

C/CAG

City/County Association of Governments of San Mateo County

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Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

C/CAG LEGISLATIVE COMMITTEE

AGENDA

Date: April 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://zoom.us/j/845481196>

Meeting ID: 845481196

Join by Phone:

(669) 900-6833

Meeting ID: 845481196

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 April 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 April 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 April 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	Public comment on related items not on the agenda.	Presentations are limited to 3 Minutes	
2	Approval of Minutes from February 13, 2020.	Action (Mahanpour)	Pages 3-7
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 8-12
4	Discuss plan for “Lobby Day 2020.”	Action (Mahanpour)	No Materials
5	Adjournment	Action (Mahanpour)	

Next Meeting: May 14, 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. 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.

C/CAG AGENDA REPORT

Date: April 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 summary from its February 13, 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 February 13, 2020 meeting, as drafted.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Summary, February 13, 2020

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

**DRAFT MEETING MINUTES
February 13, 2020**

At 5:34 P.M. the Legislative Committee meeting was called to order in the 2nd Floor auditorium at the San Mateo Transit District Office.

Attendance sheet is attached.

Guests or Staff Attending:

Matt Robinson (phone) - Shaw/Yoder/Antwih Inc.
Sandy Wong, Matt Fabry, Susy Kalkin, Kim Springer, Mikaela Hiatt, Mima Guilles, Jeff Lacap,
Kim Wever - C/CAG Staff
Pamela DiGiovanni – Council Member, City of Daly City
Betsy Nash – Council Member, City of Menlo Park

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

None.

2. Approval of Minutes from December 12, 2019.

Member Garbarino moved and member Vaterlaus seconded approval of the December 12, 2019 minutes. Motion passed, 7:0 (1 abstained).

3. 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:

Two-year bills had until January 31, 2020 to pass out of the house of origin and the deadline for introducing new bills in the second year of the legislative cycle is February 21, 2020. The Governor released his 2021 budget proposal on January 10, and he will hold his State of the State Address on February 19. C/CAG staff will circulate an email briefing after the address.

The California Transportation Commission (CTC) appointed a new executive director, Mitch Weiss, on January 31, 2020. Mr. Weiss was Deputy Director of the CTC prior to his new appointment.

SB 50 (Weiner) fell short of the 21 votes needed to pass out of the Senate and is now dead for the 2020 legislative session. As mentioned in an email to the Legislative Committee and the

C/CAG Board, Senate Pro Tem Toni Atkins is committed to a new housing production bill in the current session, as is Governor Newsom, so there will likely be additional housing bills to consider.

Governor's Proposed 2021 Budget:

The Governor's 2021 budget proposal has a focus on climate change and housing with additional attention to transportation, healthcare and education. The proposed budget references the Governor's Executive Order on Climate Change and the establishment of a Climate Catalyst Fund, which includes a \$1 billion low interest loan program to fund zero-emissions technologies, and alternative fuels businesses and programs. The budget also proposes a new Executive Order on Homelessness, including more than \$1 billion in one-time funding for homelessness assistance. Seven hundred and fifty million dollars (\$750 million) are slated for providing direct assistance for transition housing and shelters, etc. Governor Newsom is developing a bill proposal to provide funding to local non-profit providers rather than to local municipalities. The state has provided funds to cities in the recent past, and there seems to be a shift toward supporting on-the-ground organizations that can take action now. Members discussed working with the County Health System to work on a regional plan to develop a coordinated strategy through existing infrastructure and resources. This effort could help leverage the existing work that non-profits are doing and help ensure accountability for achieving state mandates. M. Robinson clarified there is a distinction between what the Governor's Task Force on Homelessness has recommended versus what the Governor is stating should be done via this proposed bill. The proposal by the Governor focuses more on emphasizing cities should increase resources and focus on this topic, but not necessarily take on all of the recommendations of the Task Force.

Other Bills of Interest:

There are ongoing proposals for a "Water Resiliency Bond" for 2020 or 2022, including SB 45 (Allen) and the Governor's trailer bill. Matt Fabry and C/CAG staff are working on supporting the bill by working with members of the San Mateo delegation to ensure the funds are maintained for stormwater projects.

The proposed budget does not include significant changes for transportation, other than continued increases in revenue and local funds from SB 1 implementation.

FASTER/SB 278 (Beall), proposing a mega regional transportation measure, did pass the two-year deadline of January 31, 2020 and has moved out of the Senate into the Assembly. It is not clear whether this is achievable for a 2020 ballot measure, given the two-thirds vote requirement for the legislature to put this measure on the ballot for 2020. Member Papan noted MTC has clarified that based on recent polling does not support a separate transportation and housing measure on a single ballot. MTC proposes merging both bills into a single measure. There was some discussion about what would happen should FASTER fail, regarding the Caltrain's proposed eight-cent sales tax.

Seamless/AB 2057 (Chiu), which Senator Beall has considered to be part of the FASTER bill,

proposes greater interconnectivity among regional transportation agencies and funding in support of integration and ridership incentives. Member Papan mentioned she is working with Assembly Member Chiu and Assembly Member Mullin on developing this bill. Member Papan mentioned the need to focus on better accountability of the transit agencies.

AB 725 (Wicks), is being proposed to increase housing density in moderate to above-moderate income housing, with requirements for 25% of housing in these areas accommodate two or more units. There was a question as to whether this policy would have implications for accounting RHNA numbers; however it does not state specifically in the current bill language whether ADUs can be counted as RHNA numbers.

No legislative positions were taken by the Committee.

4. Review and recommend approval of the Annual C/CAG Legislative Policies for 2020.

Reid Bogert summarized the requested changes to the draft C/CAG Legislative Policies for 2020 at the December 12, 2019. Proposed revisions included minor editorial changes and several policy-based modifications in specific policy areas. Edits to the draft policies included: adding a policy about bike/ped improvements as Policy #6.6; adding the “101 Express Lanes Project” in Policy #6.7; adding a policy about bike/ped improvements; adding Policy #6.11 to include “regional funding measures”; adding Policy #6.12 for legislation in support of interconnectivity among transportation agencies; addressing Policy #8.2 and climate legislation “that would conflict with or override projects approved by the voters,” adding Policy #8.10 to support legislation that provides access to green house gas emissions and energy use data; and addressing the placement of policies under Policy #10 – Other; and including policies for supporting legislation wildfire prevention and regulations regarding PG&E under Policies #8.13 and #8.14.

Motion to approve recommendation to the C/CAG Board to review and approve the C/CAG 2020 Legislative Policies. Motion (Masur); Second (Chuang). Motion passed 7:0 (1 abstained).

5. Adjournment.

The meeting adjourned at approximately 6:10 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
Ahertson	Elizabeth Lewis												
Foster City	Catherine Mahanpour (Leg Chair)		x										
Hillsborough	Marie Chuang (C/CAG Vice Chair)		x										
Menlo Park	Catherine Carlton												
Millbrae	Gina Papan		x										
Pacifica	Sue Vaterlaus		x										
Portola Valley	Maryann Moise Derwin (C/CAG Chair)		x										
Redwood City	Shelly Masur (Leg Vice Chair)		x										
San Carlos	Adam Rak		x										
South San Francisco	Richard Garbarino		x										

no meeting

C/CAG AGENDA REPORT

Date: April 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.

This report will include a briefing on state legislative activities, including a decision by the Assembly and Senate on March 16, 2020 to take an early recess, with plans to reconvene on April 13, 2020, pending any further guidance from health authorities regarding COVID-19 prevention. The attached report also includes status updates on bills currently advancing through the 2020 legislative session.

ATTACHMENTS

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



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916-446-4656

March 26, 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 – April 2020**

Legislative Update

On March 16, in an effort to contain the spread of COVID-19, the California Legislature elected to recess until April 13 (note: the Legislature was scheduled to be on Spring Recess from April 2-13). Legislative offices have been conducting business remotely and members to continue to meet on issues via conference call and web-based tools. Prior to the scheduled return, the Legislature, along with Governor Newsom’s Administration, will determine whether it is safe to reconvene or if the Legislature should continue to work remotely for a longer period. If the return date is extended, it will likely impact most policy bills introduced earlier this year. Some committee chairs have begun to signal their desire to see only essential bills heard – bills dealing with COVID-19 response, wildfire recovery, and housing & homelessness.

Governor’s Department of Finance Signals Tough Economic Times Ahead

The Department of Finance signaled that the state’s fiscal outlook will be significantly impacted by COVID-19 and issued a letter to all agency and department heads, and a similar letter to legislative leaders. The letter states, in part,

“Due to rapidly deteriorating economic conditions resulting from the COVID-19 pandemic, the Department of Finance now anticipates potentially significant corresponding reductions to expected revenues. The impact on revenues could be immediate, affecting the 19-20 fiscal year, and will certainly produce impacts for the upcoming 2020-21 fiscal year and beyond.

As a result, the Department of Finance will now reevaluate all budget changes within the context of a workload budget, based on the merits of each proposal, and ultimately subject to the availability of funding.”

We expect a very constrained budget process leading up to adoption of the 2020-21 State Budget with very little room, if any, for new programs.

COVID-19 Significantly Impacting Bay Area Transit

The COVID-19 outbreak and subsequent social distancing/shelter in place protocols have wreaked havoc on Bay Area transit systems. Most systems are seeing ridership drops of 60-90 percent and operations have been scaled back substantially. However, because transit is a lifeline service, systems are expected to keep running. The California Transit Association's initial estimates show that transit agencies require *at least* \$1 billion in new emergency state funding to offset an actual and anticipated four to six months of direct costs and passenger fare revenue losses associated with COVID-19, starting from the time the first county-level shelter at home orders were issued. The funding need is pronounced at every transit agency in the state; however, it is especially acute for several of the state's largest transit agencies, specifically those which rely on farebox and user revenues disproportionately to support their operating budgets – e.g. BART, Caltrain, and the transit services operated by the Golden Gate Bridge, Highway and Transportation District. Though, we know the impacts are being felt by all systems, including those operating in Solano County.

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.*

Given all that's happening with COVID-19, it is unlikely that SB 278 (Beall) will move forward this year. However, Senator Beall may still have an interest in setting up a 2022 ballot measure.

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 would, through legislation, require transit agencies to establish set region-wide fares and coordinate scheduling, system mapping, and data collected/shared. The legislation would also create regional transit task force to further study and make recommendations on the items above. AB 2057 (Chiu), currently a "spot bill," will need to be amended in the coming weeks to contain many of these items. Given that this bill will likely have fiscal impacts on transit agencies in the wake of the COVID-19 crisis, it is unknown if legislation like this will move forward.

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 represents 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.

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.