

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, September 12, 2024 Time: 5:30 p.m. Primary Location: San Mateo County Transit District Office 1250 San Carlos Ave, 2nd Fl. Auditorium, San Carlos, CA 94070	Join by Webinar: https://us02web.zoom.us/j/81317558310?pwd=xcO5xpjoZhHJwOH8GdVuYTSeMVhIw7.1 Webinar ID: 813 1755 8310 Password: 091224 Join by Phone: (669) 900-6833
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Chair: Gina Papan **Vice Chair:** Sue Vaterlaus

Members: Tygarjas Bigstycck, Karen Cunningham, Anders Fung, Elizabeth Lewis, Lisa Gauthier, Stacey Jimenez, Adam Rak (C/CAG Chair), Michael Salazar (C/CAG Vice Chair)

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	Papan	
2.	Roll call	Springer	
3.	Public comment on related items not on the agenda.	Papan	
4.	Review and approve the Legislative Committee meeting minutes from the meeting held on June 13, 2024.	Action Springer	Pages 4-7
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 Papan	Pages 8-18
6.	Adjournment	Papan	

Next Meeting: October 10, 2024

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 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.
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

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

Administrative Assistant: Mima Guilles (650) 599-1406

C/CAG AGENDA REPORT

Date: September 12, 2024
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 13, 2024.

(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 13, 2024.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Minutes, June 13, 2024

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

**Draft Meeting Minutes
June 13, 2024 Meeting**

Staff and Guests Attending:

C/CAG Staff:

Sean Charpentier, Reid Bogert, Kaki Cheung, Mima Crume, Susy Kalkin, Audrey Shiramizu, Van O Campo, Eva Gaye,

Legislative Consultant:

Andrew Antwih, Matt Robinson

Others Attending:

1. Call to Order.

Chair Papan called the meeting to order at approximately 5:37 p.m.

2. Roll call.

C/CAG staff conducted roll call, and a quorum of seven was eventually present.

Agency	Name	In Person	Remote AB 2449
Atherton	Elizabeth Lewis	X	
Brisbane	Karen Cunningham		
East Palo Alto	Lisa Gauthier	X	
Foster City	Stacy Jimenez	X	
Millbrae	Gina Papan (Chair)	X	
Millbrae	Anders Fung	X	
Pacifica	Sue Vaterlaus (Vice-Chair)		
Pacifica	Tygarjas Bigstyck	X	
San Bruno	Michael Salazar	X	
San Carlos	Adam Rak		

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 May 9, 2024.

The Committee voted on approval of the minutes of the May 9, 2024 meeting, with a motion from Member Lewis, seconded by Member Salazar. A vote was taken and the 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. Robinson updated the Committee on timing of bills in the legislative session and the budget. The initial budget we sent to the Governor for review and negotiations will continue through July 1st, the next budget deadline.

In the early budget, REAP will lose \$50M, as opposed to the \$300M initially proposed and active transportation will be bac-filled by highway funds, pending approval by the governor. Other transit funding, to address the fiscal cliff, for instance, is maintained. Caltrain infrastructure funding we cut, but it's expected that the trainer bill will direct state agencies to support future funding, so no local match is lost. Funding for grade separations will be handled similarly.

The legislature has a deadline of June 27th to pass a 2/3rds majority in both houses for ACA 10 – Affordable Housing and Public Infrastructure – Voter Approval, which would modify ACA 1 – Affordable Housing and Public Infrastructure. SB 1031(Wiener) – Regional Measure has been held until next year, and MTC has a new select committee to help prepare the legislation for the next session.

SB 915 (Cortese) – Autonomous Vehicles was discussed by the Committee and a motion was made to Oppose Unless Amended with a recommendation for a JPA consisting of 250,00 or more in population be oversight for countywide consistency. Member Fung, made the motion, seconded by Member Lewis. A vote was taken and the motion passed (7,0,0).

SB 1037 (Weiner) – Penalties for Non-compliance on Housing was discussed by the Committee and a motion was made to Oppose by Member Lewis, seconded by Member Jimenez. A vote was taken and the motion passed (7,0,0).

AB 3093 (Ward)) – RHNA Housing for the Homeless was discussed by the Committee and a motion was made to send a Letter of Concern that addresses the lateness and speed with which this bill has come to light by Member Salazar, seconded by Member Gauthier. A vote was taken, and the motion passed (7,0,0).

AB 817 (Wilson) – Brown Act is not moving forward at this time and may come up again in the next legislation session as AB 2449 is due to expire.

6. Adjournment.

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

Next meeting is scheduled for July 11, 2024.

C/CAG AGENDA REPORT

Date: September 12, 2024

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

C/CAG staff recommend 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 through this item.

At Legislative Committee meetings, held prior to the Board meetings, 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 may discuss transportation funding and potential efforts to consolidate transportation agencies, or changes in legislative leadership and committee assignments.

The 2024 Legislative Session began when the legislature reconvened on January 3, 2024. Remaining two-year bills needed to pass to the opposite house by the end of January to move forward. The deadline for new bills was February 16, 2024. There were 1,505 bills introduced in the Assembly and

619 bills introduced in the Senate, many of them “spot” bills. The Legislature returned from its spring recess on April 1 and had until April 26 to move budgeted legislation to fiscal review, with many bills put into a suspense file. Suspense file hearing will take place mid-May with a deadline to move to the next house by May 24. The 2024 Legislative Calendar can be found here: [2024 Legislative Calendar](#).

The attached report (Attachment 1) from the Consultant may include various updates from Sacramento with respect to the legislative timelines, State Budget, changes in leadership, State grant programs, recent committee hearings, and bill progress of interest to C/CAG since the Committee and Board last met. The following actions were taken at past Legislative Committee and Board meetings:

- February 8, 2024 meeting: AB 1798 (Papan) Support – Stormwater contamination pilot, and SB 532 (Weiner) Oppose – Tolls increases to support transit. Letter on SB 532 was not sent.
- March 14, 2024 meeting: Voted to Table the SB 532 letter, and voted to send a letter opposing the reversion of funds previously allocated in the State budget from ATP and REAP.
- April 11, 2024 meeting: A position of “Oppose Unless Amended” on SB 1031 (Wiener) – Regional Measure.
- May 9, 2024 meeting: Voted to maintain “Oppose Unless Amended” position on SB 1031, with additional comments to the initial letter sent in May. Voted to send a Support letter on AB 817 (Pacheco) – Brown Act and voted to Support SB 1037 (Papan) – Transit Coordination.
- June 13, 2024 meeting: Voted to “Oppose Unless Amended” on SB 915 (Cortese) – Autonomous Vehicles, voted to “Oppose” SB 1037 (Wiener) – Penalties for Housing Noncompliance, and voted to send a “Letter of Concern” for AB 3093 (Ward) – RHNA Housing for the Homeless.
- July 11, 2024 meeting was canceled and there was no scheduled meeting for August 2024.

At this meeting, the Legislative Committee will receive updates on the legislative session, and bills and propositions on the November ballot, of interest to C/CAG.

Staff will also request that the Committee recommend that the C/CAG Board of Directors ratify a letter sent to Governor Gavin Newsom requesting a Veto of AB 3093 (Ward) – Housing Element Categories. At the June meeting, the Committee and the C/CAG Board recommended that a letter of concern be sent given that the bill was new and had not been heard in hearings and could have significant policy implications. The bill progressed out of the legislature before the C/CAG Board could hear it again. The League of Cities has an oppose unless amended position. Given the timing, C/CAG sent a veto request to the Governor. The letter of Concern and the Veto Letter are included as Attachments 2 and 3 to this staff report, respectively.

EQUITY IMPACTS AND CONSIDERATIONS

The C/CAG Legislative Committee considers equity in its positions on legislation and has included equity language in the annual Legislative Priorities document for C/CAG Board review and approval. Decisions made in relation to transportation, housing, stormwater, and climate resilience have the potential to impact our most vulnerable communities in San Mateo County.

Additional Information

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 2024 calendar of legislative deadlines. Lastly, staff have also included links to the 2024 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, September 3, 2024 from Shaw Yoder Antwih Schmelzer & Lange
2. Letter to Gavin Newsome requestion Veto of AB 3093, dated September 4, 2024
3. Letter to Senate Housing Chair, Nancy Skinner, Noting Concerns about AB 3093, dated June 25, 2024

Below are informational links:

4. [Recent Joint ABAG MTC Legislation Committee Agendas](#)
5. [California State Association of Counties \(CSAC\) bill positions and tracking](#)
6. [California Associations of Councils of Government \(CALCOG\) bill tracking](#)
7. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>
8. [2024 California State Calendar of Legislative Deadlines](#)
9. 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](#)
10. Bill Tracker for C/CAG by SYASL: [C/CAG Bill Tracking](#)
11. Current client roster for Shaw Yoder Antwih Schmelzer & Lange - <https://syaslparkers.com/clients/>



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

September 3, 2024

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 – September 2024**

Legislative Update

On August 5, the Legislature returned from its month-long Summer Recess and adjourned the 2023-24 Legislative Session on Saturday, August 31. For the first two weeks of August, fiscal committees met and the year's final suspense hearings in the Appropriations Committees of both houses took place on August 15. During these two hearings, hundreds of bills moved to the Senate and Assembly Floors, with dozens more held in the Committees, making the later finished for the session. For the final two weeks of August, the Legislature met in floor session only. In the final two weeks, the Legislature sent Governor Newsom almost 1,000 bills. For these bills, the Governor has until September 30 to either sign, veto, or allow the bills to become law without his signature by taking no action.

After the election on November 5, the Legislature will convene for the 2025-26 Legislative Session on December 2 for the Organizing Session and the swearing-in of newly elected members. Members will then promptly return to their districts until early January, when they will begin the work of the 2025-26 Legislative Session in earnest.

Energy Bills

In the final weeks of the Legislative Session, it was rumored that the Governor, working with legislators, was pursuing legislation to reduce the costs of utility bills by eliminating public goods funds programs, which fund C/CAG's San Mateo County Energy Watch program. Ultimately, legislation came into print that would have swept funding from three programs – the Self Generation Incentive Program, the School Energy Efficiency Stimulus Program, the California Alternate Rates for Energy Program (low-income solar) – and instead provided a one-time rebate of approximately \$30 to residential customers in IOU's service areas. This plan was ensconced in AB 3121 (Petrie-Norris). Ultimately, the legislation failed passage.

However, the Legislature did pass AB 3264 (Petrie-Norris), which would require the Public Utilities Commission (CPUC), in consultation with the Energy Commission, to develop a framework for assessing, tracking, and analyzing total annual energy costs paid by residential households in California, require

IOUs to publish on their internet websites and provide CPUC a visual representation of certain cost categories included in residential electric or gas rates for the succeeding calendar year, require CPUC to submit a report to the Legislature on the demand-side management programs it oversees or that are paid for by ratepayers of community choice aggregators, electrical corporations, or gas corporations. It would further require the CPUC, in consultation with the Energy Commission, the California Infrastructure and Economic Development Bank, and the Independent System Operator, by July 1, 2025, to submit to the Governor and the Legislature a study identifying proposals to reduce the cost to ratepayers of expanding the state's electrical transmission grid as necessary to achieve the state's goals, to meet the state's requirements, and to reduce the emissions of greenhouse gases.

High-Speed Rail Authority Appoints New CEO

On August 8, the California High-Speed Rail Authority's Board of Directors announced the selection of Ian Choudri as the new CEO of the Authority, whose appointment comes after Brian Kelly's retirement announcement in January. Choudri brings to the High-Speed Rail Authority over 30 years of experience in the transportation sector, including working on the technology and train control systems of two high-speed rail projects in France and Spain. In his current role, Choudri serves as the Senior Vice President at HTNB Corporation, which is an infrastructure design firm that has taken on many state- and federal-level transportation infrastructure projects. Kelly's last day as CEO of the Authority is August 30.

Propositions Finalized for November 5 Election

In total, California voters will take action on 10 propositions, including the climate and education bonds passed by the Legislature. Each proposition is highlighted below; as a reminder, Prop. 1 appeared on the March ballot as Governor Newsom's mental health bond.

- Prop. 2: \$10 billion education bond.
- Prop. 3: Reaffirm the right of same-sex couples to marry.
- Prop. 4: \$10 billion climate bond.
- Prop. 5: ACA 1 / ACA 10.
- Prop. 6: End indentured servitude in state prisons.
- Prop. 32: Raise the state minimum wage to \$18 an hour.
- Prop. 33: Allow local governments to impose rent controls.
- Prop. 34: Require certain health care providers to use nearly all revenue from Medi-Cal Rx on patient care.
- Prop. 35: Make existing tax on managed health care insurance plans permanent.
- Prop. 36: Increase penalties for theft and drug trafficking.

Bills of Interest

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. ***This bill is on the Governor's Desk.***

SB 532 (Wiener) Bridge Toll Increase – C/CAG OPPOSE

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 bill was substantively amended to no longer deals with bridge tolls.***

SB 915 (Cortese) Autonomous Vehicles – C/CAG OPPOSE UNLESS AMENDED

This bill would authorize a city with a population of 250,000 or more that has an approved autonomous vehicle service, defined to mean conducting commercial passenger service or engaging in commercial activity using driverless vehicles authorized to operate by the Department of Motor Vehicles, the Public Utilities Commission, or any other applicable state agency, to enact an ordinance within that jurisdiction. The bill would require each city that enacts an ordinance to include certain provisions, including a policy for entry into the business of providing autonomous vehicle services including a permitting program that includes reasonable vehicle caps and hours of service restrictions. The bill would also authorize a city with a population of less than 250,000 that shares a border with a larger city that has enacted an autonomous vehicle ordinance to enact an ordinance substantially consistent with that autonomous vehicle ordinance enacted by the larger city. The bill would also authorize these cities to levy service charges, fees, or assessments in the amount sufficient to pay for the costs of carrying out an ordinance enacted and grant oversight over fare structures. ***This bill was not heard in the Assembly Transportation Committee.***

SB 960 (Wiener) Complete Streets Projects on the State Highway System

This bill would require the targets and performance measures adopted by the California Transportation Commission to include within the SHOPP asset management plan targets and measures reflecting state transportation goals and objectives, including for complete streets assets on the state highway system. This bill would also require Caltrans' performance report to include a description of complete streets facilities on each project, and to also incorporate complete streets elements into projects funded by the SHOPP. Lastly, this bill would require Caltrans to develop and adopt a project intake, evaluation, and encroachment permit review process for complete streets facilities that are sponsored by a local jurisdiction or transit agency. As a part of this process, Caltrans would be required to designate an encroachment permit manager in each district to oversee the review of complete streets facilities applications. Caltrans would then be required to produce a report on the project applications submitted for complete streets facilities.

On transit priority projects, this bill would require the Director of Transportation to, on or before July 1, 2027, adopt a transit priority policy to guide the implementation of transit priority facilities and transit stops on the state highway system. The bill would also require the Caltrans-prepared State Highway System Management Plan (SHSMP) to include specific and quantifiable accomplishments, goals,

objectives, costs, and performance measures for complete streets facilities consistent with SHOPP asset management plan. ***This bill is on the Governor's Desk.***

SB 1031 (Wiener) Bay Area Transportation Regional Measure / Transit Consolidation – C/CAG Oppose Unless Amended

This bill would provide the Metropolitan Transportation Commission with the authority to propose a regional measure to fund transportation, dubbed Connect Bay Area. Additionally, the bill, as currently in print, includes provisions for transit governance and targets for transit operations; provides clear control for MTC over both historical transit formula funding (STA and LTF), as well new measure money, and condition access to those funds on adherence to the abovementioned governance structure and operational targets; and requires CalSTA to conduct a study to consolidate all of the transit agencies in the Bay Area. As noted above, the bill will soon be amended to reflect terms approved by the Senate Transportation Committee. ***This bill was not heard in the Assembly Transportation Committee.***

SB 1037 (Wiener) Housing Element Enforcement – C/CAG OPPOSE

The Planning and Zoning Law requires a city or county to adopt a general plan that includes a housing element and requires the Department of Housing and Community Development (HCD) to determine whether the housing element is in substantial compliance. The Planning and Zoning Law requires HCD to notify a local agency and, at its discretion, the Attorney General, that they are out of compliance with and in violation of state law. The Planning and Zoning Law also requires that an application for a housing development be subject to a specified streamlined, ministerial approval process if the development satisfies certain objective planning standards. This bill, in any action brought by the Attorney General for non-compliance, would subject the local agency to specified remedies, including a civil penalty between \$10,000 and \$50,000 per month, for each violation. The penalties would only apply when local land use decisions or actions are arbitrary, capricious, entirely lacking in evidentiary support, contrary to established public policy, unlawful, or procedurally unfair. Any penalties collected would support the development of affordable housing located in the affected jurisdiction. ***This bill is on the Governor's Desk.***

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 bill failed to pass the Senate Local Government Committee. The Committee requested amendments that would have required a quorum of members to be in-person and the author felt the amendments would undermine the purpose of the bill. We anticipate a Brown Act reform legislative package in 2025.***

AB 1798 (Papan) Stormwater Runoff – C/CAG SUPPORT

This bill would require Caltrans and the State Water Resources Control Board, the Department of Toxic Substances Control, and the Department of Fish and Wildlife, to develop a programmatic environmental review process to prevent toxic compounds generated from vehicle tires from entering salmon and steelhead trout bearing waters. The bill would require Caltrans' process to include a pilot project at an unspecified location to study the effectiveness and cost effectiveness of installing and maintaining bioretention and biofiltration systems. ***This bill failed to pass the Assembly Appropriations Committee.***

AB 1837 (Papan) Bay Area Transit Coordination – C/CAG SUPPORT

Modeled after the work underway at MTC, this bill would create the Regional Network Management Council as an 11-member council to provide leadership and critical input on regional transit policies, and to provide executive guidance on regional transit policies and actionable implementation plans in pursuit of transformative improvements in the customer experience San Francisco Bay area transit. ***This bill was not heard in the Senate Transportation Committee.***

AB 1999 (Irwin) Electricity Rates

Under existing law, the Public Utilities Commission is required to authorize a fixed charge for default residential rates established on an income basis so that low-income ratepayers in each baseline territory would realize a lower average monthly bill without making any changes in usage by July 1, 2024. This bill would repeal these provisions and instead permit the PUC to authorize specific fixed charges for low-income customers enrolled in the California Alternate Rates for Energy (CARE) program and for customers account not enrolled in the CARE program, adjusted for CPI. The bill essentially allows usage-based rates to continue, but limits additional fixed charges for certain customers. ***This bill failed to pass the Assembly Appropriations Committee.***

AB 2290 (Friedman) Bikeways

This bill would establish the Bikeway Quick-Build Project Pilot Program within the Caltrans's maintenance program to expedite the development and implementation of bikeways on the state highway system and require Caltrans to develop guidelines for implementing bikeway quick-build projects. This bill would also require that a bicycle facility identified for a street in an adopted bicycle plan or active transportation plan be included in a project funded by the RMRA that includes that street. Finally, AB 2290 would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a street with a design speed limit of 20 miles per hour or less or the project will reduce the design speed limit to 20 miles per hour or less. ***This bill failed to pass the Senate Appropriations Committee.***

AB 3093 (Ward) Housing Element – C/CAG NOTE CONCERNS

This bill would create two new income categories in the development of local agency housing elements within the general plans: acutely low income and extremely low income. These two new income categories, along with the existing income categories (very low income, lower income, moderate income, etc.) would be required to be included in a city's future regional housing needs allocation (RHNA). ***This bill is on the Governor's Desk.***

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



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September 4, 2024

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: AB 3093 (Ward) Housing Element Categories – VETO REQUEST

Dear Governor Gavin Newsom:

On behalf of the City/County Association of Governments of San Mateo County, I write to respectfully request that you please **VETO AB 3093 (Ward)**, which would create two new income categories in the development of local agency housing elements within the general plans: acutely low income and extremely low income. These two new income categories, along with the existing income categories (very low income, lower income, moderate income, etc.) must be included in a city's future regional housing needs allocation (RHNA).

C/CAG is concerned that AB 3093 has significant policy implications that warrant more time for discussion in the legislative process. This bill may also duplicate local planning efforts because existing law requires cities to analyze the special housing needs of our unhoused residents and assist in developing adequate housing to meet the needs of extremely low-income households. Existing law also currently requires cities to identify sites and encourage the development of a variety of housing, including supportive housing and transitional housing.

C/CAG is supportive of addressing our county's unhoused population by increasing the supply of affordable housing in San Mateo County. Thank you for your consideration and please contact Sean Charpentier, C/CAG Executive Director at scharpentier@smcgov.org if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Rak', written over the printed name.

Adam Rak, Chair

City/County Association of Governments of San Mateo County



Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside

June 25, 2024

The Honorable Nancy Skinner
Chair, Senate Housing Committee
1021 O Street, Suite 3330
Sacramento, CA 95814

RE: AB 3093 (Ward) Housing Element Categories – NOTE CONCERNS

Dear Chair Skinner:

On behalf of the City/County Association of Governments of San Mateo County, I write to **express our concerns with** AB 3093 (Ward), which would create two new income categories in the development of local agency housing elements within the general plans: acutely low income and extremely low income. These two new income categories, along with the existing income categories (very low income, lower income, moderate income, etc.) would be required in a city's future regional housing needs allocation (RHNA).

C/CAG is supportive of addressing our county's unhoused population by increasing the supply of affordable housing in San Mateo County.

In addition, C/CAG is concerned that AB 3093 was only recently amended to include the current substance and has significant policy implications that warrant more time for discussion in the legislative process. This bill may also duplicate local planning efforts because existing law requires cities to analyze the special housing needs of our unhoused residents and assist in developing adequate housing to meet the needs of extremely low-income households. Existing law also currently requires cities to identify sites and encourage the development of a variety of housing, including supportive housing and transitional housing.

Thank you for your consideration and please contact Sean Charpentier the C/CAG Executive Director, at scharpentier@smcgov.org if you have any questions.

Sincerely,

Adam Rak, Chair
City/County Association of Governments of San Mateo County