

# 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\*\*\***

<b>Date:</b> Thursday, November 9, 2023  <b>Time:</b> 5:30 p.m.  <b>Primary Location:</b> San Mateo County Transit District Office 1250 San Carlos Ave, 2 <sup>nd</sup> Fl. Auditorium, San Carlos, CA	<b>Join by Webinar:</b> <a href="https://us02web.zoom.us/j/89818456404?pwd=NDdXdmxzMHBkZVp6TEtvTVdlaXpzZz09">https://us02web.zoom.us/j/89818456404?pwd=NDdXdmxzMHBkZVp6TEtvTVdlaXpzZz09</a>  <b>Webinar ID:</b> 898 1845 6404  <b>Password:</b> 110923  <b>Join by Phone:</b> (669) 900-6833
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**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 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. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the agency, or of the acts or omissions of the Board and committees. Speakers shall not disrupt, disturb, or otherwise impede the orderly conduct of a Board meeting. 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 September 14, 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 7-14
6.	Review of updated C/CAG Legislative Policies for 2024	Charpentier	Pages 15-22
7.	Adjournment	Rak	

**Next Meeting: December 14, 2023**

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**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 Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Such public records are also available on C/CAG's website at: <http://www.ccag.ca.gov>. 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](mailto: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:** 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](mailto: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.
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 RMCP 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 RMCP Committee members and included in the administrative record of the meeting as soon as practicable.

**SPOKEN COMMENTS:** Members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Committee during the agenda item titled “Public Comment on Items Not on the Agenda.” Members of the public who wish to speak on a matter on the agenda will have two minutes each to address the Committee on that agenda item unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again. At the call of the Chair, public comments will be taken in-person and remote. Public comments will be taken first by speakers in person followed by via Zoom. If you have documents you wish to distribute to the Committee and include in the official record, please hand it to the C/CAG Staff who will distribute the information to the Committee members and staff. \*Those participating remotely will:

1. Access the meeting through Zoom at the online location or via phone as indicated at the top of this agenda.
2. 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. 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. Click on “raise hand” when the C/CAG Clerk or Chair calls for the item on which you wish to speak. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak. If calling in via phone, press \*9 to raise your hand and when called upon press \*6 to unmute.
5. When called, please limit your remarks to the time allotted. If you have any questions about this agenda, please contact C/CAG staff:

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

**Executive Director: Sean Charpentier:** [scharpentier@smcgov.org](mailto:scharpentier@smcgov.org)

**Transportation Systems Coordinator:** Kim Springer at [kspringer@smcgov.org](mailto:kspringer@smcgov.org)

**Administrative Assistant:** Mima Guilles (650) 599-1406

## C/CAG AGENDA REPORT

Date: November 9, 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 September 14, 2023.

(For further information, contact Kim Springer at [kspringer@smcgov.org](mailto:kspringer@smcgov.org))

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### RECOMMENDATION

That the Legislative Committee review and approve the Legislative Committee meeting minutes from the meeting held on September 14, 2023.

### ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Minutes, September 14, 2023

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

**Draft Meeting Minutes  
September 14, 2023 Meeting**

**Staff and Guests Attending:**

C/CAG Staff:

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

Legislative Consultant:

Matt Robinson, Andrew Antwih

Others Attending:

**1. Call to Order.**

Vice Chair Papan called the meeting to order at approximately 5:36 p.m.

**2. Roll call.**

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

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

**3. Public comment on related items not on the agenda.**

There were no written or public comments.

**4. Review and approve the Legislative Committee meeting minutes from the meeting held on July 13, 2023.**

The Committee approved the meeting minutes from the June 13, 2023 C/CAG Legislative Committee Meeting. Member Salazar motioned approval, seconded by Member Gauthier. A vote was taken. Motion passed (6,0,0).

**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.)**

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, also provided input during the meeting.

Robinson shared that this (9/14) is the last day of enrolling bills to the governor. When legislators return they will get right back to two-year bills. Robinson continued with a review of the bills upon which the Legislative Committee had acted, the update for which is in the meeting agenda packet, including the two constitutional amendments ACA 1 and ACA 13.

The Committee also briefly discussed Brown Act legislation, a possible letter to Rivas related to Brown Act legislation, and coordination with Assemblymember Papan, transit operations funding,

**6. Adjournment.**

The meeting adjourned at approximately 6:18 P.M.

**Next meeting is November 9, 2023.**

**C/CAG AGENDA REPORT**

Date: November 9, 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](mailto:kspringer@smcgov.org))

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**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 last day of the session is today, September 14, 2023. All bills must pass by this day in order to move forward to the governor's desk.

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, the consultant will discuss both transportation funding and changes in leadership.

### **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 were five bills related to the Brown Act on interest for this session and SYASL tracked 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 were sent. Unfortunately, SB 537 (Becker) underwent significant amendments. 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 8<sup>th</sup> Legislative Committee and Board meetings, both bodies voted to oppose SB 450 (Atkins) and a letter was sent.

At the July 13, 2023 meeting, the Committee motioned and voted to send a letter of concern, SB 532 (Wiener).

The September Legislative Committee meeting provided the Committee with a wrap up of the session and where bill of importance to C/CAG stood at that time. There was no C/CAG Legislative Committee meeting in October.

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, October 20, 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. [2024 California State Calendar of Legislative Deadlines](#)
7. San Mateo County Delegation
  - [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/>



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

October 20, 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 – November 2023**

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### ***Legislative Update***

The Legislature adjourned the first year of the two-year 2023-24 Legislative Session for its interim recess on September 14. The Governor had until October 14 to act on any bills sent to his desk in the final weeks of the session. In the first year of the Session, the Legislature sent Governor Newsom over 1,000 bills, with 890 signed and 156 vetoed. The Legislature will return to Sacramento on January 3 to convene the second year of the 2023-24 Legislative Session. When the Legislature returns, their actions will be subject to the 2024 Legislative Calendar, which is now available [here](#). **Most pressing when the Legislature returns will be the two-year bill deadline, with the Legislature needing to pass bills still in the first house over to the second house by the end of January.** Several of the bills noted below are subject to this deadline, including two of the Brown Act bills C/CAG is supporting.

### ***Governor Newsom Appoints US Senator***

On October 1, Governor Gavin Newsom announced the selection of Laphonza Butler to complete the United States Senate term of the late Senator Dianne Feinstein, which runs through 2024. With her selection to the Senate, Butler will step down from her current role as president of EMILY's List. Prior to joining EMILY's List, Butler ran political campaigns and led strategy efforts for numerous companies, organizations, and elected leaders — including for Vice President Kamala Harris and Secretary of State Hillary Clinton.

Butler also has a distinguished history as a labor leader. She served as the president of the largest labor union in California — SEIU Local 2015; president of SEIU United Long Term Care Workers; SEIU's Property Services Division Director; SEIU International Vice President; and president of the SEIU California State Council. Butler was the former director of the Board of Governors of the Los Angeles branch of the Federal Reserve System. In 2018, she was appointed to the University of California Board of Regents by Governor Jerry Brown, where she served until 2021. She served in various other roles, including as a board member for the National Children's Defense Fund, BLACK PAC, and the Bay Area Economic Council Institute, and as a fellow for the MIT Community Innovators Lab. **On October 19, Senator Butler announced she would not seek the office permanently.**

### ***California Wins Hydrogen Hub***

On October 13, Governor Newsom announced that the State of California will receive up to \$1.2 billion from the U.S. Department of Energy to accelerate the development and deployment of clean renewable hydrogen, through the creation of a new hydrogen hub. California's hydrogen hub project, led by the ARCHES consortium, will build or expand hydrogen projects that will power public transportation, heavy-duty trucks, and port operations.

### ***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 applicant 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. ***This is a two-year bill.***

#### **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. ***This bill was held in the Assembly Appropriations Committee.***

#### **ACA 1 (Aguiar-Curry) Lower-Vote Threshold for Local Funding Measures – 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. ***This measure will appear on the November 2024 General Election ballot.***

#### **ACA 13 (Ward) Higher-Vote Threshold to Change Local Funding Thresholds**

This measure would requires an initiative constitutional amendment to comply with any increased voter approval threshold that it seeks to impose on future ballot measures. Guarantees in the state constitution the ability of local governments to submit advisory questions to voters. Specifically, this measure: 1) Provides that an initiative measure that includes one or more provisions that amend the California Constitution, and that increases the voter approval requirement to adopt any state or local

measure, must receive a proportion of votes in favor of the initiative that is equal to or greater than the highest voter approval requirement imposed by the initiative for the adoption of a state or local measure. 2) Permits a local governing body, at any election, to hold an advisory vote concerning any issue of governance for the purpose of allowing voters within the jurisdiction to voice their opinions on the issue. Provides that an advisory question is approved only if a majority of the votes cast on the question are in favor. Provides that the results of the advisory vote are not controlling on the local governing body. ***This measure may appear on the November 2024 General Election ballot.***

#### **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. ***This bill was signed by the Governor.***

#### **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 4 (Wiener) Housing Development on Higher Education and Religious Institution Properties**

This bill would require that a housing development be a use by right eligible for streamlined approval on any land owned by an institution of higher education or religious institution on or before January 1, 2024, if the development satisfies specified criteria (including that the development is not adjoined to any site where more than one-third of the site is dedicated to industrial use). The bill would require that 100 percent of these units be affordable to lower income households, except that 20% of the units may be for moderate-income households, and projects are also eligible for density bonuses. The bill would authorize the development to include ancillary uses on the ground floor of the development. The bill would require a development subject to these provisions to provide off-street parking of up to one space per unit, unless a local ordinance provides for a lower standard of parking, in which case the ordinance applies. However, the bill would prohibit a local government from imposing any parking requirement if the development is located within one-half mile walking distance of a high-quality transit corridor or major transit stop, and within one block of a car share vehicle. Finally, the bill would require a local government that determines a proposed development is in conflict with any objective planning standards to provide the developer with written documentation explaining those conflicts under a specified timeframe (90-180 days depending on the development size) and would require a local

government to approve a development if the local government fails to provide the requisite documentation explaining any conflicts. ***This bill was signed by the Governor.***

#### **SB 423 (Wiener) SB 35 Extension**

This bill permanently extends the provisions of SB 35 (Wiener) and expands them to cover mixed-income housing developments. SB 35 is scheduled to sunset in 2026. SB 423 will require that cities, including charter cities, approve a housing development application if the project is located on an urban infill site & 75% of the lot borders other developed parcels of land, the site is zoned for residential or mixed uses in the general plan & is consistent with objective design standards, developers pay prevailing wage on all projects with more than 10 units & healthcare benefits to projects with more than 50 units, the project site is not located in farmland, wetlands, a very-high fire risk zone, a hazardous waste site, floodplains and floodways, a habitat for protected species, or land under a conservation plan or easement, and the project follows all other applicable objective laws and ordinances, such as zoning rules & environmental safety rules. SB 423 would also apply in the coastal zone (unlike SB 35). ***This bill was signed by the Governor.***

#### **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. ***This is a two-year bill.***

#### **SB 617 (Newman) Progressive Design-Build**

Existing law authorizes certain local agencies authorized to provide for the production, storage, supply, treatment, or distribution of water to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project. This bill would additionally authorize a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency to use the progressive design-build process. The bill would specify that the authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. ***This is a two-year bill.***

#### **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. ***This is a two-year bill.***

#### **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. ***This bill was incorporated into SB 125 (Committee on Budget and Fiscal Review).***

**AB 1525 (Bonta) Transportation Project Impacts to Priority Populations**

This bill would require CalSTA, Caltrans, and the California Transportation Commission (CTC), by July 1, 2025, to jointly develop and adopt criteria and an evaluation process for purposes of jointly evaluating each project, as defined, to determine if the project would be located in a priority population, address an important need of a priority population, and provide a direct, meaningful, and assured benefit to a priority population. Beginning July 1, 2025, the bill would require the above agencies to evaluate all new proposed projects using the criteria and then submit a report to the Legislature that evaluates how projects funded during the prior year impacted priority populations. Beginning July 1, 2026 (and every three years thereafter), the bill would require at least 60 percent of the agencies' transportation funds be allocated for projects that serve priority populations. ***This bill was held in the Assembly Appropriations Committee.***

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

**C/CAG AGENDA REPORT**

Date: November 9, 2023  
To: C/CAG Legislative Committee  
From: Sean Charpentier, Executive Director  
Subject: Review of updated C/CAG Legislative Policies for 2024

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

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**RECOMMENDATION**

That the C/CAG Legislative Committee review and comment on updated C/CAG Legislative Policies for 2024.

**FISCAL IMPACT**

None

**BACKGROUND**

Every year, beginning at the November Legislative Committee meeting, staff share a proposed updated version of the C/CAG Legislative Policies for the coming year. Staff has worked with C/CAG's legislative consultant, Shaw Yoder Antwih Smeltzer & Lange to review and update the 2023 document, taking into considering the need to review and update language related to equity, Brown Act, and transportation funding.

Staff recommends the C/CAG Legislative Committee review and provide comments on the attached draft Legislative Policies document for 2024. Comments will be incorporated, and the final draft returned to the Legislative Committee for approval at the December 14, 2023 meeting; and recommending approval by the C/CAG Board.

**ATTACHMENT**

1. Draft 2024 Legislative Policies document

## 2024 C/CAG LEGISLATIVE POLICIES

(Draft: November 9, 2023 C/CAG Legislative Committee)

### ***Policy #1 - Protect local revenue.***

- 1.1 Support stakeholders and initiatives that protect and/or increase local revenues.
- 1.2 Provide incentives and tools to local government to promote economic vitality.
- 1.3 Work toward improving the State's disadvantaged community screening tools with a focus on San Mateo County's community's [communities'](#) needs.
- 1.4 Support appropriate new State and local funding for economic development and affordable housing.
- 1.5 Pursue and support efforts that direct [State](#) and regional funds equitably to ensure a return to source.
- 1.6 Ensure that all State mandates and delegated responsibilities are ~~100%fully~~ reimbursed. Oppose State actions that delegate responsibilities to local jurisdictions without full reimbursement for resulting costs.

### ***Policy #2 – Strengthen local government.***

- 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.
- ~~2.5 — Support measures that ensure an equitable distribution of housing affordability and remove antiquated barriers to affordable housing development.~~
- 2.6 Support legislation that identifies revenue to fund airport/land use compatibility plans.

### ***Policy #3 - Protect water quality and support sustainable stormwater management.***

- 3.1 ~~Primary focus~~ Focus efforts on securing additional revenue sources and achieving cost effectiveness for both C/CAG and its member agencies ~~for in meeting~~ funding state-State and federally mandated stormwater compliance efforts.
- a. Advocate for funding ~~for implementing the~~ to support implementation of San Mateo County Stormwater Resource Plan, San Mateo County Sustainable Streets Master Plan, San Mateo County Regional Collaborative Program, and local Green Infrastructure Plans.
  - b. Advocate for inclusion of water quality and stormwater management as a priority for funding in ~~new sources of revenues (e.g. water bonds)~~ state resources and climate bonds and protect against a statewide 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. (included in 1.6 above)~~
  - ~~e.d.~~ 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.e.~~ Advocate for regulatory streamlining and better integration between parallel statewide efforts to manage stormwater for water quality improvement, long-term climate change adaptation, and groundwater recharge.
  - ~~g.f.~~ Work with legislators to pursue 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 in partnership with school districts, regional-scale multi-benefit stormwater capture projects, and programmatic implementation of regional-scale distributed green stormwater infrastructure.
  - ~~h.g.~~ Support mechanisms that allow credit trading approaches for stormwater management and water quality improvement.
- 3.2 Advocate to support legislative strategies towards achieving long-term reductions in harmful bacteria, trash, plastics, mercury, PCBs, and other pollutants discharging to the Bay and ~~the~~ ocean and to reduce flooding, recharge groundwater, adapt to a changing climate, and otherwise enhance the health of local communities.
- a. 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.
  - b. 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.

- c. 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/or third-party utility purveyors.
- d. Advocate for integrated, prioritized, and achievable stormwater regulations that protect water quality and beneficial uses and account for limitations on municipal funding.
- e. 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 and flexible 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).

***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 [purpose](#) taxes and fees.
- [5.2](#) Oppose bills that impose restrictions on the expenditures, thereby reducing flexibility, for special [taxes](#) category.
- [5.25.3](#) Oppose constitutional amendments that raise voter approval requirements for revenue measures or that impose burdensome restrictions on state and local government's ability to raise revenues.

***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 [AB 102 and SB 125 \(Transit Recovery\)](#), 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~~ for investment in housing and sustainable communities, clean transportation, urban greening, and clean energy projects within 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 and the 101/92 Interchange.
- 6.9 Support alternative contracting and project delivery methods, such as Public Private Partnerships, design-build, and job-order contracting 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 and for the funding identified in RM3 for previously committed to projects in San Mateo County.
- 6.11 Monitor and engage in the effort to seek authorizing legislation and voter approval for a regional funding measure for transportation.
- 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 in order to enhance

[revenue for congestion and pollution mitigation programs.](#)

- 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.

[6.20](#)—

***Policy #7 - Support bold climate protection action, Greenhouse Gas reduction, and energy conservation and resilience legislation***

~~6.21~~[7.1](#) 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.

~~6.22~~[7.2](#) Monitor climate legislation that would conflict with or override projects approved by the voters.

[7.3](#) 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.

~~6.23~~[7.4](#) Support legislation requiring the state to survey and collect greenhouse gas and other emission data and publish emission inventories ~~from~~ local governments.

~~6.24~~[7.5](#) 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.

[7.6](#) 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.

~~6.25~~[7.7](#) 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.).

~~6.267.8~~ 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.

~~6.277.9~~ Support funding for electric vehicle and bike charging infrastructure, electric power storage capacity, and rebates for electric vehicle purchase.

~~6.287.10~~ Support legislation that supports Peninsula Clean Energy (PCE) objectives and oppose proposed legislation that impairs that effort.

~~6.297.11~~ 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.

~~6.307.12~~ 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.

~~6.317.13~~ 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.

~~6.327.14~~ Support legislation to provide funding and policy guidance on wildfire preparedness and emergency response to local jurisdictions.

~~6.337.15~~ Monitor efforts to address emergency preparedness and response activities by PG&E.

~~7.16~~ Support State, ~~r~~Regional, and local grid reliability plans and efforts, and expanded communication with— utility customers. *(This is the only item added)*

~~6.34~~—

<p><b><i>Policy #8 - Protection of water user rights and access to sustainable water supply</i></b></p>
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~~6.358.1~~ Support the Bay Area Water Supply and Conservation Association (BAWSCA) efforts in the protection of water user rights for San Mateo County users.

~~8.2~~ Support legislation that provides funding for development of alternative sources of water supply, resources for municipal water supply conservation, and water capture initiatives.

***Policy #9 – Equity and Other Overarching Policies***

- 9.1 Monitor and Support Brown Act reforms that provide flexibility, facilitate public engagement, provide greater control over un-protected meeting interruption, 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.
- 9.2 Support/advocate for legislation that advances the goals in C/CAG's Equity Assessment and Action Plan, and projects and programs in C/CAG's Community Based Transportation Plans.
- 9.3 Support legislation that supports equity efforts to ensure that all households can participate in and benefit from the transition to clean energy.