



CITY OF CUPERTINO

DRAFT MINUTES

LEGISLATIVE REVIEW COMMITTEE

Monday, June 27, 2022

11:00 AM

SPECIAL MEETING

ROLL CALL

The meeting was called to order at 11:01 AM.

Present: Vice Mayor Chao, Councilmember Moore, Management Analyst, Astrid Robles, and Gonsalves and Son (G&S).

APPROVAL OF MINUTES

1. Subject: Consider approving the May 31, 2022 Legislative Review Committee minutes
Recommended Action: Approve the May 31, 2022 Legislative Review Committee minutes

Councilmember Moore motioned to approve the May 31, 2022 Legislative Review Committee minutes. Vice Mayor seconded. The motion carried unanimously.

ORAL COMMUNICATIONS

PUBLIC COMMENTS (Including comments on all agenda items)

Jennifer Griffin is concerned HCD will go after coastal communities.

AGENDA REVIEW/ORDERS OF THE DAY

ACTION ITEMS

2. Subject: Legislative Update
Recommended Action: Receive legislative update

G&S explained that June 30 is the policy committee deadline for all bills to pass the house of origin. From July 1 to August 1 the legislature will be on summer recess. Following

that, the fiscal committee deadline will be on August 12 and the legislative session adjourns on August 31.

On June 26, the Governor, Democratic Pro Tem, and the Speaker announced a budget agreement on the final Budget, which passed on June 14. Most notably, the agreement specified what type of relief Californians would receive under the Working Family's Rebate Plan. The plan specifies that each household can receive up to \$1,050 depending on number of dependents. There are three tiers of income: For single filers: \$75,000 or less; \$125,000; \$250,000. For joint filers: \$150,000 or less; \$250,000 or less; then up to \$500,000. Rebate tier is \$350 first year, down to \$250, etc. In addition, G&S expects 25 budget trailer bills to pass.

The Democratic analysis suggests \$1,050 a month covers grocery inflation for two years for a single family. This is an \$11 billion relief package, wherein they suspend diesel tax but no talk to suspend gas tax, though there is an expectation. The Governor called for the July 1 increase in the gas tax to not take place and President Biden has suggested that the federal gas tax will be suspended.

G&S said the Plastics Initiative has qualified and the proponents are in negotiations for a compromise, which is likely to be close to the initiative.

The LRC discussed the budget impacts of Prop 98 and the surplus budget, which is 30% of the total budget. Vice Mayor Chao asked how much of the surplus is for housing. G&S said \$1.55 billion is for both housing and homeless in California.

Public Comment

Jennifer Griffin asked what the earliest anticipated date is for the Governor to sign bills. G&S said the Governor has been signing bills under the ordinary 12-day period as they are passed to him. Once the legislature adjourns on August 31, the Governor has until September 30 to sign.

Lisa Warren is concerned about ADUs and the water issue.

3. Subject: Update on positions taken by the League of California Cities (League), the American Planning Association (APA), the Cities Association of Santa Clara County (CASCC), the League of Women Voters of California (LWVC), San Francisco Planning and Urban Research (SPUR), Yes in My Backyard (YIMBY), and the Sierra Club
Recommended Action: Receive update on positions taken by the League, APA, CASCC, LWVC, SPUR, YIMBY, and the Sierra Club

G&S submitted a 20-page report with all of the organization's bill positions. Bills have until June 30 to get out of house committees and August 12 for the fiscal committee. AB 2011 (Wicks), which aims to convert under-utilized commercial or industrial properties into residential by right is a bill for the City to note.

Vice Mayor Chao thanks G&S for adding YIMBY and SPUR to the list. G&S said LRC can still be actively involved with bills throughout June, the July recess, and August.

Vice Mayor Chao asked about SB 830 on education finance, which the League is watching. G&S said SB 830 is in the assembly education committee. It has momentum and could likely pass; and pieces of this bill can wind up in a trailer bill.

Public Comment

Jennifer Griffin is concerned about AB 2011 and ADU bills.

4. Subject: Consider adopting a position on Senate Bill 1338 (Umberg) – The Community Assistance, Recovery, And Empowerment (Care) Court Program
Recommended Action: Adopt a support position on SB 1338 and authorize the Mayor to send letters to the state legislature

G&S said this bill has momentum and is highly controversial. SB 1338 proposes citizen's civil court to allow family members, mental health providers, local governments or public safety departments, and law enforcement to remove people off the streets, even against their will, and place them before a CARE court for an assessment and placement for behavioral services, mental health treatment, or drug addiction treatment. ACLU opposes.

Many counties, which provide a lot of the social services are concerned about funding and their ability to manage the program. Lots of cities support it. This will be heard on the 29th in the assembly health committee. Governor Newsom has invested a lot of time, effort, and political capital on this. It is a path to get people some help and assessment, and a \$2.2 billion proposal and multi-year effort.

Councilmember Moore asked how the \$54 million grant already given to the counties and Santa Clara County will be spent. G&S said funds were allocated on June 20 so it's too early to tell, but it's an evolving issue and expects the bill to move through by August. Councilmember Moore said she would like to see what other local cities have to say about this bill. She is inclined to take a watch position.

Vice Mayor Chao strongly supports this bill. She spoke to the founder of MOMS, a group of mothers whose children are addicted to drugs, whose son did not want to be committed until he was stopped for speeding then they were able to get him into a treatment system. When you are addicted or mentally unhealthy, it is unlikely that you will voluntarily enter a program that you really need. This bill provides an option because right now there is no option to seek treatment for a family member. This is a sensible plan that we need now and much better than what we have now.

The LRC discussed the process of medical diagnosis and the CARE court's assessment. G&S noted that NAMI is listed as a supporter. The LRC decided to bring this bill to the full Council since they had a split decision. G&S advised Council to consider this in July or before August 12.

Public Comment

Jennifer Griffin is concerned this bill has no funding and disagrees with it.

Lisa Warren recommends consulting with NAMI (National Alliance for Mental Illness).

Action Taken

Considering the split position, Councilmember Moore motioned to adopt a watch position on SB 1338 until the entire Council reviews and forms a position on SB 1338.

Vice Mayor Chao seconded. The motion carried unanimously.

5. Subject: Discuss potential Sacramento Legislative Day
Recommended Action: Discuss potential Sacramento Legislative Day

Management Analyst, Astrid Robles, gave a brief background. This item was added as a request from the May 31 meeting. In the past, the LRC has held a Sacramento Legislative Day where it visits Sacramento to meet local legislators.

The LRC wants to plan one this year either in-person or virtual. G&S said legislators are doing hybrid, some in-person and some virtual. Timing can be tough since this legislative session is nearing the end, so August is difficult to get into their calendars. G&S recommends holding this in January or February 2023 since there will be new legislators to meet.

G&S said it is important to have ongoing dialogues with members. Given the state budget, there's opportunity for potential funding of City projects even if we do not win on all bills. The LRC discussed various City projects that need state funding. G&S

announced the identical bills AB 178 and SB 178 allocated \$1 million to the City of Cupertino for the all-inclusive playground at Jollyman Park. The LRC was very pleased.

G&S will look through the June 25 budget trailer bill to see what Santa Clara County cities received funding. Vice Mayor Chao suggested that LRC confer with Council before making budget requests. G&S said budget requests are submitted in January and project requests are submitted in February.

6. Subject: Discuss Prioritizing the Legislative Platform
Recommended Action: Discuss Prioritizing the Legislative Platform

Councilmember Moore mentioned Housing, Environment, Health and Public Safety, Transportation, and Economic Development.

G&S complimented former Deputy City Manager, Katy Nomura, and Management Analyst, Astrid Robles, on the development of a concise Platform into 11 categories with a range of issues. G&S has not run into a scenario that the LRC has not addressed in its Platform.

Management Analyst, Astrid Robles, suggested that the LRC decide on the Top 3 priorities for each year. The LRC agreed it was a good idea. The LRC agreed to choose the top 3 priorities once the Legislative session ends. The LRC and Council will review the Platform in November/ December and then adopt the new platform in January/February.

FUTURE AGENDA SETTING

The next LRC meeting is set for Monday, July 18 at 11 a.m.

It will include a discussion about AB 2097, the Property Tax history allocation to Cupertino, and amending the membership of the LRC.

ADJOURNMENT

The meeting was adjourned at 1:38 p.m.