

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, November 14, 2024	Join by Webinar: https://us02web.zoom.us/j/84261811151?pwd=se1lLa0saH3T7gS3tJBhwiltzM44bc.1
Time: 5:30 p.m.	Webinar ID: 842 6181 1151
Primary Location: 1250 San Carlos Ave. 2 nd Floor, Auditorium San Carlos, CA 94070	Password: 111424
	Join by Phone: (669) 900-6833

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 September 12, 2024.	Action Springer	Pages 4-6
5.	Review and approval of language in Resolution 24-79 specifying the membership requirements for the Legislative Committee.	Action Charpentier	Pages 7-10
6.	Review legislative update and, if appropriate, recommend approval of C/CAG legislative policies, priorities, or positions. (A position may be taken on any legislation, including legislation not previously identified in the legislative update. Action is only necessary if recommending approval of a policy, priority, or position.)	Possible Action Robinson/Antwih/Shaw Papan	Pages 11-19
7.	Adjournment	Papan	

Next Meeting: December 12, 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: November 14, 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 September 12, 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 September 12, 2024.

ATTACHMENTS

1. Draft C/CAG Legislative Committee Meeting Minutes, September 12, 2024

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

**Draft Meeting Minutes
September 12, 2024 Meeting**

Staff and Guests Attending:

C/CAG Staff:

Sean Charpentier, Kim Springer, Reid Bogert, Kaki Cheung, Mima Crume, Susy Kalkin, Audrey Shiramizu, Eva Gaye, Dan Sternkopf

Legislative Consultant:

Matt Robinson

Others Attending:

1. Call to Order.

Chair Papan called the meeting to order at approximately 5:31 p.m.

2. Roll call.

C/CAG staff conducted roll call, and a quorum of eight was eventually present. Member Vaterlaus requested remote participation under the emergency provisions of AB 2449. Members present, through a role call vote approved participation (7,0,0).

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

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 June 13, 2024.

The Committee voted on approval of the minutes of the June 13, 2024 meeting, with a motion from Member Rak, seconded by Member Gauthier. A vote was taken, and the motion passed (5,0,2) with members Jimenez and Vaterlaus abstaining.

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 the number of bills on the governor’s desk for signature, the signature deadline, and the timing for recess and reconvening for the 2025 legislative session.

Concerns, earlier in the session for elimination of public goods charge energy efficiency funding, which could affect the C/CAG San Mateo County Energy Watch Program, will likely be continued to discussions in the 2025 legislative session.

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.

Robinson provided brief updates on Proposition 4 and 5, and that no regional housing bond would be in the ballot in November. Staff and the Consultant shared that three letter requests to the Governor to veto bills either C/CAG had previously opposed or had expressed concerns about, including SB 1037 (Wiener) – Housing Element Enforcement, SB 450 (Atkins) Updates to Ministerial Approvals for Parcel Subdivisions, and AB 3093 (Ward) – Housing Element, had been sent. Executive Director, Sean Charpentier requested that the Committee ratify the AB 3093 (Ward) veto letter to the Governor. The Committee voted to ratify the letter with a motion from Member Vaterlaus, seconded by Member Gauthier. A vote was taken and passed (8,0,0).

A conversation about progress at MTC on a regional transportation measure, which would lead to legislation in the 2025 session included comparison of three scenarios recently presented by MTC using materials from a recent SMCTA slide presentation on the same topic. Legislation for a new regional measure would have to be initiated and a bill submitted to the legislature in February.

6. Adjournment.

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

Next meeting is scheduled for October 10, 2024.

C/CAG AGENDA REPORT

Date: November 14, 2024

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

From: Sean Charpentier, Executive Director

Subject: Review and approval of language in Resolution 24-79 specifying the membership requirements for the Legislative Committee.

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

RECOMMENDATION

That the C/CAG Legislative Committee review and approve membership requirements for the Legislative Committee.

FISCAL IMPACT

None

BACKGROUND

The C/CAG Board established the C/CAG Legislative Committee in its update to the C/CAG bylaws on September 12, 2013. Prior to that time, legislative matters were discussed, and decisions taken at the C/CAG Board. The C/CAG bylaws do not designate the makeup of the C/CAG Legislative Committee. Historically, the Committee has been composed of 10 elected officials from San Mateo County, with two of those 10 Committee members being the Chair and Vice Chair of the C/CAG Board.

The Legislative Committee provides advice and recommendations to the full C/CAG Board on all matters dealing with State legislation, ballot measures, and positions to take on specific bills. During the active legislative year (January through August) the Committee monitors bills of potential interest to C/CAG and member agencies and selects those to be tracked. The Committee then recommends positions on bills for consideration by the full C/CAG Board and acts as the liaison with C/CAG's State and federal legislative lobbyists.

Each calendar year, as the legislative session draws to a close, readiness for the next session begins. C/CAG desires to establish continuity between sessions as city council terms across San Mateo County may end. In addition, C/CAG desires to retain, if possible, elected officials who are board members of regional bodies integral to C/CAG. For those reasons, C/CAG staff have drafted a proposed Resolution 24-79 for the C/CAG Board's consideration, which specifies that the Legislative Committee shall continue to be made up of a total of 10 Legislative Committee members - eight elected officials from San Mateo County and the C/CAG Chair and Vice Chair. It also specifies that board members of regional bodies integral to C/CAG may serve on additional one-year term, and an existing Legislative Committee member may continue to serve through December, even if they cease holding elected office. Resolution 24-79 is provided as Attachment 1 to this staff report.

Staff recommends that the C/CAG Legislative Committee review, discuss, and approve the proposed membership requirements in Resolution 24-79, which will be on consent at the C/CAG Board meeting later this evening.

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

ATTACHMENTS

1. Resolution 24-79 with proposed language

RESOLUTION 24-79

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY SPECIFYING THE MEMBERSHIP REQUIREMENTS FOR THE LEGISLATIVE COMMITTEE

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG); that,

WHEREAS, the C/CAG Board established the C/CAG Legislative Committee in its update to the C/CAG bylaws on September 12, 2013; and

WHEREAS, the C/CAG Legislative Committee provides advice and recommendations to the full C/CAG Board on all matters dealing with State legislation, ballot measures, and positions to take on specific bills during the active legislative year; and

WHEREAS, each calendar year, as the legislative session draws to a close and readiness for the next legislative session begins, C/CAG staff desire to establish continuity of participation in the Legislative Committee between State legislative sessions, while city council and supervisorial terms across San Mateo County may end; and

WHEREAS, C/CAG staff recommend, to support continuity for the C/CAG legislative cycle, that that the Legislative Committee continue to be comprised of eight elected officials from San Mateo County, and the C/CAG Chair and Vice Chair, for a total of ten Committee members, and that existing Legislative Committee members may continue to serve through the end of a calendar year in which they cease holding elective office; and

WHEREAS, C/CAG staff further recommend that, notwithstanding the foregoing, the Board of Directors may appoint a former elected official to the Legislative Committee, if that former elected official continues to represent San Mateo County or the San Mateo County cities on a regional body integral to C/CAG's mission.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County that:

1. The Legislative Committee shall be comprised of 10 members, including the C/CAG Chair and Vice Chair, who shall be San Mateo County local elected officials (City/Town Councilmembers or County Supervisors), subject to the exceptions in numbers 2 and 3 below.
2. Legislative Committee members may continue to serve through the end of a calendar year in which they cease holding elected office.
3. If a Legislative Committee member ceases to hold local elected office and continues to represent San Mateo County or the San Mateo County cities on a regional body integral to C/CAG's mission, the C/CAG Board of Directors may appoint that member to the C/CAG Legislative Committee, at the Board of Director's sole discretion, if the Board of Directors finds that such appointment is desirable for advancing C/CAG's policy goals. Any member

of the Legislative Committee appointed pursuant to this authority shall serve one one-year term at the Board of Director's discretion.

PASSED, APPROVED, AND ADOPTED, THIS 14TH DAY OF NOVEMBER 2024.

Adam Rak, Chair

C/CAG AGENDA REPORT

Date: November 14, 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.

September 30, 2024 marked the final day for the Governor to act on bills sent to him in the second year of the 2023-24 Legislative Session. Of the hundreds of bills passed by the Legislature in the final weeks of session, the Governor signed 1,017 bills and vetoed 189 bills, equating to a 15.7% veto rate.

Of the total bills signed, 668 were Assembly bills and 349 were Senate bills. The 2025 Legislative Calendar can be found here: [2025 Legislative Calendar](#).

The attached report (Attachment 2) 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 this calendar year:

- 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.
- September 12, 2024 meeting: Voted to ratify a veto letter to Governor requesting a Veto of AB 3093 (Ward) – Housing Element Categories.
- October 10, 2024: The C/CAG Legislative Committee does not meet in October due to the end of the Legislative Session.

At this November meeting, the Committee will receive an update from C/CAG’s legislative consultant and discuss Legislative Committee membership, potential timelines for meeting with State legislative members and staff, and any developments in pursuit of a regional transportation measure.

Regional Transportation Measure

C/CAG submitted a letter to the November 8, 2024 Joint MTC ABAG Legislation Committee regarding agenda Item #3A of the Transportation Revenue Measure Select Committee describing San Mateo County’s critical concerns about the proposed regional transportation measure, including the need for opt-out language, flexibility for multi-modal investments, return to source guarantees, accountability and transformation, and taxation and impact of local funding sources. The letter is provided as Attachment 1 to this staff report.

MTC is going to have a special commission meeting on December 9th to outline potential legislative

language for a regional ballot measure. At the November 14, 2024 meeting, C/CAG staff will provide an update and seek additional direction/guidance from the C/CAG Legislative Committee and C/CAG Board.

As additional background, BART performed extensive polling, which is available as Attachment 3.

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. Regional Measure Letter to Joint MTC ABAG Legislation Committee
2. C/CAG Legislative Update, October 31, 2024 from Shaw Yoder Antwih Schmelzer & Lange

The following attachment is available on the C/CAG website (*See “Additional Agenda Materials” for the relevant Board Meeting*) at: <https://ccag.ca.gov/committees/board-of-directors-2/>

3. Bay Area Voter Views of a Potential Transit Funding Measure Key Findings of a Survey Conducted September 19-29, 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. [2025 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/>



CITY/COUNTY ASSOCIATION OF GOVERNMENTS
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November 7, 2024

Joint MTC ABAG Legislation Committee
David Canepa (Chair), Jesse Arreguin (Vice Chair), and Committee Members
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

RE: Agenda Item #3a Transportation Revenue Measure Select Committee Update

Dear Chair Canepa and Vice Chair Arreguin:

San Mateo County and the Bay Area need robust and fiscally sound public transit, a fully integrated world class transit system, and safe streets and other critical multimodal investments. We appreciate MTC's efforts to address this important and difficult task. We are especially grateful for the hard work by Commissioner Spring and the members of the Select Committee on this topic.

C/CAG is the County Transportation Agency (CTA) and also the designated Congestion Management Agency (CMA) for San Mateo County. C/CAG represents all of San Mateo County's 764,442 residents through its 21-member Board of Directors, with each jurisdiction in the County having a dedicated seat. C/CAG works to improve climate resiliency, mobility, the environment, and equity throughout San Mateo County.

C/CAG has been actively engaged in the earlier discussions about a regional transportation measure and SB 1031. The C/CAG Board of Directors has taken several "oppose unless amended" positions on SB 1031. The current proposals advanced by the MTC do not address C/CAG's concerns raised during the SB 1031 process. San Mateo County's critical concerns are described below.

Failure to Include Opt-Out Language

Among all the Bay Area counties, San Mateo County has the most risk related to the renewal of a local sales tax measure because Measure A expires the earliest in 2033. A renewal ballot measure might occur as soon as 2028. Language allowing San Mateo County to opt out if the regional measure conflicts with or jeopardizes the renewal of Measure A is critical.

Lack of Local Flexibility and Multi Modal Investments

It is crucial to ensure a balanced investment across various modes to address the variety of mobility needs and garner widespread support. The majority of taxpayers in San Mateo County work in San Mateo County and drive or carpool to work. We are strategically expanding our bicycle and pedestrian networks. Pavement management is an ongoing concern for our voters and several of our cities have the lowest Pavement Index in the region. In addition, there needs to be funding opportunities to address transportation challenges in our rural and coastal communities, which are just as critical as our urbanized areas and support our tourism industry. Multimodal investments in transit, active transportation, roadway improvements, and grade separations that are

consistent with MTC's Plan Bay Area have a better chance to create broader coalitions of support from our communities and other key stakeholders.

Robust Return to Source Guarantees

Any regional measure must include robust return to source provisions to ensure that a substantial portion of revenue generated by taxpayers within each County is directly reinvested in that County on an annual basis. Each County should have sole decision making authority over the vast majority of the revenue raised within that County. The current MTC proposals do not include sufficiently robust return to source provisions or adequate County decision making authority. For example, as proposed, MTC would have decision making authority to allocate all or almost all the funding in the first 10-15 years of the Scenario 1A and the Hybrid Scenario.

Lack of Regional Transit Accountability and Transformation Measures

Recent polls clearly show the public wants transportation transformation including seamless transfers, cleaner and safer operations and stations, real time information, improved lighting, better signage, and new fare gates. Funding the status quo is not acceptable. MTC's current proposals do not specifically set forth the transformation measures important to the public. There must be full transparency regarding regional transit's efforts to transform transportation, align service with existing post-pandemic ridership trends and scale its operations appropriately, plus responsible fiscal management of administration overhead costs. Assumptions about funding for pandemic fare loss must be standardized, reflect an objective third party accounting of the costs, an equitable distribution, and a limited duration. It is vital to have a fair and transparent accounting of future potential funding investments to build consensus for a transformative regional transportation measure in San Mateo County.

Concern about Taxation Levels and Detrimental Impact on Local Funding Sources

In San Mateo County, a ½ sales tax would increase the sales tax rate over 10% in 10 of our cities representing a majority of our population. Counties have varying levels of sales taxes rates, with some higher than San Mateo County, and also some considerably lower than San Mateo County. There are significant concerns about tax fatigue among voters, economic competitiveness, and other negative economic impacts of increasing sales tax rates or parcel taxes. Additionally, the twenty cities in San Mateo County will likely raise significant concerns about a potential parcel tax increase because they (and our schools) rely heavily on parcel taxes for operations and infrastructure.

Thank you for this opportunity to comment. We look forward to continued discussion. We will return to the C/CAG Board at its November 14th meeting for additional input and guidance. If you have any questions, please contact Sean Charpentier, C/CAG Executive Director, at scharpentier@smcgov.org.

Adam Rak



C/CAG Chair

cc:

Senator Josh Becker
Senator Scott Weiner
Assembly Member Phil Ting
Assembly Member Diane Papan
Assembly Member Marc Berman



October 31, 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 – November 2024**

Legislative Update

September 30 marked the final day for the Governor to act on bills sent to him in the second year of the 2023-24 Legislative Session. Of the hundreds of bills passed by the Legislature in the final weeks of session, the Governor signed 1,017 bills and vetoed 189 bills, equating to a 15.7% veto rate. Of the total bills signed, 668 were Assembly bills and 349 were Senate bills.

The Assembly and Senate, at Governor Newsom’s request, convened an extraordinary session to further explore proposals for reducing the cost of fuel in California, including the Governor’s proposal, captured in [ABX2-1 \(Hart\)](#), to give authority to the California Energy Commission to potentially require California refineries hold fuel in reserve to mitigate for cost increases due to refinery maintenance shutdowns. After several weeks of committee hearings and floor votes, the Legislature sent ABX2-1 to the Governor on October 14. The Governor [signed](#) the bill the same day.

As we noted in your last report, the Legislature will convene for the 2025-26 Legislative Session on December 2. We expect 34 new legislators in the Senate and Assembly when they convene. They will meet for one day and we should see bills begin to be introduced, before adjourning for the remainder of the year. They will reconvene to begin the real work of the first year of the session in January 2025. The tentative legislative calendar for 2025 was released and contains information about key legislative and budget deadlines. You can find the 2025 Legislative Calendar available [here](#).

Governor Newsom Issues Executive Order on Utility Costs

On October 30, Governor Newsom issues Executive Order (EO) N-5-24, which requests that the California PUC and the California Energy Commission examine the benefits and costs to electric ratepayers of programs it oversees and state mandates that may be unduly adding to electric rates and whether program funding should come from a source other than ratepayers. The EO also requests the PUC to take immediate action under its authority to modify or sunset any underperforming or underutilized programs or orders whose costs exceed the value to ratepayers and to return any unused funds to ratepayers. The EO makes several other requests, which you can read [here](#).

CalSTA Announces TIRCP Cycle 7 Awards

On October 25, Governor Newsom, in partnership with the California State Transportation Agency, announced the list of 27 projects awarded funding from Cycle 7 of the Transit Intercity Rail Capital Program (TIRCP). This cycle, CalSTA received 37 applications, totaling over \$2.5 billion in TIRCP funding requests. You can find more detailed information about each of the awarded projects on the [CalSTA website](#).

CARB Releases Proposed Fiscal Year 2024-25 Funding Plan for Clean Transportation Incentives

On October 11, the California Air Resources Board released its [proposed Fiscal Year 2024-25 Funding Plan for Clean Transportation Incentives](#). The Funding Plan outlines how Clean Transportation Incentive funds, authorized by the Legislature and Governor, will be spent in the Fiscal Year.

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 was signed by Governor Newsom. To see how members voted on this bill, please click [here](#).***

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 was signed by Governor Newsom. To see how members voted on this bill, please click [here](#).***

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 was signed by Governor Newsom. To see how members voted on this bill, please click [here](#).***

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 was signed by Governor Newsom. To see how members voted on this bill, please click [here](#).***

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