Lewis noted a typo in the third paragraph of page 2.

Member Vaterlaus moved and member Papan seconded approval of the June 13, 2019 minutes. Motion passed 7-0. Member Masur abstained.

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

Matt Robinson, with Shaw/ Yoder/ Antwih Inc., provided a description and status update from Sacramento:

The legislative summer recess begins on July 12, 2019 and reconvenes on August 12, 2019 for one more month this year. More bills are likely to be held up during this last month, as they will be heard outside their house of origin and may be scrutinized more.

The Governor signed the state budget on June 27, 2019. There is \$750 million directed towards housing and trailer bills are being introduced about how to distribute those dollars. \$250 million will be carved out for cities and counties to help with housing. \$500 million will be for a competitive infrastructure program to facilitate housing production.

The Governor’s proposal to tie SB 1 transportation funding to housing production did not come to fruition, however, the judicial path is made stronger in allowing the state to enforce compliance with housing target requirements. It will be easier for the state to take local agencies to court and assess fines for non-compliance. State controller will be directed to withhold unpaid fines from state funds that are not constitutionally protected.

Transportation revenues are trending up. Staff asked why the state transportation improvement program (STIP) funds were low if revenues are trending up. The STIP revenues are higher but much of the money was advanced into earlier years depleting the funding for this cycle. It will take a couple of years to stabilize.

Zero emission bus expenditures can be offset by cap and trade rebate programs. SamTrans intends to subscribe to the program.

Member Mazur asked about money in the budget to address homelessness. \$270 million is divided between cities with populations in excess of 300,000. \$175 million is directed to counties, and \$190 million is directed to communities of concern.

Member Papan asked about the new transportation secretary David Kim. Matt provided a short biography regarding his background at USDOT and Hyundai.

Two draft letters were discussed.

SB 592 (Weiner) is not another version of SB 50 but rather an amendment to the Housing Accountability Act (HAA). This bill would tighten procedures for permitting ADUs or new bedrooms that prevent local agencies from changing the rules on permit applicants. Local agencies would also be required to provide specific reasons for denial of a permit and applicants will be able to take the agency to court for certain types of developments. The league of cities is trying to get an amendment to address their concerns about ministerial permits. If the C/CAG Board adopts a position to send a letter it would have to be revised in response to the latest changes in the bill. Member Papan proposed a wait and see approach on SB 592. Other members agreed.

SB 664 (Allen) addresses concerns from toll agencies throughout the state that are facing a myriad of lawsuits related to their sharing of data. The current laws regarding information sharing have not kept up with technology. This is resulting in lawsuits that toll operators are facing in their efforts to comply with federal and state interoperability requirements as well as in their enforcement activities. This bill attempts to update the law.

Member Papan made a motion to recommend that the C/CAG Board send a letter of support for SB 664 (Allen). Member Masur seconded. Motion passed unanimously.

Member Papan inquired about the status of SB 330 (Skinner). The bill is still moving. Member Lewis asked for clarification about the delaying of enforcement of code violations for seven years. This is an effort to facilitate the housing developments.

Member Vaterlaus asked about the status of AB 1482 (Chiu) regarding rent control. This bill passed out of the judiciary committee on Tuesday.

MTC supported and spearheaded AB 1487 (Chiu) however, the bill was watered down. There were several concerns regarding representation of the controlling entity and return to source

issues. The bill is expected to be heavily revised over the next month or may become a two-year bill.

4. Adjournment

The meeting adjourned at approximately 6:15 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	x	x	x					
Foster City	Catherine Mahanpour	x		x	x		x	x					
Hillsborough	Marie Chuang (C/CAG Vice Chair)	x	x	x	x		x	x					
Menlo Park	Catherine Carlton		x		x	x	x	x					
Millbrae	Gina Papan	x	x		x		x	x					
Pacifica	Sue Vaterlaus	x	x	x	x	x	x	x					
Portola Valley	Maryann Moise Derwin (C/CAG Chair)	x	x	x	x	x	x	x					
Redwood City	Shelly Masur	x		x	x	x		x					
San Bruno	Irene O'Connell (Leg Vice Chair)	x	x	x	x	x	x						
South San Francisco	Richard Garbarino	x	x	x	x	x							

 no meeting

C/CAG AGENDA REPORT

Date: September 12, 2019

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 Jean Higaki at 650-599-1462)

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 the C/CAG's State legislative advocates. Important or interesting issues that arise out of the committee meeting are reported to the Board.

September 13, 2019 is the last day before recess of the legislature.

ATTACHMENTS

1. September 2019 Legislative update from Shaw/ Yoder/ Antwih, Inc.
2. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>



SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

DATE: September 3, 2019

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

FROM: Andrew Antwih and Matt Robinson, Shaw / Yoder / Antwih, Inc.

RE: **STATE LEGISLATIVE UPDATE – September 2019**

Legislative Update

The Legislature returned from its Summer Recess on August 12 and spent the remainder of August hearing bills in the fiscal committees, with August 30 marking the deadline for those committees to complete their work. The last day of the first year of 2019-20 Legislative Session is September 13. We are tracking several bills for C/CAG, some of which are identified under ***Bills of Interest*** below.

Bills of Interest

SB 5 (Beall) Local-State Sustainable Investment Incentive Program*

This bill would establish the Local-State Sustainable Investment Incentive Program, which would be administered by the Sustainable Investment Incentive Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority or transit village development district to apply to the Committee to participate in the program and would authorize the Committee to approve or deny applications for projects meeting specific criteria. Upon approval of a project application, the bill would require the Committee to issue an order directing the county auditor to reduce the total amount of ad valorem property tax revenue otherwise required to be contributed to the county's ERAF from the applicant by the annual reduction amount approved. The bill would require a county auditor, if the applicant is an enhanced infrastructure financing district, affordable housing authority, transit village development district, or community revitalization investment authority, to transfer to the district or authority an amount of property tax revenue equal to the reduction amount approved by the Committee.

SB 50 (Wiener) Planning and Zoning: Housing Development: Equitable Communities Incentives*

This bill was amended substantially in the Senate Governance and Finance Committee and as of this writing, the amendments have not come in to print. The bill would essentially grant development rights for projects within certain proximity to rail and bus routes, or in jobs-rich areas. The amended version of the bill will apply different standards to counties with populations over 600,000, scale back the triggering frequency for bus routes, and make certain exemptions for the coastal zone and wildfire prone areas. Additional changes were made regarding parking minimums. ***C/CAG submitted comments and concerns on this measure. This bill was held in Senate Appropriations and is now a 2-year bill.***

SB 137 (Dodd) Federal Transportation Funds: State Exchange Programs

Existing federal law apportions transportation funds to the states under various programs, including the Surface Transportation Program and the Highway Safety Improvement Program, subject to certain conditions on the use of those funds. Existing law provides for the allocation of certain of those funds to local entities. Existing law provides for the exchange of federal and state transportation funds between

local entities and the state under certain circumstances. This bill would authorize the Department of Transportation to allow the above-described federal transportation funds that are allocated as local assistance to be exchanged for Road Maintenance and Rehabilitation Program funds appropriated to the department. ***C/CAG SUPPORTS this measure.***

SB 277 (Beall) Local Partnership Program

This bill would direct funds set aside for the Local Partnership Program (LPP) to be apportioned by formula, versus allocated by the CTC as is current practice. The bill would direct the CTC to develop new guidelines, in conjunction with local agencies, for the apportionment of the funds. The LPP receives \$200 million annually from the Road Maintenance and Rehabilitation Account and funds are available to self-help counties with sales taxes and/or developer fees used for transportation purposes.

SB 330 (Skinner) Housing Crisis Act of 2019*

This bill establishes the Housing Crisis Act of 2019, which, for five years, places restrictions on certain types of development standards, amends the Housing Accountability Act, makes changes to local approval processes and the Permit Streamlining Act, and requires a local agency, upon request of the residential property owner, to delay enforcement of a code violation for seven years, or earlier at the discretion of the enforcement agency, if the correction is not necessary to protect health and safety. The Senate Appropriations Committee Deleted provisions that would prohibit affected cities or counties from charging or increasing fees in connection with housing development projects. ***C/CAG OPPOSES this measure.***

SB 592 (Wiener) Housing Accountability Act

This bill would amend the Housing Accountability Act (HAA) to further strengthen the law applicability to new housing development permits and disapprovals from local governments. The bill would clarify the definition of “lower density” under the HAA and applies the HAA to accessory dwelling units, new bedrooms in an existing home, and single-family housing. In addition, it would provide that the HAA applies to any form of land use decision by a local agency, including a ministerial or use by right decision, in addition to a discretionary approval. The bill would also open local agencies up to liability for failing to comply with the HAA.

AB 252 (Daly) Caltrans NEPA Delegation

Existing law, until January 1, 2020, provides that the State of California consents to the jurisdiction of the federal courts regarding the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the program. This bill would extend the operation of these provisions indefinitely. ***C/CAG SUPPORTS this measure. This bill was signed by Governor Newsom.***

AB 825 (Mullin) San Mateo County Flood Control District

Existing law, the San Mateo County Flood Control District Act, establishes the San Mateo County Flood Control District for the purpose of controlling the floodwater and stormwater of the County of San Mateo. This bill would modify the District to change the name to the Flood and Sea Level Rise Resiliency Agency, revise the governance to a seven-member board including five city council representatives and two county supervisors, expanding authorities to address sea level rise, and updating funding and financing authorities to reflect changes in the State Constitution since the Act was first written. ***C/CAG SUPPORTS this measure. This measure is on the Governor’s Desk.***

AB 1487 (Chiu) Regional Housing Funding*

This bill would enact the San Francisco Bay Area Regional Housing Finance Act and establish the Housing Alliance for the Bay Area (HABA), a regional entity governed by members of MTC. HABA would be tasked with establishing a regional funding program to address housing needs in the Bay Area. The funding source is unspecified and left to HABA to determine what’s likely to meet the region’s needs and garner

voter-approval. A portion of the revenues would be returned to each county and a portion would be controlled by HABA.

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. ***C/CAG SUPPORTS this measure.***

*Bills marked with an * are being tracked by MTC as implementing elements of the CASA Compact. These bills are not sponsored by MTC. The above list does not include all bills MTC has identified.*