

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*

MEETING AGENDA

C/CAG Legislative Committee

Chair: Gina Papan **Vice Chair:** Adam Rak

Members: Davina Hurt (C/CAG Chair), Ricardo Ortiz (C/CAG Vice-Chair)
Elizabeth Lewis, Karen Cunningham, Lisa Gauthier,
Anders Fung, Sue Vaterlaus, Michael Salazar

November 10, 2022 - 5:15 P.M.

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings remotely via telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), C/CAG Committee 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 Webinar:

<https://us02web.zoom.us/j/82252589390?pwd=aFdQYTBwbTVMYmFpUmd4NGw4YVVIZz09>

Webinar ID: 822 5258 9390

Password: 111022

Join by Phone: (669) 900-6833

Persons who wish to address the C/CAG Legislative Committee on an item to be considered at this meeting, or on items not on this agenda, are asked to submit written comments to Kim Springer at kspringer@smcgov.org. Please see below for instructions. Spoken public comments will also be accepted during the meeting through Zoom. Please see instructions for written and spoken public comments at the end of this agenda.

1.	Call to Order	Papan	
2.	COVID-19 announcement and brief overview of teleconference meeting procedures	Springer	
3.	Roll call	Springer	
4.	Public comment on related items not on the agenda.	Papan	
5.	Review and approve the Legislative Committee meeting minutes from the meeting held on September 16, 2022.	Action Papan	Pages 4-7
6.	Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)	Possible Action Robinson/Antwih Papan	Pages 8-14
7.	Review of proposed list of focus areas for the 2023 legislative session.	Discussion Charpentier	Pages 15-23
8.	Update on RFP process completed for procuring State Legislative Advocacy Service for legislative sessions 2023 through 2025.	Discussion Springer	Pages 24-25
9.	Adjournment	Papan	

Next Meeting: December 8, 2022

PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Courtyard, 555 County Center, Redwood City, 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 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 or committee. 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>. 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.

PUBLIC PARTICIPATION DURING VIDEOCONFERENCE MEETINGS: Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Guilles at (650) 599-1406, five working days prior to the meeting date.

Written Comments should be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to kspringer@smcgov.org with the Subject line: C/CAG Leg. Written Comments.”
2. Your email 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.
3. Members of the public are limited to one comment per agenda item.
4. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the C/CAG Committee members and made publicly available on the C/CAG website along with the agenda. We cannot guarantee that emails received less than 2 hours before the meeting will be able to be posted or provided to Committee members prior to the meeting, but such emails will be included in the administrative record of the meeting.

Spoken Comments will be accepted during the meeting through Zoom. Please read the following instructions carefully:

1. The Legislative Committee meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When C/CAG Staff or the Committee Chair/Vice-Chair call for the item on which you wish to speak, click on “raise hand.” C/CAG staff will activate and unmute speakers in turn. Speakers will be notified shortly before they are called upon to speak.
5. When called upon, please limit your remarks to the time allotted.

If you have any questions about this agenda, please contact C/CAG staff:

Executive Director: Sean Charpentier: scharpentier@smcgov.org

Transportation Systems Coordinator: Kim Springer at kspringer@smcgov.org

Administrative Assistant: Mima Guilles (650) 599-1406

C/CAG AGENDA REPORT

Date: September 15, 2022
To: City/County Association of Governments of San Mateo County Legislative Committee
From: Sean Charpentier, Executive Director
Subject: Review and approve the Legislative Committee meeting minutes from the meeting held on July 14, 2022.

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the Legislative Committee review and approve the Legislative Committee meeting minutes from the meeting held on July 14, 2022.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Minutes, July 14, 2022

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

**Draft Meeting Minutes
September 15, 2022 Meeting**

Staff and Guests Attending:C/CAG Staff:

Sean Charpentier, Kim Springer, Jeffrey Lacap, Kaki Cheung, Susy Kalkin, Audrey Shiramizu, Melissa Andrikopoulos, Mima Crume

Legislative Consultant:

Matt Robinson, Andrew Antwih

Others Attending:

Marc Hershman - PCE, Drew – Public

1. Call to Order.

Chair Papan called the meeting to order at approximately 5:17 p.m.

2. COVID-19 announcement and brief overview of Zoom teleconference meeting procedures.

C/CAG staff read the COVID-19 announcement and teleconference meeting procedures.

3. Roll call.

C/CAG staff conducted roll call, and a quorum of seven was present at roll call as shown below.

Agency	Name	9/15/2022
Atherton	Elizabeth Lewis	
Belmont	Davina Hurt	X
Brisbane	Karen Cunningham	X
Burlingame	Ricardo Ortiz	
East Palo Alto	Lisa Gauthier	X
Millbrae	Gina Papan (Chair)	X
Millbrae	Anders Fung	X
Pacifica	Sue Vaterlaus	X
San Bruno	Michael Salazar	X
San Carlos	Adam Rak (Vice Chair)	X

4. By motion, find that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees.

The Committee approved a motion finding that, as a result of the continuing COVID-19

pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees Member Hurt motioned approval, seconded by Member Vaterlaus. Roll call vote was taken. Motion passed (7,0,0). Member Rak was not present for the vote.

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

There were no written or public comments.

6. Review and approve the Legislative Committee meeting minutes from the meeting held on June 9, 2022.

The Committee approved the meeting minutes from the July 14, 2022 C/CAG Legislative Committee Meeting. Member Hurt motioned approval, seconded by Member Cunningham. Roll call vote was taken. Motion passed (7,0,0). Member Rak was not present for the vote.

7. Review and approval of modifications to the Legislative Committee calendar.

The Committee briefly discussed the change, adding November to the Legislative Committee meeting calendar. Member Salazar motioned approval, seconded by Member Gauthier. Roll call vote was taken. Motion passed (7,0,0). Member Rak was not present for the vote.

8. Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

Note: Member Rak joined the meeting during this item.

Legislative consultant, Matt Robinson, discussed two pieces of legislation: SB 6 and Proposition 30. SB 6 would allow residential development of certain office, retail, and parking facility properties under 20 acres, without rezoning on the part of the cities or county. The bill has no below-market-rate requirements and so local requirements would apply. The bill requires that half of the unit space be for housing and there are protection for existing tenants of the commercial space. Prevailing wage also applies in SB 6. There are some differences between SB 6 and AB 2011, which the Committee opposed. Both bills are on the Governor's desk for signature. The Committee chose to take a neutral stance on SB 6 due to timing and the fact that AB 2011 was a larger concern. However, there were concerns on the part of the Committee that there were no affordability provision in SB 6.

Robinson moved on to Proposition 30 and described the initiative, the information for which is included in the packet. Prop 30 is an initiative primarily sponsored by Lyft to provide funding for wildfire and the EV light- and heavy-duty transition by increasing income tax 2.75% on those making over \$2,000,000. C/CAG Executive Director, Sean Charpentier, added a few comments and Robinson clarified the Governor's opposition to the initiative. C/CAG Chair Hurt shared her thoughts on the initiative. The Committee also discussed the way in which the

initiative stands to harm funding for public schools.

The committee discussed Prop 30 and generally agreed to oppose. Member Hurt motioned to oppose and Member Rak seconded. A roll call vote was taken and the motion passed (6,0,0). Note that Members Gauthier and Vaterlaus were not present for the voting.

C/CAG Legislative consultant discussed both the remaining of the legislative calendar and various other actions related to the budget and other bills still in play. Mullin's move to add a C/CAG budget request of \$760K for the Millbrae-San Bruno buffered bike lane project to the budget trailer bill, which was passed, and the fact that C/CAG, through the Chair has submitted five letters for bills for which C/CAG has taken a position, were also mentioned.

9. Adjournment.

The meeting adjourned at approximately 6:02 P.M.

Next meeting is in the month of November.

C/CAG AGENDA REPORT

Date: November 10, 2022

To: C/CAG Legislative Committee

From: Sean Charpentier, Executive Director

Subject: Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the C/CAG Legislative Committee review the legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)

FISCAL IMPACT

N/A

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 and votes on positions taken by the Committee, or that arise out of the committee meetings, are reported to the full C/CAG Board.

The attached report may include updates from Sacramento with respect to the State Budget process, State grant programs, recent committee hearings, and bill progress of interest to C/CAG since the Committee last met. The legislative session has ended. Committee sessions finished on August 31, 2022, and all bills headed for signature are either signed, vetoed, or awaiting decision by the Governor as of the date of this meeting.

The Legislative Committee may also discuss the need, based on current or past bills voted on by the Committee, current funding requests, or sponsorship of legislation, for meetings with delegation or letter supporting or opposing bills on the Governor's desk.

Though C/CAG pursued budget funding requests with members of the delegation for two projects benefitting San Mateo County, requests for \$10 million for the construction phase of the US 101/SR 92 Interchange Area Improvements project, and a dual-purpose request for \$10 million for a stormwater project at Red Morton Community Park in Redwood City and completion of design work with Caltrans on a stormwater project in San Bruno near the Hwy 380-280 interchange, did not receive funding. However, Assemblymember Mullin did add a San Bruno/Millbrae bike lane request for \$760,000 into the budget “true up” bill at the end of the committee session.

At this Committee meeting, the Committee will mainly receive updates on the State budget and any additional information from Sacramento on the final bill, a potential special session, or expectations for the 2023 session, based on early election results.

For additional information with respect to what the Metropolitan Transportation Commission/Association of Bay Area Governments Joint Legislative Committee, California League of Cities, California State Association of Counties (CSAC), and California Association of Councils of Government (CALCOG) are tracking, staff has included informational links to the relevant bill tracking websites, as well as the full legislative information for the State Legislature and the 2021 calendar of legislative deadlines. Lastly, staff have also included links to the 2022 legislation websites for the San Mateo County delegates for information only.

ATTACHMENTS

1. C/CAG Legislative Update, October 31, 2022 from Shaw Yoder Antwih Schmelzer & Lange

Below are informational links:

2. [Recent Joint ABAG MTC Legislation Committee Agendas](#)
3. [California State Association of Counties \(CSAC\) 2021 bill positions and tracking](#)
4. [California Associations of Councils of Government \(CALCOG\) 2021 bill tracking](#)
5. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>
6. [2023 California State Calendar of Legislative Deadlines](#)
7. San Mateo County Delegation Sponsored Legislation 2021
 - [2022 Legislation from Assemblymember Marc Berman](#)
 - [2021 Legislation from Assemblymember Kevin Mullin](#)
 - [2022 Legislation from Assemblymember Phil Ting](#)
 - [2021 Legislation from Senator Josh Becker](#)
 - [2022 Legislation Senator Scott Wiener](#)
8. Current client roster for Shaw Yoder Antwih Schmelzer & Lange - <https://syaslparkers.com/clients/>



1415 L Street
Suite 1000
Sacramento
CA, 95814
916-446-4656

October 31, 2022

To: Board of Directors
City/County Association of Governments of San Mateo County

From: Matt Robinson, Andrew Antwih and Silvia Solis Shaw
Shaw Yoder Antwih Schmelzer & Lange

Re: **STATE LEGISLATIVE UPDATE – November 2022**

Legislative Update

The Legislature is currently on recess and will formally adjourn the 2021-22 Legislative Session “sine die” at midnight on November 30. The 2023-24 Legislative Session will convene on December 5 for the one day organizing session, with members returning to their districts until January 3. Shortly after the Legislature reconvenes in January, the Governor will release the Fiscal Year 2023-24 Proposed Budget on, or around, January 10. As a reminder, as part of the FY 2022-23 budget, the Governor and Legislature earmarked billions of dollars in future investments for numerous programs, including water, climate, and transportation. However, early signs are pointing to a possible recession, and we expect the Governor to propose a much more austere budget in January.

For the C/CAG Board’s October meeting, we provided a report on the final outcomes of legislation C/CAG was active on in 2022. We have noted those outcomes below in this report.

November General Election

The 2022 General Election will take place on Tuesday, November 8. Facing election are California’s eight constitutional officers, inclusive of the Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Insurance Commissioner, and State Superintendent of Public Instruction. As well, 100 of the 120 seats in the California State Legislature are up for election this November. This total includes 20 Senate seats (10 seats open / 10 incumbents running for election) and 80 Assembly seats (24 seats open / 56 incumbents running for reelection).

Draft Guidelines for Transit and Intercity Rail Capital Program – Cycle 6

On September 30, the California State Transportation Agency (CalSTA) released [the formal draft guidelines for the Transit and Intercity Rail Capital Program \(TIRCP\) Cycle 6](#) for public and legislative review. The public and legislative review is available for more than the 30 days required by statute, with workshops planned for November 3 and 4, and comments due no later than November 7, 2022. CalSTA expects to release final program guidelines and a call for projects on November 15. AB 180 amended the Budget Act of 2021 (Chapters 21, 69 and 240 of the Statutes of 2021) to appropriate \$3.63 billion of

General Fund to TIRCP and \$350 million of General Fund for High Priority Grade Crossing Improvement and Separation projects. This funding is included in TIRCP Cycle 6.

CARB Releases Proposed FY 2022-23 Funding Plan for Clean Transportation Incentives

On October 12, the California Air Resources Board (CARB) released the [Proposed Fiscal Year \(FY\) 2022-23 Funding Plan for Clean Transportation Incentives](#) for public review and comment. CARB staff will present the Funding Plan for approval at its November 17 Board Meeting. Comments are due no later than November 14. The meeting notice, as well as information on how to submit public comments, can be found [here](#).

Bills With Positions

SB 852 (Dodd) Climate Resilience Districts – *SUPPORT IF AMENDED*

Existing law authorizes certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. [This bill](#) will authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and would define “eligible project” as projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding. The bill would authorize the district to provide property tax increment revenues to the district, and/or other tax revenues, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. ***This bill was SIGNED by the Governor on September 9.***

SB 917 (Becker) Seamless Bay Area – *SUPPORT IN CONCEPT*

[This bill](#) would have required the Metropolitan Transportation Commission (MTC) to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards to support a more integrated public transportation network in the nine-county San Francisco Bay Area. This bill would also have required the region’s transit agencies to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards. ***This bill was HELD in the Assembly Appropriations Committee.***

SB 922 (Wiener) CEQA Exemptions for Transit – *SUPPORT*

[This bill](#) will extend, until January 1, 2030, statutory exemptions from the requirement of the California Environmental Quality Act for clean transportation projects that make streets safer for walking and biking; speed up bus service on streets and improve its on-time performance; support faster bus service on state highways; expand carpooling; and improve wayfinding for people using transit, biking, or walking. This bill would also extend exemptions for the construction of infrastructure of facilities to charge or refuel zero-emission transit vehicles; active transportation and roadway improvements; and the building of new bus and light rail stations or terminals until January 1, 2030. ***This bill was SIGNED by the Governor on September 29.***

SB 1067 (Portantino) Parking Requirements – OPPOSE

[This bill](#) would prohibit a city, county, or city and county from imposing minimum automobile parking requirements on a housing development located within one-half mile of public transit and either dedicates 25 percent of the total units to very low, low-, and moderate-income households, students, the elderly, or persons with disabilities, or the developer demonstrates that the development would not have a negative impact on the local agency's ability to meet specified housing needs and would not have a negative impact on existing residential or commercial parking within one-half mile of the project. ***This bill was HELD in the Assembly Appropriations Committee.***

AB 1817 (Ting) PFAS Ban in Textiles – SUPPORT

Beginning January 1, 2023, existing law prohibits any food packaging that contains regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in food packaging. Existing law will also prohibit the sale and distribution of any new juvenile product that contains regulated PFAS chemicals. [This bill](#) will prohibit, beginning January 1, 2024, any person from selling or distributing any textile articles that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in textile articles to comply with these provisions. ***This bill was SIGNED by the Governor on September 29.***

AB 1944 (Lee) Brown Act Changes – SUPPORT IF AMENDED

[This bill](#) would have made changes to the Brown Act to clarify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public. This bill would also have required all public meetings of a legislative body using teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. We suggested the author amend this bill to include an urgency clause so that it would take effect immediately. ***This bill was never set for a hearing in the Senate Governance and Finance Committee.***

AB 2011 (Wicks) Ministerial Housing Approvals in Commercial Zones – OPPOSE

[This bill](#) will create the Affordable Housing and High Road Jobs Act of 2022, which authorizes a development proponent to apply for a housing development that meets specified objective standards and affordability and site criteria, including being located within a zone where office, retail, or parking are a principally permitted use, and would make the development a use by right and subject to streamlined, ministerial review processes. The bill will require a development proponent for a housing development project approved pursuant to the streamlined, ministerial review process to require, in contracts with construction contractors, that certain wage and labor standards will be met, including a requirement that all construction workers be paid at least the general prevailing rate of wages, as specified. The bill will require a development proponent to certify to the local government that those standards will be met in project construction. ***This bill was SIGNED by the Governor on September 28.***

AB 2097 (Friedman) Parking Minimums – OPPOSE

[This bill](#) will prohibit a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project located within one-half mile of public transit. However, the bill would authorize a city, county, or city and county to impose or enforce minimum

automobile parking requirements on a housing development project if the public agency makes written findings that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact on the public agency's ability to meet its share of specified housing needs or existing residential or commercial parking within one-half mile of the housing development. However, a public agency may not seek an exemption if the housing development project (1) dedicates a minimum of 20% of the total number of housing units to very low, low-, or moderate-income households, students, the elderly, or persons with disabilities, (2) contains fewer than 20 housing units, or (3) is subject to parking reductions based on any other applicable law. The bill will prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a housing development project that is located within one-half mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities. ***This bill was SIGNED by the Governor on September 22.***

AB 2622 (Mullin) Sales Tax Exemption for Transit Buses – SUPPORT

[This bill](#) will extend the sunset date from January 1, 2024, to January 1, 2026 on the state sales and use tax exemption for zero-emission buses (ZEBs) purchased by California public transit agencies. ***This bill was SIGNED by the Governor on September 16.***

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

[This constitutional amendment](#) would have lowered 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, including public transit. The C/CAG Board supported a nearly identical measure, also ACA 1 (Aguiar-Curry), in 2019. ***This measure was never heard in the Assembly Local Government Committee.***

Other Bills of Interest

SB 6 (Caballero) Housing in Commercial Zones

Existing law requires local governments to adopt a general plan for development, including a housing element. Current law requires that the housing element include an inventory of land suitable and available for residential development. If there is not adequate land identified to accommodate the need for all types of households, the local government must rezone sites. [This bill](#) - the Middle Class Housing Act – will deem a housing development project an allowable use on a parcel that is within a zone where office, retail, or parking are a principally permitted use, if specified conditions are met, including requirements relating to density, public notice, comment, hearing, or other procedures, site location and size, consistency with sustainable community strategy or alternative plans, prevailing wage, and a skilled and trained workforce. ***This bill was SIGNED by the Governor on September 28.***

SB 54 (Allen) Solid Waste Reporting and Packaging

[This bill](#) establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act (Act), which would impose minimum content requirements and source reduction requirements for single-use packaging and food ware and to be achieved through an expanded producer responsibility program. By January 1, 2024, the bill will require producers of covered material to form and join a producer responsibility organization, subject to certain requirements and CalRecycle approval, to carry out the requirements of the Act by and would a producer of covered material from selling, offering for sale,

importing, or distributing covered materials in the state unless the producer is approved to participate in the organization. The bill defines “covered material” to mean Covered material” as single-use packaging that is routinely recycled, disposed of, or discarded after its contents have been used and plastic single-use food service ware, but excludes packaging used for medical products, devices, and prescription drugs, animal medicines and drugs, infant formula, medical food, fortified nutritional supplements, insecticides, rodenticides, fungicides, hazardous materials, hazardous or flammable products, and certain beverage containers. ***This bill was signed by the Governor on June 30.***

SB 932 (Portantino) General Plan Circulation Elements

[This bill](#) requires a local agency, when revising its the circulation element after January 1, 2025 to incorporate the principles of FHWA’s Safe System Approach and to develop bicycle plans, pedestrian plans, and traffic calming plans based on the policies and goals in the circulation element that, among other things, sets goals for initiation and completion of all actions identified in the plans within 25 years of the date of adoption of the modified circulation element, as specified. By adding to the duties of county and city officials in the administration of their land use planning duties, this bill would impose a state-mandated local program. This bill will require a county or city to begin implementation of the plan within 2 years of the date of adoption of the plan, to regularly review its progress towards completing implementation of the modified circulation element, and to consider revising the circulation element if it determines it will not reach the goals of the bicycle, pedestrian, or traffic calming plans within 25 years of the date of adoption of the modified circulation element. ***This bill was SIGNED by the Governor on September 28.***

AB 2449 (Rubio) Brown Act Changes

Until January 1, 2024, existing law authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect or to protect public health. [This bill](#) will, until January 1, 2026, authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location identified in the agenda that is open to the public and situated within the local agency’s jurisdiction. ***This bill was SIGNED by the Governor on September 13.***

C/CAG AGENDA REPORT

Date: November 10, 2022
To: C/CAG Legislative Committee
From: Sean Charpentier, Executive Director
Subject: Review of proposed list of focus areas for the 2023 legislative session.

(For further information or response to questions, contact Kim Springer kspringer@smcgov.org)

RECOMMENDATION

That the C/CAG Legislative Committee discuss proposed focus areas for the 2023 legislative session.

FISCAL IMPACT

None

BACKGROUND

Staff, the Legislative Committee, and C/CAG's legislative consultant have agreed that it makes sense for the C/CAG Legislative Committee and the C/CAG Board to consider initiatives to focus on the upcoming legislative sessions. The 2022 legislative session has ended and, post-election, the 2023 session will soon begin. The [Legislative Calendar](#) was released in early-November and contains the legislative deadlines for the first year of the 2023-24 Legislative Session. The last day to introduce new bills is February 17, so both establishing C/CAG's focus areas and appropriately communicating those to the Delegation is important.

The adopted 2022 Legislative Policies are included as Attachment 1. The Legislative Policies are comprehensive and reflect significant modifications in 2020 and 2021. Accordingly, staff do not recommend changes at this time.

There two categories of "focus areas" that staff would like to discuss are: Legislative ideas, and funding requests.

#1. Legislative ideas are potential areas for C/CAG to sponsor legislation or work closely with others to sponsor legislation. Sponsoring legislation can be very resource intensive, and staff need to focus its efforts on issues that are central to C/CAG's mission, actionable, and have a reasonable chance of success. In addition, C/CAG does not have dedicated Government Affairs staff, and have to be judicious in our resources in pursuing legislative change.

C/CAG staff have suggested focus areas and have met with C/CAG's legislative consultant to review and consider those submitted. After consultant input, a proposed list for presentation to the C/CAG Legislative Committee has been prepared for presentation at this meeting. As a reminder, these are initial starting points for discussion.

- a) Brown Act Reform – effort to allow virtual/in-person hybrid meetings for agency **advisory committees** making non-binding decisions.
- b) CARB – GHG Emission Inventories – work to support legislation or budget actions that would provide funding for CARB to produce GHG emission inventories for every city and county in California.
- c) Multi-Family Dwelling Incentives – effort to establish State incentive program to initiate projects at multi-family dwellings in California, for electrification, EVSE, and rainwater capture.
- d) Researching green investment requirements for CALPERS real estate portfolio.
- e) Recommended for future Legislative Sessions:
 - Updating State Statute to increase the maximum potential VLF, which is currently established at \$10. C/CAG raises \$10 VLF as part of its Measure M program.
 - Updating Congestion Management Program (CMP) statute to include metrics for VMT as well as LOS.

#2. C/CAG submits specific funding requests to our State and Federal Delegation. The funding requests are generally for regional projects that C/CAG has been investing in, projects that span multiple jurisdictions and require regional support, and innovative topics (laundry to landscape).

In the prior year, C/CAG directly submitted 5 funding requests for up to \$21 million in funding. C/CAG has been successful in securing approximately \$3.1 million for requests “a” and “b” below. The opportunity to submit specific budget requests in the upcoming year is not clear because of the impact of a potential recession, potential changes in political leadership in Congress, and whether we are successful in applying for SB1 funding for 92/101 Area Improvements. Staff recommend that if the opportunity to apply for member directed funding exists, we continue to seek funding for requests “c through e” below.

- a) **\$760k for Bike lane on El Camino Real in Millbrae and San Bruno (Assembly Member Mullin included in State Budget).**
- b) **\$2.4m for San Bruno Multi Benefit Regional Stormwater Project, San Bruno (Congresswoman Speier) included in the House approved Budget.**

- c) \$480k for Laundry to Landscape pilot.
- d) \$5m-\$10m for 92/101 Area Improvements and Multi Modal Project.
- e) \$8m for Red Morton Multi Benefit Regional Stormwater Project, Redwood City.

Staff recommends the C/CAG Legislative Committee discuss the proposed topics, provide initial feedback during the November meeting. It is further recommended that these items be finalized at the December Legislative Committee meeting and proposed for review at the December C/CAG Board meeting, to allow time for discussion with the California delegation.

ATTACHMENT

1. Approved 2022 Legislative Policies.

Draft - C/CAG LEGISLATIVE POLICIES FOR 2023

(from February 10, 2022)

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 of California Cities, California State Association of Counties, and other stakeholders, as well as initiatives, to protect local revenues.
- 1.2 Provide incentives and tools to local government to promote economic vitality.
- 1.3 Support efforts to improve the disadvantaged 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 community needs are addressed.
- 1.4 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.”
- 1.5 Pursue and support efforts that direct state and regional funds equitably to ensure a return to source.
- 1.6 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.
- 1.7 Oppose State actions that delegate responsibilities to local jurisdictions without full reimbursement for resulting costs.
- 1.8 Support funding efforts for the COVID-19 public health emergency that are responsive to equity, transportation, housing, and environmental needs in San Mateo County.

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 Monitor legislation and ballot initiatives that impact local housing and land-use authority and oppose and 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 and achieving cost effectiveness 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, and advancing schoolyard greening initiatives, regional-scale multi-benefit stormwater capture projects, and programmatic implementation of regional-scale distributed green stormwater infrastructure.
 - h. Support mechanisms that allow credit trading approaches for stormwater management and water quality improvement.
- 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 regarding trash and litter control, including but not limited to microplastics, tire wear byproducts and other vehicle related pollutants, and emerging contaminants of concern.
- 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 and flexible 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, affordable housing, and both climate action and adaptation (resiliency).
- 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 and policies aligned with C/CAG's priorities.

- 6.1 Maximize the Bay Area's and San Mateo County's share of any State General Fund surplus revenue invested in local/regional transportation.
- 6.2 Support efforts that protect transportation revenues from being pledged, transferred, or used for non-transportation purposes.
- 6.3 Support the implementation of SB 1 (Road Repair and Accountability Act of 2017) programs and monitor the implementation of Executive Order N-19-19, N-79-20, and the Climate

Action Plan for Transportation Infrastructure (CAPTI), which call for aligning transportation spending with the state’s climate goals.

- 6.4 Monitor and engage in the planning for and potential implementation of new transportation funding sources, including identifying viable alternatives to the gas tax; and regional proposals to study congestion pricing.
- 6.5 Monitor legislation related to the California high-speed rail project as it affects our San Mateo County region.
- 6.6 Support legislation that identifies funding for active transportation, complete streets, 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 State Highway system and highway corridors in San Mateo County, including the 101 Express Lanes project.
- 6.9 Support alternative contracting and project delivery methods, such as Public Private Partnerships, that could result in project cost savings, such as accelerated deployment of technology including fiber optic cable for connected vehicle deployment, access to broadband capabilities, and more cost effective distributed green infrastructure for stormwater management.
- 6.10 Monitor the implementation 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 in 2024.
- 6.12 Support efforts that incentivize ridership and improve integration & connectivity among Bay Area transit systems. Monitor legislation that promotes transit-oriented development.
- 6.13 Support policies, including expanding community broadband access and technological advancements to encourage telecommuting, and others aimed at reducing vehicle miles traveled and associated traffic congestion by reducing the share of commuting by single-occupant vehicles.
- 6.14 Support efforts to improve the performance of high-occupancy vehicle (HOV) and express lanes.
- 6.15 Monitor or support legislation improving bicycle and pedestrian safety. In particular, support the implementation of AB 43 and authorization of automated speed enforcement technology to enforce speed limits and other elements of Vision Zero.

- 6.16 Support legislation that would amend Government Code Section 65089.20 to increase the maximum voter-approved vehicle license fee from its existing \$10.
- 6.17 Support efforts to create local VMT/GHG mitigation programs to assist in reaching SB 375 GHG reduction goals.
- 6.18 Monitor legislation and funding opportunities for integration of autonomous vehicles and infrastructure.
- 6.19 Support and monitor efforts to facilitate the deployment of transformative transportation technologies with the goal of accelerating safety, mobility, environmental, equity and economic benefits associated with new mobility technologies. Additionally, ensure strong federal vehicle safety standards while also preserving the ability of state and local agencies to continue to set policies governing the operation of vehicles on highways and local roads, regardless of whether they are driven autonomously or manually.
- 6.20 Support legislation that streamlines project delivery, including simplifying grant applications, streamlining CEQA, and accelerating project permit approvals.

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 bold climate protection action, Greenhouse Gas reduction, and energy conservation and resilience 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 ratepayer-funded local government partnerships to foster energy efficiency, electrification, and resilience, 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 and incentives for building energy electrification, transition to electric vehicles, or other greenhouse gas reducing initiatives, in support of local government climate action plans and the Governor’s Executive Orders N-19-19 and N-79-20.
- 8.8 Support funding for electric vehicle and bike charging infrastructure, electric power storage capacity, and rebates for electric vehicle purchase.
- 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 provide emissions data and develop community-scale greenhouse gas emission inventories and make them 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, electrification, and energy resilience.
- 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.

Policy #9 - Protection of water user rights and access to sustainable water supply

- 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.
- 9.2 Support legislation that provides funding for development of alternative sources of water supply, resources for municipal water supply conservation, and water capture initiatives.

Policy #10 - Other/Miscellaneous

- 10.1 Monitor and Support Brown Act reforms that provide flexibility, facilitate public engagement, and allow for transparent, accessible, and participatory remote public meetings; with the goals of increasing participation from board members, committee members, and the public; and reducing vehicle miles traveled.

C/CAG AGENDA REPORT

Date: November 10, 2022

To: C/CAG Legislative Committee

From: Sean Charpentier, Executive Director

Subject: Update on RFP process completed for procuring State Legislative Advocacy Service for legislative sessions 2023 through 2025.

(For further information or response to questions, contact Kim Springer kspringer@smcgov.org)

RECOMMENDATION

That the C/CAG Legislative Committee receive an update on RFP process completed for procuring State Legislative Advocacy Service for legislative sessions 2023 through 2025 for discussion.

FISCAL IMPACT

The contract cost in the Agreement proposed to the C/CAG Board, for State Legislative Advocacy Services, will be \$7,000 per month for a total not-to-exceed of \$252,000 for the 2023, 2024, and 2025 legislative sessions.

SOURCE OF FUNDS

Funds for state legislative advocacy services are programmed into the C/CAG budget, equally split between Congestion Relief and NPDES funds.

BACKGROUND

C/CAG's current Legislative Advocacy contract with Shaw Yoder Antwih Schmelzer & Lange expires on December 31, 2022. On August 15, 2022, C/CAG staff issued a Request for Proposals for state legislative advocacy services for the 2023 through 2025 Legislative Sessions, with an option to extend services for two additional sessions: 2026 and 2027. The purpose of the RFP was to retain a part-time consultant to 1) monitor and review new pending legislation, policies, and regulations, 2) advocate C/CAG's interests with the California Legislature and its members and other parties as appropriate, and 3) support the Legislative Committee. Proposals to the RFP were due on Friday, September 9, 2022. Two proposals were received: one from Shaw Yoder Antwih Schmelzer & Lange, Inc., and one from Corbin and Kaiser.

Staff reviewed the proposals for completeness and established an evaluation panel that included C/CAG staff, Reid Bogert and Kim Springer, and TA staff, Jessica Epstein. After careful review of the proposal and interviews conducted on October 18, 2022, scoring of the proposals weighed strongly towards the Shaw Yoder Antwih Schmelzer & Lange proposal. The selected consultant scored strongly on breadth of experience common to C/CAG's programs, staff capacity, and familiarity with the San Mateo County delegation.

Staff recommends the C/CAG Legislative Committee review the information provided by staff on the procurement process and the proposed consultant, as a review for the C/CAG Board, prior to Board action to approve Resolution 22-97 authorizing the C/CAG Executive Director to execute an agreement with Shaw Yoder Antwih Schmelzer & Lang, Inc. for State Legislative Advocacy Services from January 1, 2023 through December 31, 2025 for an amount not to exceed \$252,000. The State Advocacy Services RFP document and Shaw Yoder Antwih Schmelzer & Lange proposal are provided as attachments to this staff report.

ATTACHMENT

1. State Advocacy Services RFP
2. Shaw Yoder Antwih Schmelzer & Lange State Advocacy Services Proposal

The above attachments are available on the C/CAG Legislative Committee Website: <https://ccag.ca.gov/committees/legislative-committee/>