

C/CAG

City/County Association of Governments of San Mateo County

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MEETING AGENDA

C/CAG Legislative Committee

*****HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE*****

Date: Thursday, July 13, 2023	Join by Webinar: https://us02web.zoom.us/j/89514022875?pwd=MnliUG1Id0Q5M2xrY2MrSFIJN2ZEdz09
Time: 5:30 p.m.	Webinar ID: 895 1402 2875
Primary Location: San Mateo County Transit District Office 1250 San Carlos Ave, 2 nd Fl. Auditorium, San Carlos, CA	Password: 071323
Publicly-Accessible Teleconference Location:	Join by Phone: (669) 900-6833

Chair: Adam Rak

Vice Chair: Gina Papan

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

This meeting of the C/CAG Legislative Committee will be held in person and by teleconference pursuant to Government Code Section 54953(e). Members of the public will be able to participate in the meeting remotely via the Zoom platform or in person at the location above. For information regarding how to participate in the meeting, either in person or remotely, please refer to the instructions at the end of the agenda.

Meeting Agenda

1.	Call to Order	Rak	
2.	Roll call	Springer	
3.	Public comment on related items not on the agenda.	Rak	
4.	Review and approve the Legislative Committee meeting minutes from the meeting held on June 8, 2023.	Action Rak	Pages 4-6
5.	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/Shaw Rak	Pages 7-13
6.	Adjournment	Rak	

Next Meeting: September 14, 2023

PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Court Yard, 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 Legislative Committee meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Legislative 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 Crume at (650) 599-1406 to arrange for inspection of public records.

ADA REQUESTS: Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Mima Crume at (650) 599-1406 or mcrume@smcgov.org by 10:00 a.m. prior to the meeting date.

PUBLIC PARTICIPATION DURING HYBRID MEETINGS: During hybrid meetings of the C/CAG Board, members of the public may address the Board as follows:

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.
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. The subject line of the email should be: "Legislative Committee Comment"
3. Members of the public are limited to one comment per agenda item.
4. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the C/CAG Legislative Committee members, made publicly available on the C/CAG website along with the agenda. Emails received less than 2 hours before the meeting will be provided to the C/CAG Legislative Committee members and included in the administrative record of the meeting as soon as practicable.

Spoken comments will be accepted during the meeting in person and through Zoom. Public comments will be taken first by speakers in person followed by via Zoom. Please read the following instructions carefully:

***In-person participation:**

1. If you wish to speak to the Legislative Committee, please fill out a speaker's slip located on the 2nd floor auditorium side table against the wall. If you have anything that you wish distributed to the Legislative Committee and included in the official record, please hand it to the Legislative Committee Staff who will distribute the information to the Legislative Committee members and other appropriate staff.

***Remote participation:**

1. The C/CAG 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 the C/CAG Legislative Committee staff or Chair call for the item on which you wish to speak, click on "raise hand", or use *9 to raise or lower your hand and *6 to unmute or mute when attending by phone. Staff will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak.
5. When called, 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: July 13, 2023

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 June 8, 2023.

(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 June 8, 2023.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Minutes, June 8, 2023

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

**Draft Meeting Minutes
June 8, 2023 Meeting**

Staff and Guests Attending:C/CAG Staff:

Sean Charpentier, Kim Springer, Kaki Cheung, Mima Crume, Jeff Lacap, Susy Kalkin, Van O Campo, Audrey Shiramizu, Reid Bogert, Kim Wever

Legislative Consultant:

Matt Robinson, Andrew Antwih, Silvia Solis Shaw

Others Attending:

Drew – Public

1. Call to Order.

Chair Rak called the meeting to order at approximately 5:32 p.m.

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

C/CAG staff referred to the instructions contained in the posted agenda and reminded remote participants on use of *9 to raise and lower hands, and *6 to mute and unmute.

3. Roll call.

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

Agency	Name	In Person	Remote AB 2449
Atherton	Elizabeth Lewis	X	
Belmont	Davina Hurt	X	
Brisbane	Karen Cunningham		
Burlingame	Ricardo Ortiz	X	
East Palo Alto	Lisa Gauthier		
Millbrae	Gina Papan (Vice Chair)	X	
Millbrae	Anders Fung	X	
Pacifica	Sue Vaterlaus	X	
San Bruno	Michael Salazar	X	
San Carlos	Adam Rak (Chair)	X	

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

There were no written or public comments.

5. Review and approve the Legislative Committee meeting minutes from the meeting held on May 11, 2023.

The Committee approved the meeting minutes from the March 9, 2023 C/CAG Legislative Committee Meeting. Member Vaterlaus motioned approval, seconded by Member Fung. A vote was taken. Motion passed (6,0,0). Members Papan and Ortiz were not present for the vote.

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.)

C/CAG Legislative Consultant, Matt Robinson from Shaw Yoder Schmeltzer & Lange (SYASL) provided an update to the Committee, based on their monthly report provided in the agenda packet. Other SYASL staff, Andrew Antwih and Silvia Solis Shaw, also provided input during the meeting.

Robinson shared that the four bills, for which positions had been taken at the April Committee and Board meetings, ended up being held in suspense and, therefore no letters were draft or sent. They were:

- AB 321 (Wilson) Sales and Use Tax Exemption: Zero Emission Public Ferries, SUPPORT,
- AB 463 (Hart) Prioritization of Services: Public Transit Vehicles, SUPPORT,
- AB 756 (Papan) Stormwater Runoff, SUPPORT, and
- AB 1525 (Bonta) Transportation Project Impacts to Priority Communities, OPPOSE.

Robinson provided updates on the State budget deficit, a number of actions taken by the Legislature on the Transit Fiscal Cliff, the Governor's Infrastructure Approval Streamlining Package, Climate Bond legislation (SB 867 Allan and AB 1567 Garcia), and movement to Assembly of SB 511 (Blakespear) – Climate Inventories.

The consultant and the Committee also discussed housing bills: SB 4 (Wiener) and SB 423 (Wiener), to which the Committee decided to continue to follow the bills and continue to find a meeting with Senator Wiener.

Chair Rak opened a discussion on SB 450 (Atkins) and the Committee voted to OPPOSE the bill with a motion made by Member Lewis, seconded by Member Rak. A vote was taken, and he motion passed (8,0,0).

7. Adjournment.

The meeting adjourned at approximately 6:23 P.M.

Next meeting is July 13, 2023.

C/CAG AGENDA REPORT

Date: July 13, 2023

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 advocate, Shaw Yoder Antwih Schmelzer & Lange (Consultant). 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 from Consultant may include various 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 current session began on December 5, 2022 and new bills for the 2023-24 Legislative Session were introduced through February 17, 2023. There were approximately 2500+ bills, many of which were "spot" bills.

The Legislative Committee may also discuss current or past bills, those already voted on by the Committee, funding requests, sponsorship of legislation, preparing for meetings with delegation, or providing letters supporting or opposing bills already on the Governor's desk.

At this Committee meeting, the Committee will mainly receive updates from the Consultant on State budget updates, and any additional information from Sacramento on bills discussed in the attached C/CAG Legislative Update. In addition, there are three bills of interest for consideration by the Committee.

Key C/CAG Legislative Session Activities

The Legislative Committee approved sending a letter to the legislature requesting additional flexibility in the Brown Act, at the January 12, 2023 meeting. The letter was drafted, reviewed, signed, and delivered through SYASL at the end of January.

At the March 9, 2023 meeting, the Committee voted to support ACA-1 (Aguiar-Curry). In addition, the Legislative Committee took position on two ballot measures: Taxpayer Protection and Government Accountability Act – Oppose, and a ballot measure to repeal the majority voter approval requirement for Low-Rent Housing – Support. The C/CAG Board approved of these positions.

Brown Act Legislation

There are currently five bills related to the Brown Act for this session and SYASL is tracking their value to C/CAG's goals as expressed in the letter. They are listed below. Two of those bills were acted upon by the Legislative Committee and the Board at the March 9, 2023 meeting. At the April 13, 2023 meeting, the Legislative Committee and the Board acted on two additional Brown Act bills:

- AB 557 (Hart) – Support
- AB 817 (Pacheco) – Support
- AB 1379 (Papan) – Support
- SB 411 (Portantino)
- SB 537 (Becker) – Support

Three support letters have been sent. Unfortunately, SB 537 (Becker) underwent significant amendments such that staff and SYASL believe the bill should be re-presented to the Legislative Committee for reconsideration. No action was taken on the Becker bill.

In April the Legislative Committee and Board acted in support in SB 511 (Blakespear) and that letter was sent.

At the May Legislative Committee, four additional positions were taken and presented to the C/CAG Board, which voted to approve. They are as follows:

- AB 321 (Wilson Sales Use Tax Exemption for Public Ferries – Support
- AB 463 (Hart) Prioritization of Service: Public Transit Vehicles – Support
- AB 756 (a-an) Stormwater Runoff Pilot Project – Support
- AB 1525 (Bonta) Transportation Project Impacts to Priority Populations - Oppose

Unfortunately, all four of the bills, for which the Committee and the Board took positions in May, were moved to suspense, so no letters were drafted or delivered.

At the June 8th Legislative Committee and Board meetings, both bodies voted to oppose SB 450 (Atkins) and a letter was sent.

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.

Committee members may view the bills being tracked at the following link provided by SYASL: [C/CAG Bill Tracking](#)

ATTACHMENTS

1. C/CAG Legislative Update, May 26, 2023 from Shaw Yoder Antwih Schmelzer & Lange

Below are informational links:

2. [Recent Joint ABAG MTC Legislation Committee Agendas](#)
3. [California State Association of Counties \(CSAC\) bill positions and tracking](#)
4. [California Associations of Councils of Government \(CALCOG\) 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
 - [Legislation from Assemblymember Marc Berman](#)
 - [Assemblymember Diane Papan](#)
 - [Legislation from Assemblymember Phil Ting](#)
 - [Legislation from Senator Josh Becker](#)
 - [Legislation Senator Scott Wiener](#)
8. Bill Tracker for C/CAG by SYASL: [C/CAG Bill Tracking](#)
9. Current client roster for Shaw Yoder Antwih Schmelzer & Lange - <https://syaslparkers.com/clients/>



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916-446-4656

June 28, 2023

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 – July 2023**

Legislative Update

July 1 marks the start of the 2023-24 Fiscal Year. The Legislature sent Governor Newsom a budget bill on June 15, as constitutionally required, and on June 26, [announced](#) an agreement with the Administration on the state budget, which includes the Governor's infrastructure streamlining package (much more on this below). Policy committees have been hearing bills sent over from the other house and will have until July 14 to hear and report bills to the fiscal committees or the floor. July 14 also marks the start of the Legislature's Summer Recess. The Legislature will reconvene from Summer Recess on August 14 and have a month to finish the first year's business before they adjourn for the interim recess on September 14. The Legislative Calendar, which sets the deadlines for the year and can be viewed [here](#).

Update on State Budget/Transit Fiscal Cliff

Following the main budget appropriations bill, [SB 101 \(Skinner\)](#), which was sent to the Governor on June 15, the Legislature approved a revised set of bills reflecting the final state budget agreement for FY 2023-24. On June 27, the Legislature sent the Governor numerous budget bills, including [AB 102 \(Ting\)](#) and [SB 125 \(Committee on Budget and Fiscal Review\)](#), which reflect the three-party agreement with Governor Newsom on the Budget Act's transportation/transit investments and policy.

AB 102, which responds to the advocacy efforts of the California Transit Association, regional agencies, transit systems, and their allies, would restore **\$2 billion** in General Fund support to the Transit and Intercity Rail Capital Program (TIRCP), returning General Fund investment in the TIRCP to **\$4 billion** total for FY 2023-24 and FY 2024-25. This funding will flow to regional transportation planning agencies (RTPAs) on a population-based formula (using PUC 99313) for investment in transit and rail capital projects, but allow the flexibility to direct up to 100% of this funding to meet the operational needs of agencies in their jurisdictions.

This bill would also commit **\$1.1 billion** in new and previously appropriated transit funding for the newly created Zero-Emission Transit Capital Program (ZETCP). This funding would flow to RTPAs on a population- and revenue-based formula (using PUC 99313 and 99314). While the funds allocated for the

ZETCP are proposed for zero-emission vehicles and refueling infrastructure, regions will have the flexibility to direct up to 100% of this funding to meet the operational needs of agencies in their jurisdictions. AB 102 would preserve funding for the CARB's HVIP-Transit and CEC's Clean Transportation Programs for FYs 2021-22 and 2022-23.

As noted above, the Legislature also sent the Governor SB 125 representing the transportation trailer bill. This bill would institute accountability and reform requirements on regions and their transit agencies to access the funding included in AB 102, extend statutory relief measures secured in 2020 and 2021 for transit agencies, and create a new state-level Transit Transformation Task Force at the California State Transportation Agency (CalSTA), as previously ensconced in AB 761 (Friedman).

The accountability and reform requirements included in these bills would apply to all RTPAs receiving funding under AB 102 - irrespective of whether a RTPA proposes to direct the funding it receives to transit capital or operations. Essentially, the bill now requires RTPAs to submit short- and long-term financial plans, and operations data, for regional transit to access this funding.

The accountability and reform requirements would further require that, as a condition of receiving the funding in AB 102, an RTPA post on its internet website a summary of monthly ridership data, consistent with the data submitted to the National Transit Database, from all its transit operators during the period for which it receives funding.

Finally, the final budget agreement also includes the Governor's infrastructure streamlining package, including [NEPA assignment for local transit projects](#), [expedited judicial review for certain types of transportation projects](#), and [changes to the administrative record process under CEQA](#).

Bills with Positions

SB 450 (Atkins) Updates to Ministerial Approvals for Parcel Subdivisions (SB 9) – C/CAG OPPOSE

This bill would make several changes to the ministerial approval process created by SB 9 for a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two parcels (lot split), or both by requiring that that an application for a duplex or a lot split shall be considered and approved or denied within 60 days from the date the local agency receives a completed application. If the local agency has not approved or denied the application in that timeframe, it shall be approved. This bill also states that if a local agency denies an application for a duplex or lot split, the permitting agency shall return in writing a full set of comments to the application with a list of deficient items and a description of how the application can be remedied by the applicant. This bill would also prohibit a local agency from imposing objective zoning standards, objective subdivision standards, and objective design standards that do not apply uniformly to developments within the underlying zone.

SB 511 (Blakespear) Local Emissions Inventories – C/CAG SUPPORT

Before January 1, 2028, this bill would require the California Air Resources Board (CARB) to develop and publish a report on greenhouse gas emission inventories for calendar year 2025 for each city, county, city and county, and special district and to periodically update the report consistent with updates to CARB's scoping plan. The bill would require CARB to establish a local government advisory committee to

inform the development of the inventories. The bill would appropriate \$2,500,000 in the Fiscal Year 2024–25 budget for the bill’s purposes.

ACA 1 (Aguiar-Curry) Lower-Vote Threshold – C/CAG SUPPORT

This measure would authorize a local government, including a special district, to impose, extend, or increase a sales and use tax or transactions and use tax imposed, or a parcel tax, for the purpose of funding the construction, rehabilitation, or replacement of public infrastructure, defined to include projects for the reduction of pollution from stormwater runoff, improvements to transit and streets and highways and projects for the protection of property from the impacts of sea level rise, as well as for affordable housing, if the proposition proposing that tax is approved by 55% of its voters.

AB 557 (Hart) Brown Act – Extension of Existing Authority – C/CAG SUPPORT

Beginning on January 1, 2024, this bill would extend the existing teleconferencing/remote-meeting authority that can be used when a declared state of emergency is in effect and would also extend the period for a legislative body to make the required findings related to the continuing state of emergency and social distancing from 30 days to 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet.

AB 817 (Pacheco) Brown Act – Advisory Bodies – C/CAG SUPPORT

This bill provides a narrow exemption under the Brown Act for non-decision-making legislative bodies to participate in meetings via teleconferencing outside of a declared state of emergency without posting the physical location of members or requiring a quorum to be present at a meeting location. ***This is a two-year bill.***

AB 1379 (Papan) Brown Act - Remote Meeting Flexibility – C/CAG SUPPORT

This bill also provides a broad interpretation of the Brown Act for all legislative bodies to participate in meetings via teleconferencing outside of a declared state of emergency without posting the physical location of members or requiring a quorum to be present at a meeting location, but would require a local agency to have a physical meeting location open to the public and follow certain notification procedures and meeting procedures. ***This is a two-year bill.***

Bills of Interest

SB 532 (Wiener) Bridge Toll Increase

This bill would increase the toll for vehicles for crossing toll bridges in the San Francisco Bay area by \$1.50 until December 31, 2028, and require the revenues collected from this toll to be used by MTC for allocation to transit operators that provide service within the San Francisco Bay area and experiencing an operations funding challenge. Any transit operator seeking an allocation would be required to submit a 5-year projection of its operating need.

AB 7 (Friedman) Transportation Project Selection

On and after January 1, 2025, this bill would require CalSTA, Caltrans and the California Transportation Commission to incorporate specified principles into their processes for project development, selection, and implementation, including improving safety for all users, addressing environmental impacts and stormwater runoff, prioritizing infrastructure less vulnerable to climate change, and investing in safe and accessible bicycle and pedestrian infrastructure and zero-emission vehicle infrastructure. This bill would

also require future California Transportation plans to include a financial element that identifies cost constraints, and an analysis of how the state is achieving the principles outlined in the Climate Action Plan for Transportation Infrastructure, the federal Infrastructure Investment and Jobs Act of 2021, and the federal Justice40 initiative.

AB 761 (Friedman) Transit Transformation Task Force

This bill would require the Secretary of the California State Transportation Agency, on or before July 1, 2024, to establish and convene the Transit Transformation Task Force to include representatives from the department, the Controller's office, various local agencies, academic institutions, nongovernmental organizations, and other stakeholders. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience for all users of those services. The bill would require the secretary, in consultation with the task force, to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025.

For a full list of the bills we are tracking for C/CAG, please click [here](#).