

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

**Meeting Summary
July 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 / Schmelzer and Lange, Inc.
Sandy Wong, Matt Fabry, Kim Springer, Sean Charpentier, Susy Kalkin - C/CAG Staff

1. Committee Roll-call.

C/CAG staff called roll. See attached meeting attendance.

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

None.

3. Approval of minutes from May 14 and June 11, 2020.

Committee approved the meeting minutes from the May 14 and June 11, 2020 C/CAG Legislative Committee meetings. Motion: Member Papan; second: Member Chuang. Motion passed unanimously (9:0:0).

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

C/CAG staff provided a summary of the June 30 meeting held with the Legislative Committee Vice Chair, C/CAG Chair/Vice Chair, C/CAG staff, C/CAG legal counsel and C/CAG's legislative consultant regarding a question raised at the June 12 Legislative Committee meeting about whether there might be a potential conflict of interest among clients of Shaw/Yoder/Antwih/Schemlzer and Lange, Inc. (SYA), and if a conflict of interest did arise how it might be handled. At the June 30 meeting, C/CAG's legal counsel and Matt Robinson (with SYA) clarified there was no existing conflict of interest among SYA clients from a legal standpoint or a business perspective for SYA in terms of providing services among various public agencies in the Bay Area and beyond. SYA has several policies in place to prevent conflicts of interest from arising, including staff redundancy among clientele, a retainer under the existing contract with C/CAG and SYA's other clients to hire a subcontracting firm if needed, and best practices among lobbying firms to inform clients of potential conflicts of interest as soon as a potential conflict is identified (as detailed in the principles of the [Institute of](#)

[Governmental Advocates](#)). SYA's contract for legal services with C/CAG also includes a Conflict of Interest clause, stating that should a conflict among clients arise, the client with the longest standing contract with the firm will have deference for continued representation by SYA. Members of the Committee provided further comments on the issue, recognizing the value of SYA to C/CAG and its member agencies, pointing to the importance to SYA staff in operating transparently and representing clients in a consistent way for optimal efficacy in advocating for legislation, and also addressing the importance of being aware of issues should they start to arise. The Committee also requested C/CAG staff provide the link to [SYA's current clientele](#) (which was also provided at the time of submitting to the Request for Qualifications for consultant services) and that C/CAG staff provide quarterly updates on this list to ensure Committee members are apprised of potentially conflicting legislative interests.

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).

Matt Robinson 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 budget process along with several bill reports. The Governor signed the 2020 Budget Act on June 29, including several trailer bills. The Assembly was planning an earlier summer recess than the Senate. Both houses are on recess until July 27 due to several members of the Legislature and staff contracting COVID-19. Both houses will have a truncated timeline for hearings and floor sessions. Committees may have fewer hearings and more scrutiny on what bills will move forward. Members may also coordinate with other legislators to package related legislation. Much work in the second house for committee hearings remains to be done. The Legislature will likely hold just remote or outdoor hearings for public involvement. August 31 is the constitutional deadline for bills that are part of the work of the Legislature.

Measures for the 2020 ballot are set (some additions could be made but it is a complicated and resource intensive process to add special supplemental ballot measures after the deadline). Relevant to C/CAG, the concept of a resiliency proposition or ballot measure is unlikely for this year, but may return in 2022 with a more detailed expenditure plan.

The Committee discussed some bills that seem to be advancing (including SB 288 and SB 899). The Committee had previously inquired about the ability to establish impact fees on projects under SB 899 and whether affordable housing included in by right projects for applicable educational and religious institutions could be included in RHNA numbers. Robinson confirmed that jurisdictions could establish impact fees and count the units toward RHNA. The Committee also discussed the likelihood of these bills advancing through the Legislature. Robinson noted these bills and other housing bills, including SB 902 and the Pro Tem's bill housing bills among others, could be included in a single bill that makes passing legislation easier. The current CEQA related legislation (i.e., SB 288 and SB 995) may have broad support among legislators, though

Robinson mentioned he is not recommending a position for C/CAG at this time based on potential to request amendments and would defer to members on the Committee if there is a strong position forming.

Members briefly discussed the potential for aspects of the SEAMLESS campaign, which has been postponed due to the COVID situation, to be further advanced via the Blue Ribbon Task Force that has been charged with improving regional transportation integration and providing more accountability for transit agencies. Members also discussed the challenges of addressing housing legislation requirements and other potentially competing regional priorities, including High Speed Rail, and whether C/CAG should take a position on the legislation that has bearing on these interests and outcomes. One related question was raised regarding the local agencies granting density bonuses for additional units, but that the agencies are not achieving affordability with some density related projects and that there are consequences for meeting affordability targets.

The Committee discussed the conversations at MTC to put limits on funding from MTC (specifically OBAG funds) for existing legislation and whether these policies may be affected by new housing bills being proposed. At this time, MTC is only considering funding allocation policies linked to existing legislation.

No actions were taken by the Committee.

6. Meetings with members of the San Mateo County delegation and other State representatives on bills of interest and other legislative matters.

7. 7 Adjournment.

Reid Bogert provided a brief update on plans to host virtual meetings with the San Mateo County delegation or other State representatives/bill authors in 2020, based on feedback staff received from a survey distributed to the Committee Members in June. Staff distributed a three-question survey to Committee Members on June 29, inquiring about bills and other legislative topics of interest for potential virtual meetings with legislators and legislative staff. Four members responded to the survey and the majority of respondents were interested in having discussions about housing legislation, though no specific bill numbers were mentioned in the responses. The majority also agreed it would be worthwhile engaging with C/CAG's delegation and other bill authors as appropriate. C/CAG has not taken a position on any proposed legislation this year, but Committee Members expressed a strong interest in following the advancement of housing, transportation and resiliency related bills, in particular, and scheduling meetings with delegates and staff when it makes sense to deliver a unified message or to request specific bill amendments. Members of the Committee suggested that because of the current situation and uncertainty around how specific bills will proceed, that the Legislative Committee keep the option for meetings open and respond adaptively to the changing environment in the Legislature.

7. Adjournment.

The meeting adjourned at approximately 6:27 P.M.