



CITY OF CUPERTINO

AGENDA

LEGISLATIVE REVIEW COMMITTEE

This will be a teleconference meeting without a physical location.

Tuesday, May 31, 2022

11:00 AM

Special Meeting

TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION TO HELP STOP THE SPREAD OF COVID-19

In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19.

Members of the public wishing comment on an item on the agenda may do so in the following ways:

1) E-mail comments by 10:00 a.m. on Tuesday, May 31, 2022 to the Committee at KatyN@cupertino.org. These e-mail comments will be received by the Committee members before the meeting and posted to the City's website after the meeting.

2) E-mail comments during the times for public comment during the meeting to the Committee at KatyN@cupertino.org. The staff liaison will read the emails into the record, and display any attachments on the screen, for up to 3 minutes (subject to the Chair's discretion to shorten time for public comments). Members of the public that wish to share a document must email KatyN@cupertino.org prior to speaking.

3) Teleconferencing Instructions

Members of the public may observe the teleconference meeting or provide oral public comments as follows:

Oral public comments will be accepted during the teleconference meeting. Comments may be made during "oral communications" for matters not on the agenda, and during the public comment period for each agenda item.

To address the Committee, click on the link below to register in advance and access the meeting:

Online

Please click the link below to join the webinar:

https://cityofcupertino.zoom.us/webinar/register/WN_u8IqNSpdSNO9PXuoBojFHA

Phone

Dial: (669)-900-6833 and enter Webinar ID: 983 2208 2140 (Type *9 to raise hand to speak)

Unregistered participants will be called on by the last four digits of their phone number.

Or an H.323/SIP room system:

H.323:

162.255.37.11 (US West)

162.255.36.11 (US East)

Meeting ID: 983 2208 2140

SIP: 98322082140 @zoomcrc.com

After registering, you will receive a confirmation email containing information about joining the webinar.

Please read the following instructions carefully:

1. You can directly download the teleconference software or connect to the meeting in your internet browser. If you are using your browser, make sure you are using a current and up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.
2. You will be asked to enter an email address and a name, followed by an email with instructions on how to connect to the meeting. Your email address will not be disclosed to the public. If you wish to make an oral public comment but do not wish to provide your name, you may enter "Cupertino Resident" or similar designation.
3. When the Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
4. When called, please limit your remarks to the time allotted and the specific agenda topic.

NOTICE AND CALL FOR A SPECIAL MEETING OF THE LEGISLATIVE REVIEW COMMITTEE

NOTICE IS HEREBY GIVEN that a special meeting of the Legislative Review Committee is hereby called for Tuesday, May 31, 2022 commencing at 11:00 a.m. In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19. Said special meeting shall be for the purpose of conducting business on the subject matters listed below under the heading, "Special

Meeting."

SPECIAL MEETING

ROLL CALL

APPROVAL OF MINUTES

1. Subject: Consider approving the March 24, 2022 Legislative Review Committee minutes
Recommended Action: Approve the March 24, 2022 Legislative Review Committee minutes
[A - Draft Minutes](#)
2. Subject: Consider approving the March 29, 2022 Legislative Review Committee minutes
Recommended Action: Approve the March 29, 2022 Legislative Review Committee minutes
[A - Draft Minutes](#)

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Committee on any matter within the jurisdiction of the Committee and not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the Commission from making any decisions with respect to a matter not on the agenda.

PUBLIC COMMENTS (Including comments on all agenda items)

AGENDA REVIEW/ORDERS OF THE DAY

ACTION ITEMS

3. Subject: Legislative Update
Recommended Action: Receive legislative update and provide any input
[A - Legislative Update Report](#)
[B - Cupertino Bill Positions](#)
4. 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), and the Sierra Club
Recommended Action: Receive update on positions taken by the League, APA, CASCC, LWVC, and the Sierra Club and provide any input
[A - League, APA, CASCC, LWVC, and Sierra Club Bill Positions](#)

5. Subject: Discuss Prioritizing the Legislative Platform
Recommended Action: Discuss Prioritizing the Legislative Platform and provide any input

6. Subject: Consider adopting a position on Assembly Bill 2011 (Wicks) - Affordable Housing and High Road Jobs Act of 2022
Recommended Action: Adopt an oppose position on AB 2011 and authorize the Mayor to send letters to the state legislature
[A - AB 2011 Summary Report](#)

7. Subject: Consider adopting a position on Assembly Bill 2181 (Berman) - Santa Clara Valley Transportation Authority, Board Of Directors
Recommended Action: Adopt an oppose position on AB 2181 (Moore opposes) and authorize the Mayor to send letters to the state legislature
[A - AB 2181 Summary Report](#)

8. Subject: Consider adopting a position on Senate Bill 897 (Wieckowski) - Accessory Dwelling Units: Junior ADUs
Recommended Action: Adopt an oppose position on SB 897 and authorize the Mayor to send letters to the state legislature
[A - SB 897 Summary Report](#)

9. Subject: Consider adopting a position on Assembly Bill 2164 (Lee) - Disability Access
Recommended Action: Adopt a support position on AB 2164 and authorize the Mayor to send letters to the state legislature
[A - AB 2164 Summary Report](#)

10. Subject: Consider adopting a position on Vehicle License Fee (VLF) Trailer Bill
Recommended Action: Adopt an oppose position on the VLF Trailer Bill and authorize the Mayor to send letters to the state legislature
[A - VLF Trailer Bill Summary Report](#)

11. Subject: Consider adopting a position on the California Plastic Waste Reduction Regulations Initiative
Recommended Action: Adopt a support position on the California Plastic Waste Reduction Regulations Initiative and authorize the Mayor to send letters to the state legislature
[A - Plastic Waste Reduction Summary Report](#)

12. Subject: Consider adopting a position on Assembly Bill 2221 (Quirk-Silva) Accessory Dwelling Units

Recommended Action: Adopt an oppose position on AB 2221 and authorize the Mayor to send letters to the state legislature

[A - AB 2221 Summary Report](#)

FUTURE AGENDA SETTING

ADJOURNMENT

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 6 hours in advance of the meeting to arrange for assistance. In addition, upon request, in advance, by a person with a disability, meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

Any writings or documents provided to a majority of the members after publication of the agenda will be made available for public inspection. Please contact the City Clerk's Office in City Hall located at 10300 Torre Avenue, Cupertino, California 95014, during normal business hours.

IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code section 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agendized item. These written communications are accessible to the public through the City's website and kept in packet archives. Do not include any personal or private information in written communications to the City that you do not wish to make public, as written communications are considered public records and will be made publicly available on the City website.

Members of the public are entitled to address the members concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you wish to address the members on any other item not on the agenda, you may do so during the public comment.



CITY OF CUPERTINO

Agenda Item

22-11013

Agenda Date: 5/31/2022
Agenda #: 1.

Subject: Consider approving the March 24, 2022 Legislative Review Committee minutes

Approve the March 24, 2022 Legislative Review Committee minutes



CITY OF CUPERTINO

DRAFT MINUTES

LEGISLATIVE REVIEW COMMITTEE

Thursday, March 24, 2022

11:00 AM

SPECIAL MEETING

ROLL CALL

The meeting was called to order at 11:00 a.m.

Present: Vice Mayor Chao, Councilmember Moore, Deputy City Manager Katy Nomura, Gonsalves & Son (G&S)

AGENDA REVIEW/ORDERS OF THE DAY

There were no changes to the Orders of the Day.

APPROVAL OF MINUTES

1. Subject: Consider approving the February 17, 2022 Legislative Review Committee minutes
Recommended Action: Approve the February 17, 2022 Legislative Review Committee minutes

Councilmember Moore motioned to approve the February 17, 2022 Legislative Review Committee minutes. Vice Mayor Chao seconded. The motion carried unanimously.

ORAL COMMUNICATIONS

Jennifer Griffin is concerned about ADU issues, specifically SB 897.

Steven Scharf is concerned about bills relating to ADUs, density bonus, and impact fees.

PUBLIC COMMENTS (Including comments on all agenda items)

This item was not conducted as the Chair decided to take public comments on agenda items when the agenda items were discussed.

ACTION ITEMS

2. Subject: Legislative Update
Recommended Action: Receive legislative update and provide any input

On February 16, about 1500 bills were introduced, 600 of those were spot bills. These bills must be in print for 30 days, by March 16, before they become eligible to be heard. These bills are starting to move through the process and Committee deadlines for the House of Origin are coming up in May.

On the state budget, the Legislature is looking at a \$45.7 billion budget surplus, about \$20.6 billion is discretionary, and the rest will go to Prop 98 K-12 education, and pension. There is growing pressure for the Governor to address escalating gas prices. The position of the Governor and Legislature is not to suspend the gas tax. Moderate Democratic Assemblymembers proposed a \$400 per taxpayer rebate (\$9 billion total) for households with income tax up to \$250,000 The Speaker countered with a \$200 rebate per taxpayer. On March 23, the Governor proposed a \$400 rebate to each vehicle registered owner, up to two per household, regardless of income, estimated to cost a total of \$11 billion.

Between now and the house of origin deadline on May 20, we will see which bills are moving and viable within a 6–8-week period, due to the week-long Spring Recess. Senator Melendez had SCR 5 calling for the termination of the Governor’s emergency declaration for the COVID pandemic, but it failed on a party line vote. It’s important for us because we understood that remote meetings and flexibility contained in AB 361 was set to sunset on March 31. The Governor’s office opined that irrespective of March 31, we will still be under the emergency declaration and remote meetings will continue until the Governor declares an end to the Declared State of Emergency, which does not seem to be any time soon.

There’s a 27 percent turnover within the Legislature. So far, five members resigned in January, 20 won’t seek reelection, and there will be 33 new members in the Legislature after the November 2022 elections.

Vice Mayor Chao shared a slide from Cal Cities on the legislative process.

Councilmember Moore asked about the gas rebate and how it applies to electric vehicles. G&S said the Governor didn’t address EVs but provided \$1.6 billion for his EV incentive program. Councilmember Moore asks about the Gann limit and where the money comes from and how it interacts with Prop 98. G&S says that the Governor and Legislature are likely to hit the Gann limit threshold, but there a lot of ways to work

around it. Doing the rebate will likely preclude the Gann limit. There are three tests for Prop 98. The K-12 education gets up to 58% of every new dollar that comes from the state. Every year, that total becomes the minimum and it escalates from there.

Councilmember Moore was concerned about supply chain issue that affects truck fleet. G&S mentions that it is a very real and timely concern. This can, and already has, resulted in cargo being diverted elsewhere.

Vice Mayor Chao asked why surplus is not allocated for affordable housing and is concerned about the people at-risk of homelessness. G&S explained that the January budget will most likely change by the May revise as well as the June-July budget.

Councilmember Moore mentioned that the gas rebate has an underlying lower income limit, because some people can not afford to buy a vehicle and they will not be getting a rebate.

Public Comment

Jennifer Griffin spoke about the importance of returning to Council Chambers for transparency and public participation.

3. Subject: Update on positions taken by the League of California Cities (League), the American Planning Association (APA), and the Cities Association of Santa Clara County (CASCC)

Recommended Action: Receive update on positions taken by the League, APA, and CASCC and provide any input.

The League of Cities has not adopted positions on the ADU bills so their list of positions will be growing the closer we get to the May 20 deadline. It's early in the process and we are just beginning to see hearings on the bulk of bills. G&S submitted a report that noted all positions on each bill of the League, APA, and CASCC.

Councilmember Moore asked how the public can bring certain bills into the LRC agenda. Vice Mayor Chao explained that items can be brought up during the meeting and members of the public are always welcome to email the LRC to suggest bills for consideration at a future meeting.

Public Comment

Jennifer Griffin is concerned about SPUR and YIMBY.

4. Subject: Discuss Prioritizing the Legislative Platform
Recommended Action: Discuss and provide any input

Deputy Manager Katy Nomura said that this item was discussed at the last meeting, and it was added as an agenda item as an opportunity to discuss what the LRC really wants to focus on.

Councilmember Moore suggested LRC continue this item to see how bills change before LRC can say if it's a priority as it seems too early to tell right now.

Vice Mayor Chao explained that she wants to focus on the housing issue because that is an area where the local government voice is ignored.

Vice Mayor Chao mentioned that public safety is also important for the City, along with advocacy issues like environmental, but LRC has not focused much on those issues.

The LRC agreed to continue this item to the next meeting.

5. Subject: Position on Assembly Bill 1603 (Salas) Theft: Shoplifting
Recommended Action: Adopt a watch position on AB 1603.

G&S explained that this bill, relating to shoplifting, smash and grabs, and public safety, is of keen interest to local governments and law enforcement. This bill would also amend Prop 47, which would have to go back to the voters. This bill was heard but failed passage with a 2-4 vote. Though the bill failed passage in committee, but the next day eight co-authors added on to the bill so it will be heard for reconsideration and the author is strongly pushing for this legislation.

Deputy City Manager, Katy Nomura, explained that there is a recommended watch position because the LRC legislative platform has a very specific monitor language that states, "monitor legislation related to organized retail theft as well as modifications to the definitions of petty theft and petty theft value limit"

Action Taken

Councilmember Moore motioned to adopt a Watch position for AB 1603. Vice

Mayor Chao seconded. The motion carried unanimously.

Public Comment

Jennifer Griffin said this is a very important bill because she is a customer of a small business in San Jose whose window shop has been broken for third time.

6. Subject: Consider adopting a position on Assembly Bill 2449 (Rubio) Local Agencies: Teleconferences
Recommended Action: Adopt a support position on AB 2449 and authorize the Mayor to send letters to the state legislature

G&S explains that given the new norm and access to public meetings, a hybrid system will be adopted by many agencies. These bills related to teleconferencing seek to provide flexibility in response to AB 361. As an example, under current law officials have to state their location if you're phoning in which is problematic for members of the public and the elected representatives, councilmembers, State Legislators, and the like.

G&S said there are also personal safety concerns with those disclosures. As an example, during COVID discussions, members of the legislature and the local level have been threatened at their personal residences by those disclosures. Vice Mayor Chao asked if the City has to adopt an ordinance for the bill to take effect for any public meeting. Deputy City Manager, Katy Nomura, said the municipal code states members need to be in person so it would have to be amended if the bill is passed.

Public Comment

Jennifer Griffin is concerned about changing the Brown Act and said that anyone joining a meeting by phone must register in the City and residents and nonresidents must identify themselves because there are public comments from people who are nonresidents.

Vice Mayor Chao said that legally anyone has the right to come to these meetings and speak and are not legally required to disclose their names or location.

Action Taken

Councilmember Moore motioned to adopt a support position on AB 2449 and

authorize the Mayor to send letters to the state legislature. Vice Mayor Chao seconded. The motion carried unanimously.

7. Subject: Consider adopting a position on AB 1944 (Lee and Garcia) Local Government: Open and Public Meetings
Recommended Action: Adopt a support position on AB 1944 and authorize the Mayor to send letters to the state legislature

Similar to AB 2449, this bill seeks to provide flexibility in response to AB 361 to continue the ability to have teleconference meetings. AB 1944 and AB 2449 will most likely be moving together.

Deputy City Manager, Katy Nomura added that to require teleconferencing will require more staffing in IT and the City is doing what it can in a virtual setting but to hold hybrid meetings to accommodate both in person and virtual is much more complicated.

Councilmember Moore asked about the differences between AB 2449 and AB 1944 and how it will be resolved if both bills pass. G&S said either there can be a chaptering out of amendments that will state neither bill cancels one another, or the last bill signed will be the law. The chaptering out amendment is more likely. G&S clarified that the Brown Act does not apply to the Legislature so neither bill would affect members of the Legislature.

As to the "last bill signed", Councilmember Moore asked if the Governor will order bills a certain way before signing. G&S said the Governor will catch the conflict and consider that in the order of signing.

Public Comment

Jennifer Griffin commented that she would feel more comfortable if elected politician would not need to disclose their home location but should disclose their city, state, or country.

Action Taken

Councilmember Moore motioned to adopt a support position on AB 1944 and authorize the Mayor to send letters to the state legislature. Vice Mayor Chao seconded. The motion carried unanimously.

8. Subject: Consider adopting a position on SB 1100 (Cortese) Open Meetings:

Orderly Conduct

Recommended Action: Adopt a support position on SB 1100 and authorize the Mayor to send letters to the state legislature

G&S explained that this bill is a response to some disruptions wherein council meetings and legislative meetings have been forced to shut down because of disorderly conduct that took place. This bill seeks to amend the Brown Act and provide the local electeds a process to have orderly conduct if there are disruptions in a meeting.

Councilmember Moore is concerned about the bill's language and is wondering what "disruptive behavior" means. As written, she prefers to watch the bill especially after seeing what the VTA has done, and their mindfulness with First Amendment rights that they don't want to remove people from participating and making comments after they were given the rules and guidelines. There are legal reasons for VTA's approach. She proposed the City set up something similar but she's not sure about a support position.

G&S said they put a support as requested by the City's local legislators and local agencies sponsored by CSAC and statewide association of counties. The analysis noted that the City has the police power to deal with criminal behavior, so either a watch or support make sense.

Vice Mayor Chao concurred with the watch position and said the Brown Act already has language that disallows disorderly conduct.

Public Comment

Jennifer Griffin asked why we are altering the Brown Act and what would it do for this bill.

Action Taken

Councilmember Moore motioned to adopt a watch position on SB 1100. Vice Mayor Chao seconded. The motion carried unanimously.

9. Subject: Consider adopting a position on Assembly Bill 2762 (Bloom) Housing: Parking Lots

Recommended Action: Adopt an oppose position on AB 2762 and authorize the Mayor to send letters to the state legislature

This bill preempts local control by prescribing that local agencies build affordable housing units in parking lots, which can limit access to parks and other open space areas. It is an overarching preemption of the local land use authority.

Public Comment

Jennifer Griffin is concerned about the loss of parking lots.

Action Taken

Councilmember Moore motioned to adopt an oppose position on AB 2762 and authorize the Mayor to send letters to the state legislature. Vice Mayor Chao Seconded. The motion carried unanimously.

10. Subject: Consider adopting a position on the AB 2164 Disability Access
Recommended Action: Adopt a support position on AB 2164

G&S explained that this bill seeks to provide funding and flexibility to assist small businesses in complying with ADA access requirements. It is sponsored by the City of San Jose and a number of business properties association support and business chambers request support. This bill was brought to the City's management team by the City's local chamber.

Vice Mayo Chao asked if the City currently collects ADA fees. Deputy City Manager, Katy Nomura affirmed. Under the legislative platform, the City supports funding for disabilities and vulnerable populations and help the business community have a source of funds to bring their establishments into compliance.

Councilmember Moore said she expected the bill to address the predatory ADA lawsuits against businesses, so she proposes a watch position now until there is further analysis. G&S confirmed that this bill doesn't address the aforementioned lawsuits. Senator Steinberg sought to address this several years ago but only curtailed it and not put an end to it.

Deputy City Manager, Katy Nomura, clarified that the current law reduced the fee from \$4 to \$1 and this bill would make the \$4 fee indefinite. The LRC would like to learn more information about the fees for this item and would like to bring it back to the next meeting.

Action Taken

Councilmember Moore moved to adopt a watch position on AB 2164. Vice Mayor Chao seconded. The motion carried unanimously.

Public Comment

Jennifer Griffin said ADA access varies by county and there should be money to help accommodate disability access.

11. Subject: Consider adopting a position on the California Plastic Waste Reduction Regulations Initiative
Recommended Action: Adopt a support position on the California Plastic Waste Reduction Regulations Initiative and authorize the Mayor to send letters to the state legislature

G&S reported that this has qualified and will go to the voters in November. The LRC requested to postpone this item for the next meeting.

12. Subject: Discuss Special LRC Meeting: Legislative Process 101
Recommended Action: Discuss the presentation

Deputy City Manager, Katy Nomura explained that this event is set for March 29 at 6 p.m. It's a presentation by G&S and will be recorded for the LRC website. The topics are: Overview of the Legislative Process; How the members of the public can engage; How the City engages with examples of bills. She invited the public to attend. There will be time for a Q&A at the end.

Public Comment

Jennifer Griffin is looking forward to the presentation.

FUTURE AGENDA SETTING

The public Legislative Process 101 will be held on March 29 at 6 p.m. The next LRC meeting is set for May 31 at 11 a.m. and will include: the California Plastic Waste Reduction Initiative; AB 2164; bills on ADUs; bills on impact fees; and issues on homelessness.

ADJOURNMENT

The meeting was adjourned at 1:24 pm.



CITY OF CUPERTINO

Agenda Item

22-11037

Agenda Date: 5/31/2022
Agenda #: 2.

Subject: Consider approving the March 29, 2022 Legislative Review Committee minutes

Approve the March 29, 2022 Legislative Review Committee minutes



CUPERTINO

CITY OF CUPERTINO

DRAFT MINUTES

LEGISLATIVE REVIEW COMMITTEE

Tuesday, March 29, 2022

6:00 PM

SPECIAL MEETING

ROLL CALL

The meeting was called to order at 6:00 p.m.

Present: Vice Mayor Chao, Councilmember Moore, Deputy City Manager Katy Nomura, Gonsalves & Son (G&S)

ACTION ITEMS

1. Subject: Legislative Process 101
Recommended Action: Receive Legislative Process 101 Presentation

Gonsalves and Son presented the Legislative Process 101 Presentation, which can be viewed at cupertino.org/LRC.

ADJOURNMENT

The meeting was adjourned at 8:00 p.m.



CITY OF CUPERTINO

Agenda Item

22-11017

Agenda Date: 5/31/2022
Agenda #: 3.

Subject: Legislative Update

Receive legislative update and provide any input



Joe A. Gonsalves & Son

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

PROFESSIONAL LEGISLATIVE REPRESENTATION

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Email: gonsalves@gonsalvi.com

TO: City of Cupertino, Legislative Review Committee

FROM: Anthony, Jason & Paul Gonsalves

SUBJECT: Legislative Update

DATE: Tuesday, May 31, 2022

STATE LEGISLATIVE UPDATE

The months of April and May are arguably some of the busiest months in the legislative calendar. April 29, 2022 marked the passage of the deadline for all bills, with potential costs to the state, to pass out of their policy committees in their house of origin. As you can imagine, most bills introduced in the Legislature cost some money to implement, meaning most bills have to be heard and passed by this deadline to stay alive. Furthermore, May 20, 2022 was the deadline to pass all bills, with costs associated with them, out of the Appropriations Committee and to the floor of their house of origin. Lastly, May 27, 2022 was the deadline for all bills to pass off the floor and to the other house (Assembly bills to the Senate and Senate bills to the Assembly).

While all of this is going on, work continues on the State Budget throughout April and May. On May 13, 2022, Governor Newsom presented his May Revise to his January Budget Proposal. The Governor's May Revise proposes a \$300.7 billion budget spending plan, which is \$14.2 billion more than his January Budget proposal. Of the \$300.7 billion, \$227.4 billion is General Fund, \$68.9 billion is special funds, and \$4.4 billion is bond funds. The total budget, which includes \$140.9 billion in federal funds, totals \$441.6 billion.

To compare the May Revise to last year's budget, General Fund spending increased by \$45.6 billion, from \$203.6 billion to \$249.2 billion.

GOVERNOR'S MAY REVISE

On May 13, 2022, Governor Newsom presented his May Revise to his January Budget Proposal and, most notably, announced the state is projected to have a \$97.5 billion surplus. This is the largest surplus our state, or any other state in the Nation, has ever seen. Roughly half of the surplus is required by law to be spent on education (Proposition 98), leaving roughly \$49 billion in discretionary money. The Governor proposed to reserve 99% of that for one-time

spending: \$18.1 billion to provide financial relief for Californians buffeted by inflation, \$37 billion for infrastructure investments (including \$5.6 billion for education facility upgrades), and an extra \$2.3 billion for the ongoing fight against COVID-19.

Additionally, the Governor's May Revision proposes allocating \$37.1 billion of those funds to Budget Reserves. Under his revised proposal, the Governor dedicated \$23.3 billion to the Rainy-Day Fund (up from \$20.9 billion at the January Governor's Budget), \$3.4 billion to the Special Fund for Economic Uncertainties, \$9.5 billion to the Public School System Stabilization Account, and \$900 million to the Safety Net Reserve.

The following will provide you with the proposed budget summaries for areas of interest to the City:

Resources and Transportation

- Energy Package to Create Strategic Energy Reserves: \$8 billion over five years to address grid stability.
- Gas Taxes and Gas Prices: \$11.5 billion to give all vehicle owners (including zero-emission vehicles that pay no gas tax) \$400 per vehicle, up to two vehicles. \$440 million diesel sales tax cut from the state's portion from October 1, 2022 to September 30, 2023.
- Wildfire Prevention: \$150 million to enhance firefighting capabilities.
- Drought and Water Resilience: The May Revision adds \$1.6 billion (which includes the \$250 million set aside in the Governor's January Budget) for water recycling, grants to urban water districts, addressing fish and wildlife impacts associated with drought, and support of agricultural water conservation practices. \$500 million in 2025-26 for strategic water storage investments.

Economy, Housing, and Homelessness

- Economy:
 - \$500 million for the fourth round of COVID-19 Small Business Relief Grants targeted at businesses in the ten most impacted industries measured by job losses. Grants ranging from \$10,000 to \$50,000.
 - \$75 million to provide grants of \$50,000 to farming and agriculture related businesses negatively impacted by drought.
 - \$2.1 billion in the Governor's Budget and May Revision for tax credits and grants aimed at encouraging business relocation and growth. The May Revision would prioritize grants for companies that relocate from states with anti LGBTQ+ and reproductive rights laws, including \$900 million for a 5-year extension of the CalCompetes Tax Credit program.
 - \$120 million for a second year of the Cal Competes Grant Program to target semiconductor research, development, and manufacturing.
 - \$1.1 billion over 4 years for a headquarters tax credit to target the relocation of businesses in support of the state's climate goals.
 - \$78.9 million (\$159.9 total funds) for Employment Development Department to modernize business operations and combat fraud.
- Housing:
 - \$2.7 billion for emergency rental assistance.

- \$500 million through FY 2024-25 for adaptive reuse (converting shopping malls and office buildings into housing) to align with climate goals and equitable housing access goals.
- Homeless:
 - \$500 million through FY 2024-25 to house the homeless on state-owned land through grants to local governments to erect “tiny homes” as well as site preparation.
 - \$150 million for Project Homekey (hotel purchases to house homeless).

Public Safety

- States the intent of the Administration to close up to three additional state prisons by 2024-25.
- \$7.9 million to establish the Fentanyl Enforcement Program within the Department of Justice.
- \$30 million (\$15 million per year in 2022-23 and 2023-24) for the California Military Department’s drug interdiction efforts, which will focus on assisting federal, state, local, and tribal law enforcement agencies in combatting fentanyl. This is a \$10 million increase over his one-time January proposal.
- \$12 million over three years to establish a competitive grant program to help California tribes locate and identify missing Indigenous persons. These funds will be available to provide resources for tribal police and prosecutors, counseling services, education, and other activities.
- \$5 million funding to restore the Internet Crimes Against Children Task Force, but only for one year.

Now the ball is in the Legislature’s court as Legislative Leaders in the Assembly and Senate decide where they agree with the Governor and which priorities they want to haggle over before the June 15th Constitutional deadline to pass a final, balanced budget for the fiscal year that starts July 1, 2022.

CARE COURT

Governor Newsom released his plan to get Californians in crisis off the streets and into housing, treatment and care. The Governor’s Community Assistance, Recovery and Empowerment (CARE) Court is a new framework to get people with mental health and substance use disorders the support and care they need. CARE Court is aimed at helping the thousands of Californians who are suffering from untreated mental health and substance use disorders leading to homelessness, incarceration or worse. CARE Court includes accountability for everyone, on the individual and on local governments, with court orders for services.

CARE Court connects a person struggling with untreated mental illness, and often also substance use challenges, with a court-ordered Care Plan for up to 24 months. Each plan is managed by a care team in the community and can include clinically prescribed, individualized interventions with several supportive services, medication, and a housing plan. The client-centered approach also includes a public defender and supporter to help make self-directed care decisions in addition to their full clinical team.

CARE Court is designed on the evidence that many people can stabilize, begin healing, and exit homelessness in less restrictive, community-based care settings. It's a long-term strategy to positively impact the individual in care and the community around them. The plan focuses on people with schizophrenia spectrum and other psychotic disorders, who may also have substance use challenges, and who lack medical decision-making capacity and advances an upstream diversion from more restrictive conservatorships or incarceration.

The court-ordered response can be initiated by family, county and community-based social services, behavioral health providers, or first responders. Individuals exiting a short-term involuntary hospital hold or an arrest may be especially good candidates for CARE Court. The Care Plan can be ordered for up to 12 months, with periodic review hearings and subsequent renewal for up to another 12 months. Participants who do not successfully complete Care Plans may, under current law, be hospitalized or referred to conservatorship - with a new presumption that no suitable alternatives to conservatorship are available.

All counties across the state will participate in CARE Court under the proposal. If local governments do not meet their specified duties under court-ordered Care Plans, the court will have the ability to order sanctions and, in extreme cases, appoint an agent to ensure services are provided.

CARE Court builds on Governor Newsom's \$14 billion multi-year investment to provide 55,000 new housing units and treatment slots as well as a more than \$10 billion annual investment in community behavioral health services. The Governor's comprehensive approach combines a focus on bridge housing to quickly rehouse unsheltered individuals with behavioral health issues, all while more new units come online, while also transforming Medi-Cal to provide more behavioral health services to people struggling the most.

SB 1338 by Senator's Umberg and Eggman, was introduced to implement the Governor's Care Court proposal. SB 1338 has passed the Senate policy and fiscal committees without a single no vote and is eligible to be heard on the Senate floor. If passed by the Senate, the bill will go to the Assembly policy and fiscal committees with a final vote on the Assembly floor. The Governor has called on the Legislature to quickly pass the new budget proposal, so the Governor can sign it into law by July 1.

The Governor's May Revise includes \$65 million this year to kick-start CARE Court. Some \$39 million would be spent to help California's judiciary conduct CARE Court hearings and provide other related resources, while \$10 million would finance a supporter program within the state Department of Aging. A little more than \$15 million would go to counties for training and technical assistance. Governor Newsom said those investments build on existing and proposed dollars to support California's behavioral health network and to build mental health housing. He noted \$11.6 billion in annual funding for behavioral health and \$4.5 billion he has pledged since last year to add thousands of housing units.

DEVELOPMENT IMPACT FEES

The Legislature introduced 2 bills, AB 2186 by Assemblymember Grayson and AB 2063 by Assemblymember Berman, both dealing with development impact fees.

AB 2186 (Grayson)

This bill proposes to establish, upon appropriation by the Legislature, the Housing Cost Reduction Incentive Program to reimburse cities and counties for development impact fees that are reduced or deferred for affordable housing developments. The bill would require the department to provide grants to applicants in an amount equal to 50% of the amount of development impact fee reduced for a qualified housing development and grants to applicants in an amount equal to the accrued interest on a deferred development impact fee.

The bill proposes to require the department to administer these grants by issuing a Notice of Funding Availability before December 31 of the year that the program receives funding and will be accepting grant applications after the subsequent year. The bill would require a public entity that receives grant funds under the program to use those funds solely for those purposes for which the development impact fee that was reduced or deferred would have been used. The bill would require the department to adopt guidelines to implement the program and exempt those guidelines from the rulemaking provisions of the Administrative Procedure Act.

AB 2186 passed off the Assembly Floor on May 23, 2022 on a vote of 74-0. The bill will be heard next in the Senate Housing Committee.

AB 2063 (Berman)

This bill proposes to prohibit a city, county or city and county from charging affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, on a housing development's density bonus units. The bill exempts from its provisions a local agency that, on or before January 1, 2022, adopted an ordinance that allows for a density bonus of 50% for any for-sale or rental housing development containing restricted affordable units that dedicates a specified percentage of units for extremely low, very low, low-, or moderate-income households.

Several jurisdictions charge affordable housing fees, but only two, the City and County of San Francisco and the City of Los Angeles, are known to charge affordable housing fees on the additional market rate units, or "bonus units," resulting from a project receiving a density bonus. This bill exempts the City of Los Angeles from its provisions, but does not exempt San Francisco.

AB 2063 was held on the Assembly Appropriations Committee Suspense file due to the fiscal impact to the State's affordable housing financing programs.

INITIATIVE UPDATE

As of May 31, 2022, 24 initiatives and referenda have cleared for circulation. Additionally, 10 initiatives are circulating with 25% of the signatures reached, 4 initiatives and referenda are pending signature verification, 3 initiatives are eligible for the November 2022 election, 1 has qualified for the Statewide ballot measure, and 10 initiatives and referenda have been withdrawn or failed to qualify. The following will provide you with a summary of three of the four propositions that either qualified for the statewide ballot or is eligible for the November 2022 election, the fourth initiative on the California Plastic Waste Reduction will be presented as a separate item:

ELIGIBLE STATEWIDE INITIATIVES

1. **California Legalize Sports Betting on American Indian Lands Initiative**

The California Legalize Sports Betting on American Indian Lands Initiative has qualified for the ballot in California as a combined initiated constitutional amendment and state statute on November 8, 2022.

Overview:

The ballot measure would legalize sports betting at American Indian gaming casinos and licensed racetracks in California. The ballot measure would define sports betting as wagering on the results of professional, college, or amateur sport and athletic events, with the exception of high school sports and events featuring a California college team. Individuals would need to be 21 years of age to engage in legal sports betting.

The ballot measure would enact a tax of 10% on profits derived from sports betting at racetracks. The state government would be required to distribute the revenue as follows:

- (a) 15% to the California Department of Health for researching, developing, and implementing programs for problem gambling prevention and mental health and providing grants to local governments to address problem gambling and mental health;
- (b) 15% to the Bureau of Gambling Control for enforcing and implementing sports wagering and other forms of gaming within the state;
- (c) 70% to the General Fund.

The ballot measure would also legalize roulette and dice games, such as craps, at tribal casinos; however, tribal-state compacts would need to be amended before these games can be offered.

A "yes" vote supports this ballot initiative to (i) legalize sports betting at American Indian gaming casinos and licensed racetracks in California; (ii) tax profits derived from sports betting at racetracks at 10%; and (iii) legalize roulette and dice games, such as craps, at tribal casinos.

A "no" vote opposes this ballot initiative, thus continuing to prohibit sports betting in California and roulette and dice games at tribal casinos

Fiscal impact:

Increased state revenues, potentially reaching the tens of millions of dollars annually, from payments made by facilities offering sports wagering and new civil penalties authorized by this measure. Some portion of these revenues would reflect a shift from other existing state and local revenues. Increased state regulatory costs, potentially reaching the low tens of millions of dollars annually. Some or all of these costs would be offset by the increased revenue or reimbursements to the state. Increased state enforcement costs, not likely to exceed several million dollars annually, related to a new civil enforcement tool for enforcing certain gaming laws.

Support:

The Coalition to Authorize Regulated Sports Wagering is leading the campaign in support of the ballot initiative. The coalition is supported by several American Indian tribes, including the top donors to the

campaign—the Pechanga Band of Luiseno Indians, Yocha Dehe Wintun Nation, Federated Indians of Graton Rancheria, San Manuel Band of Mission Indians, and Agua Caliente Band of Cahuilla Indians. The campaign has raised \$12.93 million.

Supporting American Indian Tribes:

- | | | |
|--|---|---|
| • Agua Caliente Band of Cahuilla Indians | • Rancheria Middletown | • Rancheria Tachi-Yokut Tribe |
| • Barona Band of Mission Indians | • Rancheria of Pomo Indians of California | • Santa Ynez Band of Chumash Indians |
| • Big Valley Band of Pomo Indians | • Morongo Band of Mission Indians | • Shingle Springs Band of Miwok Indians |
| • Dry Creek Rancheria Band of Pomo Indians | • Pechanga Band of Luiseño Indians | • Sycuan Band of the Kumeyaay Nation |
| • Federated Indians of Graton Rancheria | • Rincon Band of Luiseño Indians | • Viejas Band of Kumeyaay Indians |
| • Mechoopda Indian Tribe of Chico | • San Manuel Band of Mission Indians | • Wilton Rancheria |
| | • Santa Rosa | • Yocha Dehe Wintun Nation |

Supporting Organizations:

- California Thoroughbred Breeders Association

Opposition:

Taxpayers Against Special Interest Monopolies is leading the campaign against the proposal. The campaign, along with a terminated PAC No on the Gambling Power Grab, raised \$25.29 million. The top donors to the opposition were gambling-related companies, including the California Commerce Club, Hawaiian Gardens Casino, Park West Casinos, The Bicycle Hotel & Casino, PT Gaming LLC, and Knighted Ventures LLC.

Opposing Corporations:

- | | | |
|---------------------------------|---------------------------|-------------------------|
| • Bicycle Casino | • Hawaiian Gardens Casino | • Knighted Ventures LLC |
| • Elevation Entertainment Group | • Hollywood Park Casino | • PT Gaming LLC |
| | | • Parkwest Casinos |

2. California Changes to Medical Malpractice Lawsuits Cap Initiative

The California Changes to Medical Malpractice Lawsuits Cap Initiative has qualified for the ballot in California as an initiated state statute on November 8, 2022.

Overview

The ballot initiative would increase California's cap on noneconomic damages in medical malpractice lawsuits based on changes in inflation since 1975, which is when the cap on noneconomic damages was enacted. In 1975, the cap was set at \$250,000. The ballot initiative would require an annual adjustment of the cap based on inflation.

The ballot initiative would allow judges and juries to award damages above the cap for catastrophic injuries, defined as death, permanent physical impairment, permanent

disfigurement, permanent disability, or permanent loss of consortium. The ballot initiative would also replace language about noneconomic damages with quality of life damages and survivor damages.

A "yes" vote supports this ballot initiative to increase California's \$250,000 cap on noneconomic damages in medical malpractice lawsuits based on changes in inflation since 1975 and allow judges and juries to award damages above the cap for catastrophic injuries.

A "no" vote opposes this ballot initiative, therefore keeping California's cap on noneconomic damages in medical malpractice lawsuits at \$250,000.

Fiscal Impact:

Increased state and local government health care costs predominantly from raising or removing the cap on noneconomic damages in medical malpractice cases, likely ranging from the low tens of millions of dollars to the high hundreds of millions of dollars annually.

Support:

The Fairness for Injured Patients Act Coalition is leading the campaign in support of the ballot initiative. Through December 31, 2021, the campaign received \$5.41 million, including \$3.81 million from trial lawyer Nicolas Rowley and \$500,000 from Trial Lawyers for Justice.

Supporters:

- Former U.S. Sen. Barbara Boxer
- Consumer Watchdog
- Trial Lawyers for Justice
- Nicolas Rowley

Oppose:

Californians to Protect Patients and Contain Health Care Costs is leading the campaign in opposition to the ballot initiative. Through December 31, 2021, the campaign received \$29.70 million, including \$6.15 million from The Doctors Company and \$5.00 million from Kaiser Foundation Health Plan, Inc.

Opponents:

- Medical Insurance Exchange of California
- The Doctors Company
- California Medical Association
- Kaiser Foundation Health Plan, Inc.

QUALIFIED STATEWIDE BALLOT MEASURE

1. California Flavored Tobacco Products Ban Referendum

The California Flavored Tobacco Products Ban Referendum is on the ballot in California as a veto referendum on November 8, 2022.

Overview:

Proponents of the veto referendum seek to overturn Senate Bill 793 (SB 793), which was signed into law on August 28, 2020. SB 793 was designed to ban the sale of flavored tobacco products and tobacco product flavor enhancers, with exceptions for hookah tobacco, loose leaf tobacco, and premium cigars. Retailers would be fined \$250 for each sale violating the law.

The California State Legislature passed SB 793 in August 2020. The legislation received support from most legislative Democrats (84 of 89) and a quarter of legislative Republicans (8 of 30). One legislator voted against the bill, and the remaining legislators were absent or abstained. State Sen. Jerry Hill (D-13), the legislative sponsor of SB 793, said, "Using candy, fruit and other alluring flavors, the tobacco industry weaponized its tactics to beguile a new generation into nicotine addiction while keeping longtime users hooked. SB 793 breaks Big Tobacco's death grip."

A "yes" vote is to uphold the contested legislation, Senate Bill 793 (SB 793), which would ban the sale of flavored tobacco products.

A "no" vote is to repeal the contested legislation, Senate Bill 793 (SB 793), thus keeping the sale of flavored tobacco legal in the state.

Fiscal Impact:

There is no fiscal impact related to this initiative.

Support:

The California Fuels & Convenience Alliance, which opposed SB 793, described the flavored tobacco ban as "misguided policy that will do more harm than good" and "hurt small businesses, eliminate necessary tax revenue, and perpetuate dangerous and avoidable police interactions in our communities." The California Coalition for Fairness is campaigning for the veto referendum to repeal SB 793. Through December 31, 2021, the campaign had received \$21.16 million, including \$10.33 million from R.J. Reynolds Tobacco Co. and \$9.83 million from Philip Morris USA.

Supporting Corporations

- ITG Brands, LLC
- Philip Morris USA, Inc.
- R.J. Reynolds Tobacco Company
- Swedish Match North America, LLC

Supporting Organizations

- National Association of Tobacco Outlets

Opposition:

State Sen. Jerry Hill (D-13), the legislative sponsor of SB 793, said, "Using candy, fruit and other alluring flavors, the tobacco industry weaponized its tactics to beguile a new generation into nicotine addiction while keeping longtime users hooked. SB 793 breaks Big Tobacco's death grip."

Officials

- Governor Gavin Newsom

LEGISLATIVE DEADLINES

The following will provide you with relevant dates and deadlines for the 2022 Legislative session:

<u>April 29, 2022:</u>	Last day for policy committees to hear and report to fiscal committees, fiscal bills introduced in their house.
<u>May 6, 2022:</u>	Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.
<u>May 13, 2022:</u>	Last day for policy committees to meet prior to May 31
<u>May 20, 2022:</u>	Last day for fiscal committees to hear and report to the floor bills introduced in their house. Last day for fiscal committees to meet prior to May 31
<u>May 27, 2022:</u>	Last day for each house to pass bills introduced in that house
<u>June 15, 2022:</u>	Budget Bill must be passed by midnight
<u>June 30, 2022:</u>	Last day for a legislative measure to qualify for the Nov. 8, 2022 General Election ballot
<u>July 1, 2022:</u>	Last day for policy committees to meet and report bills
<u>July 1- August 1, 2022:</u>	Summer Recess
<u>August 12, 2022:</u>	Last day for fiscal committees to meet and report bills
<u>August 15 – 31, 2022:</u>	Floor session only. No committee may meet for any purpose except Rules Committee.
<u>August 25, 2022:</u>	Last day to amend bills on the floor
<u>August 31, 2022:</u>	Last day for each house to pass bills. Final Recess begins upon adjournment

Cupertino Bill Positions and Other Bills of Interest

[AB 1014](#) (McCarty D) Cannabis: retailers: delivery: vehicles.**Current Text:** Amended: 1/24/2022 [html](#) [pdf](#)**Current Analysis:** 01/25/2022 [Assembly Floor Analysis \(text 1/24/2022\)](#)**Introduced:** 2/18/2021**Last Amend:** 1/24/2022**Status:** 5/4/2022-Referred to Coms. on B., P. & E.D. and L., P.E. & R.**Location:** 5/4/2022-S. B., P. & E.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: MAUCRSA establishes the Department of Cannabis Control for the administration and enforcement of its provisions. MAUCRSA requires the department to establish a track and trace program for reporting the movement of cannabis and cannabis products throughout the distribution chain that utilizes a unique identifier and is capable of providing specified information. MAUCRSA requires the track and trace program to include an electronic seed to sale software tracking system with data points for the different stages of commercial activity, including, but not limited to, cultivation, harvest, processing, manufacturing, distribution, inventory, and sale. This bill would also require the electronic seed to sale software tracking system to include delivery.

Organization Position

Cupertino Watch

[AB 1445](#) (Levine D) Planning and zoning: regional housing need allocation: climate change impacts.**Current Text:** Amended: 1/3/2022 [html](#) [pdf](#)**Current Analysis:** 01/24/2022 [Assembly Floor Analysis \(text 1/3/2022\)](#)**Introduced:** 2/19/2021**Last Amend:** 1/3/2022**Status:** 5/4/2022-Referred to Com. on HOUSING.**Location:** 5/4/2022-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/31/2022 Upon adjournment of Session - 1021 O Street, Room 2200
SENATE HOUSING, WIENER, Chair

Summary: Would, commencing January 1, 2025, require that a council of governments, a delegate subregion, or the Department of Housing and Community Development, as applicable, additionally consider among these factors emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change.

Organization Position

Cupertino Watch

[AB 1740](#) (Muratsuchi D) Catalytic converters.**Current Text:** Introduced: 1/31/2022 [html](#) [pdf](#)**Current Analysis:** 04/25/2022 [Assembly Appropriations \(text 1/31/2022\)](#)**Introduced:** 1/31/2022**Status:** 5/18/2022-Referred to Com. on B., P. & E.D.**Location:** 5/18/2022-S. B., P. & E.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires a core recycler, as defined, who accepts a catalytic converter for recycling to maintain a written record of specified information regarding the transaction, including the item type and quantity, amount paid for the catalytic converter, and identification number, if any, and the vehicle identification number, for not less than 2 years. Current law makes it a crime to violate these requirements. This bill would additionally require a core recycler to maintain a written record of the year, make, and model of the vehicle from which the catalytic converter was removed.

Organization Position

Cupertino Watch

[AB 1944](#) (Lee D) Local government: open and public meetings.**Current Text:** Amended: 4/18/2022 [html](#) [pdf](#)**Current Analysis:** 05/06/2022 [Assembly Floor Analysis \(text 4/18/2022\)](#)**Introduced:** 2/10/2022**Last Amend:** 4/18/2022**Status:** 5/5/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #178 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

Organization **Position**
 Cupertino Support

AB 1985 **(Rivas, Robert D)** **Organic waste: list: available products.**

Current Text: Introduced: 2/10/2022 [html](#) [pdf](#)

Current Analysis: 05/20/2022 [Assembly Floor Analysis \(text 2/10/2022\)](#)

Introduced: 2/10/2022

Status: 5/19/2022-From committee: Do pass. (Ayes 16. Noes 0.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #324 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Current law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Current law requires the methane emissions reduction goals to include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, including a requirement intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025. This bill would require the department to compile and maintain on its internet website a list, organized by ZIP Code, of information regarding persons or entities that produce and have available in the state organic waste products and update the list at least every 6 months.

Organization **Position**
 Cupertino Watch

AB 2011 **(Wicks D)** **Affordable Housing and High Road Jobs Act of 2022.**

Current Text: Amended: 5/11/2022 [html](#) [pdf](#)

Current Analysis: 05/20/2022 [Assembly Floor Analysis \(text 5/11/2022\)](#)

Introduced: 2/14/2022

Last Amend: 5/11/2022

Status: 5/19/2022-Joint Rule 62(a), file notice suspended. From committee: Do pass. (Ayes 12. Noes 1.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #331 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: The Planning and Zoning Law authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process and not subject to a conditional use permit if the development satisfies specified objective planning standards. This bill would make certain housing developments that meet specified affordability and site criteria and objective development standards a use by right within a zone where office, retail, or parking are a principally permitted use, and would subject these development projects to one of 2 streamlined, ministerial review processes. The bill would require a development proponent for a housing development project approved pursuant to the streamlined, ministerial review process to require, in contracts with construction contractors, that certain wage and labor standards will be met, including that all construction workers shall be paid at least the general prevailing rate of wages, as

Organization **Position**
Cupertino Watch

AB 2063 **(Berman D) Density bonuses: affordable housing impact fees.**

Current Text: Amended: 4/21/2022 [html](#) [pdf](#)
Current Analysis: 05/10/2022 [Assembly Appropriations \(text 4/21/2022\)](#)
Introduced: 2/14/2022
Last Amend: 4/21/2022
Status: 4/25/2022-Re-referred to Com. on APPR.
Location: 4/20/2022-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law prohibits affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development’s affordable units. This bill would prohibit affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development’s density bonus units, unless the city, county, or city and county has adopted a local density bonus ordinance or established a local housing program on or before January 1, 2022, that allows for a density bonus of at least 50% for any for-sale or rental housing development containing restricted affordable units that dedicates a specified percentage of units for extremely low, very low, low-, or moderate-income households. By imposing new restrictions on the ability of a local government to impose affordable housing impact fees, the bill would impose a state-mandated local program.

Organization **Position**
Cupertino Watch

AB 2164 **(Lee D) Disability access: certified access specialist program: funding.**

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)
Current Analysis: 04/07/2022 [Assembly Judiciary \(text 2/15/2022\)](#)
Introduced: 2/15/2022
Last Amend: 5/19/2022
Status: 5/19/2022-From committee: Amend, and do pass as amended. (Ayes 14. Noes 1.) (May 19). Read second time and amended. Ordered returned to second reading.
Location: 5/19/2022-A. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #62 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS
Summary: Current law requires the State Architect to establish and publicize a program for voluntary certification by the state of any person who meets specified criteria as a certified access specialist (CASp), as provided. Current law, on and after January 1, 2018, and until December 31, 2023, inclusive, requires any applicant for an original or renewal of a local business license or equivalent instrument or permit to pay an additional fee of \$4 for that license, instrument, or permit, or in any city, county, or city and county that does not issue a business license or an equivalent instrument or permit, existing law requires an applicant for a building permit to pay an additional fee of \$4, to be collected by the city, county, or city and county that issued the license, instrument, or permit for specified purposes related to disability access, including the CASp program. Commencing January 1, 2024, that fee is reduced to \$1. Current law requires a portion of those fees to be deposited in the Disability Access and Education Revolving Fund. This bill would repeal the provision reducing the fee to \$1 commencing January 1, 2024, thereby extending the operation of this fee at the amount of \$4 indefinitely. By expanding the increased fee deposited into the Disability Access and Education Revolving Fund, this bill would make an appropriation.

Organization **Position**
Cupertino Watch

AB 2181 **(Berman D) Santa Clara Valley Transportation Authority: board of directors.**

Current Text: Amended: 5/2/2022 [html](#) [pdf](#)
Current Analysis: 05/16/2022 [Assembly Appropriations \(text 5/2/2022\)](#)
Introduced: 2/15/2022
Last Amend: 5/2/2022
Status: 5/19/2022-Read second time. Ordered to Consent Calendar.
Location: 5/18/2022-A. CONSENT CALENDAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #547 ASSEMBLY CONSENT CALENDAR 1ST DAY-ASSEMBLY BILLS

Summary: Current law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Current law vests the government of the VTA in a 12-member board of directors, which consists of 2 representatives of the County of Santa Clara who are members of, and appointed by, the county's board of supervisors, 5 representatives of the City of San Jose who are city council members or the mayor and appointed by the city council, and 5 representatives of the other cities in the county who are city council members or mayors of those cities as provided by agreements among those cities, whose terms of office are 2 years, as specified. This bill, on and after July 1, 2023, would revise the membership of the board of directors to instead consist of 2 representatives of the county who are community members and appointed by the president of the board of supervisors with board of supervisors approval, 5 representatives of the City of San Jose, including at least 2 city council members or the mayor and 2 community members, appointed by the mayor with city council approval, and 5 representatives of the other cities in the county, including at least 2 community members and 2 city council members or mayors of those cities, elected through a ranked choice voting process by the city councils of those cities, as specified.

Organization **Position**
Cupertino Watch

AB 2186 (Grayson D) Housing Cost Reduction Incentive Program.

Current Text: Amended: 5/2/2022 [html](#) [pdf](#)

Current Analysis: 05/20/2022 [Assembly Floor Analysis \(text 5/2/2022\)](#)

Introduced: 2/15/2022

Last Amend: 5/2/2022

Status: 5/19/2022-Joint Rule 62(a), file notice suspended. From committee: Do pass. (Ayes 16. Noes 0.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #372 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Would establish the Housing Cost Reduction Incentive Program, to be administered by the Department of Housing and Community Development, for the purpose of reimbursing cities, counties, and cities and counties for development impact fee reductions provided to qualified housing developments, as defined, and for the reasonable interest costs associated with impact fee deferrals. Upon appropriation, the bill would require the department to provide grants to applicants in an amount equal to 50% of the amount of development impact fee reduced for a qualified housing development and grants to applicants in an amount equal to the accrued interest on a deferred development impact fee, as provided. This bill would require the department to administer these grants by issuing a Notice of Funding Availability before December 31 of the year that the program receives funding, as specified, and accepting grant applications after the subsequent year. The bill would require a public entity that receives grant funds under the program to use those funds solely for those purposes for which the development impact fee that was reduced or deferred would have been used. The bill would require the department to adopt guidelines to implement the program and exempt those guidelines from the rulemaking provisions of the Administrative Procedure Act.

Organization **Position**
Cupertino Watch

AB 2221 (Quirk-Silva D) Accessory dwelling units.

Current Text: Amended: 5/2/2022 [html](#) [pdf](#)

Current Analysis: 05/20/2022 [Assembly Floor Analysis \(text 5/2/2022\)](#)

Introduced: 2/15/2022

Last Amend: 5/2/2022

Status: 5/19/2022-Read second time. Ordered to third reading.

Location: 5/19/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #226 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: The Planning and Zoning Law, among other things, provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires a permitting agency to act on an application to create an accessory dwelling unit or a junior accessory dwelling unit within specified timeframes. This bill would require a permitting agency to act on an application to serve an accessory dwelling unit or a junior accessory dwelling unit within the same timeframes. The bill would provide that the requirement for a permitting agency to act on an application means either to return in writing a full set of comments to the applicant with a comprehensive request for revisions or to return the approved permit application.

AB 2407 (O'Donnell D) Vehicle tampering: theft of catalytic converters.

Current Text: Amended: 3/10/2022 [html](#) [pdf](#)

Current Analysis: 05/10/2022 [Assembly Appropriations \(text 3/10/2022\)](#)

Introduced: 2/17/2022

Last Amend: 3/10/2022

Status: 5/19/2022-Read third time. Passed. Ordered to the Senate. (Ayes 72. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/19/2022-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law imposes various requirements on a core recycler, as defined. Current law requires a core recycler who accepts a catalytic converter for the purposes of recycling or who sells or ships used catalytic converters to a recycler or smelter to maintain specified information regarding the purchase and sale of the catalytic converters for not less than 2 years and to make that information available for inspection upon the request of law enforcement. Current law provides that a person who violates these requirements is guilty of a misdemeanor. This bill would require a core recycler to report the information collected to the chief of police or the sheriff, as prescribed, and to request to receive theft alert notifications regarding the theft of catalytic converters from a specified theft alert system.

AB 2449 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 5/23/2022 [html](#) [pdf](#)

Current Analysis: 05/06/2022 [Assembly Floor Analysis \(text 2/17/2022\)](#)

Introduced: 2/17/2022

Last Amend: 5/23/2022

Status: 5/5/2022-Read second time. Ordered to third reading. (Amended Text Releases 5/23/2022)

Location: 5/5/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #179 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise and recast those teleconferencing provisions and, until January 1, 2028, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely only under specified circumstances and for a period of three consecutive months. This bill would the the the physical physical physicalThisThisThis This bill contains other related provisions and other existing laws.

ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 4/22/2021-Referred to Coms. on L. GOV. and APPR.

Location: 4/22/2021-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

Organization **Position**
Cupertino Watch

ACA 4

(Kiley R) Elections: initiatives and referenda.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/18/2021-From printer. May be heard in committee March 20.

Location: 2/17/2021-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Constitution provides that the electors may propose a statute or an amendment to the California Constitution by initiative and approve or reject a statute by referendum. An initiative measure may be proposed by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by the required number of electors, as prescribed. A referendum measure may be proposed by presenting to the Secretary of State a petition that sets forth the statute or part of the statute to be submitted to the electors, and is certified to have been signed by the required number of electors. Before the circulation of an initiative or referendum petition for signatures, the California Constitution requires that a copy of the petition be submitted to the Attorney General, who must prepare a title and summary of the measure. Existing statutory law also directs the Attorney General to prepare the ballot label and the ballot title and summary that is included in the state voter information guide for each measure that appears on a statewide ballot. This measure would transfer from the Attorney General to the Legislative Analyst the duty of preparing the title and summary for a proposed initiative or referendum. The measure would also require, for each measure that appears on a statewide ballot, the Legislative Analyst to prepare the ballot label and the ballot title and summary for the state voter information guide.

Organization **Position**
Cupertino Watch

ACA 7

(Muratsuchi D) Local government: police power: municipal affairs: land use and zoning.

Current Text: Introduced: 3/16/2021 [html](#) [pdf](#)

Introduced: 3/16/2021

Status: 3/17/2021-From printer. May be heard in committee April 16.

Location: 3/16/2021-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would provide that a county or city ordinance or regulation enacted under the police power that regulates the zoning or use of land within the boundaries of the county or city would prevail over conflicting general laws, with specified exceptions. The measure, in the event of the conflict with a state statute, would also specify that a city charter provision, or an ordinance or regulation adopted pursuant to a city charter, that regulates the zoning or use of land within the boundaries of the city is deemed to address a municipal affair and prevails over a conflicting state statute, except that the measure would provide that a court may determine that a city charter provision, ordinance, or regulation addresses either a matter of statewide concern or a municipal affair if it conflicts with specified state statutes. The measure would make findings in this regard and provide that its provisions are severable.

Organization **Position**
Cupertino Support

SB 54

(Allen D) Plastic Pollution Producer Responsibility Act.

Current Text: Amended: 2/25/2021 [html](#) [pdf](#)

Current Analysis: 01/24/2022 [Senate Floor Analyses \(text 2/25/2021\)](#)

Introduced: 12/7/2020

Last Amend: 2/25/2021

Status: 5/5/2022-Referred to Com. on NAT. RES.

Location: 5/5/2022-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

LRC 05-31-2022

Summary: Would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from offering for sale, selling, distributing, or importing in or into the state such packaging or products that are manufactured on or after January 1, 2032, unless they are recyclable or compostable.

Organization **Position**
Cupertino Watch

SB 379 **(Wiener D) Residential solar energy systems: permitting.**

Current Text: Amended: 1/12/2022 [html](#) [pdf](#)
Current Analysis: 01/21/2022 [Senate Floor Analyses \(text 1/12/2022\)](#)
Introduced: 2/10/2021
Last Amend: 1/12/2022
Status: 5/5/2022-Referred to Coms. on L. GOV. and U. & E.
Location: 5/5/2022-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires a city or county to approve administratively applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Current law requires every city, county, or city and county to develop a streamlined permitting process for the installation of small residential rooftop solar energy systems, as that term is defined. Current law prescribes and limits permit fees that a city or county may charge for a residential and commercial solar energy system. Current law creates the State Energy Resources Conservation and Development Commission (Energy Commission) in the Natural Resources Agency and prescribes its duties, which include administering programs for the installation of solar energy systems. This bill would require every city, county, or city and county to implement an online, automated permitting platform that verifies code compliance and issues permits in real time for a solar energy system, as defined, that is no larger than 38.4 kilowatts alternating current nameplate rating and an energy storage system, as defined, paired with a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating.

Organization **Position**
Cupertino Watch

SB 897 **(Wieckowski D) Accessory dwelling units: junior accessory dwelling units.**

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)
Current Analysis: 05/20/2022 [Senate Appropriations \(text 4/18/2022\)](#)
Introduced: 2/1/2022
Last Amend: 5/19/2022
Status: 5/19/2022-From committee: Do pass as amended. (Ayes 5. Noes 2.) (May 19). Read second time and amended. Ordered to second reading. (Amended Text Released 5/20/2022)
Location: 5/19/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Calendar: 5/23/2022 #16 SENATE SENATE BILLS - SECOND READING FILE

Summary: The Planning and Zoning Law authorizes a local agency, by ordinance or ministerial approval, to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Current law authorizes a local agency to impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, and maximum size of a unit. This bill would require that the standards imposed on accessory dwelling units be objective. For purposes of this requirement, the bill would define "objective standard" as a standard that involves no personal or subjective judgment by a public official and is uniformly verifiable, as specified.

Organization **Position**
Cupertino Watch

SB 986 **(Umbert D) Vehicles: catalytic converters.**

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)
Current Analysis: 05/19/2022 [Senate Appropriations \(text 2/14/2022\)](#)
Introduced: 2/14/2022
Last Amend: 5/19/2022
Status: 5/19/2022-From committee: Do pass as amended. (Ayes 7. Noes 0.) (May 19). Read second time and amended. Ordered to second reading. (Amended Text Released 5/20/2022)
Location: 5/19/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	LRC 05-31-2022 26 of 79
1st House				2nd House								

Calendar: 5/23/2022 #30 SENATE SENATE BILLS - SECOND READING FILE

Summary: Current law requires a core recycler that accepts, ships, or sells used catalytic converters to maintain specified information regarding the purchase and sale of the catalytic converters. Current law prohibits a core recycler from providing payment for a catalytic converter unless the payment is made by check, the check is mailed or provided no earlier than 3 days after the date of sale, unless the seller is a business, and the core recycler obtains a photograph or video of the seller, a written statement regarding the origin of the catalytic converter, and certain other identifying information, as specified. Current law exempts from this requirement a core recycler that buys used catalytic converters, transmissions, or other parts removed from a vehicle if the core recycler and the seller have a written agreement for the transaction. Current law requires a core recycler to provide this information for inspection by local law enforcement upon demand. A violation of these provisions is punishable as a misdemeanor. This bill would instead of payment by check, require payment by any traceable method, other than cash.

Organization **Position**
Cupertino Watch

SB 1067 **(Portantino D) Housing development projects: automobile parking requirements.**

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)

Current Analysis: 05/19/2022 [Senate Appropriations \(text 4/28/2022\)](#)

Introduced: 2/15/2022

Last Amend: 5/19/2022

Status: 5/19/2022-From committee: Do pass as amended. (Ayes 5. Noes 2.) (May 19). Read second time and amended. Ordered to second reading. (Amended Text Released 5/20/2022)

Location: 5/19/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	
1st House				2nd House								

Calendar: 5/23/2022 #48 SENATE SENATE BILLS - SECOND READING FILE

Summary: Would prohibit a city, county, or city and county from imposing any minimum automobile parking requirement on a housing development project, as defined, that is located within 1/2 mile of public transit, as defined. The bill, notwithstanding the above-described prohibition, would authorize a city, county, or city and county to impose or enforce minimum automobile parking requirements on a housing development project if the local government demonstrates to the developer, within 30 days of the receipt of a completed application, that the development would have a negative impact, supported by a preponderance of the evidence, on the city's, county's, or city and county's ability to meet its share of specified housing needs or existing residential or commercial parking within 1/2 mile of the housing development. The bill would create an exception from the above-described provision if the development either dedicates a minimum of 20% of the total number of housing units to very low, low-, or moderate-income households, students, the elderly, or persons with disabilities or contains fewer than 20 housing units.

Organization **Position**
Cupertino Watch

SB 1087 **(Gonzalez D) Vehicles: catalytic converters.**

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)

Current Analysis: 05/19/2022 [Senate Appropriations \(text 4/28/2022\)](#)

Introduced: 2/15/2022

Last Amend: 5/19/2022

Status: 5/19/2022-From committee: Do pass as amended. (Ayes 7. Noes 0.) (May 19). Read second time and amended. Ordered to second reading. (Amended Text Released 5/20/2022)

Location: 5/19/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	
1st House				2nd House								

Calendar: 5/23/2022 #53 SENATE SENATE BILLS - SECOND READING FILE

Summary: Would prohibit any person from purchasing a used catalytic converter from anybody other than certain specified sellers, including an automobile dismantler, an automotive repair dealer, or an individual possessing documentation, as specified, that they are the lawful owner of the catalytic converter. A violation of this provision would be an infraction, punishable by a fine, as specified.

Organization **Position**
Cupertino Watch

SB 1100 **(Cortese D) Open meetings: orderly conduct.**

Current Text: Amended: 4/21/2022 [html](#) [pdf](#)

Introduced: 2/16/2022

Last Amend: 4/21/2022

Status: 5/5/2022-Referred to Coms. on L. GOV. and JUD.

Location: 5/5/2022-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law requires every agenda for regular meetings of a local agency to provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body’s consideration of the item, that is within the subject matter jurisdiction of the legislative body. Current law authorizes the legislative body to adopt reasonable regulations to ensure that the intent of the provisions relating to this public comment requirement is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting to remove an individual for disrupting the meeting.

Organization **Position**
 Cupertino Watch

[SB 1338](#) (Umberg D) Community Assistance, Recovery, and Empowerment (CARE) Court Program.

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)

Current Analysis: 05/19/2022 [Senate Appropriations \(text 4/7/2022\)](#)

Introduced: 2/18/2022

Last Amend: 5/19/2022

Status: 5/19/2022-From committee: Do pass as amended. (Ayes 6. Noes 0.) (May 19). Read second time and amended. Ordered to second reading. (Amended Text Released 5/20/2022)

Location: 5/19/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #100 SENATE SENATE BILLS - SECOND READING FILE

Summary: Would enact the Community Assistance, Recovery, and Empowerment (CARE) Act, which would authorize specified persons to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan and implement services, to be provided by county behavioral health agencies, to provide behavioral health care, including stabilization medication, housing, and other enumerated services to adults who are suffering from schizophrenia spectrum and psychotic disorders and who meet other specified criteria. The bill would specify the process by which the petition is filed and reviewed, including requiring the petition to be signed under penalty of perjury, and to contain specified information, including the acts that support the petitioner’s assertion that the respondent meets the CARE criteria. The bill would also specify the schedule of review hearings required if the respondent is ordered to comply with an up to one-year CARE plan by the court. The bill would make the hearings in a CARE proceeding confidential and not open to the public, thereby limiting public access to a meeting of a public body. The bill would authorize the CARE plan to be extended once, for up to one year, and prescribes the requirement for the graduation plan that is required upon leaving the CARE program.

Organization **Position**
 Cupertino Watch

[SB 1469](#) (Bradford D) Water corporations: rates.

Current Text: Amended: 4/25/2022 [html](#) [pdf](#)

Current Analysis: 05/11/2022 [Senate Floor Analyses \(text 4/25/2022\)](#)

Introduced: 2/18/2022

Last Amend: 4/25/2022

Status: 5/10/2022-Read second time. Ordered to third reading.

Location: 5/10/2022-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #178 SENATE SENATE BILLS -THIRD READING FILE

Summary: Would, upon application by a water corporation, authorize the Public Utilities Commission to authorize the implementation of a mechanism that separates the water corporation’s revenues and its water sales, as provided. This bill would provide that no reimbursement is required by this act for a

specified reason.

Organization	Position
Cupertino	Support

Total Measures: 25

Total Tracking Forms: 25



CITY OF CUPERTINO

Agenda Item

22-11018

Agenda Date: 5/31/2022
Agenda #: 4.

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), and the Sierra Club

Receive update on positions taken by the League, APA, CASCC, LWVC, and the Sierra Club and provide any input

AB 267 (Valladares R) California Environmental Quality Act: exemption: prescribed fire, thinning, and fuel reduction projects.

Current Text: Amended: 6/2/2021 [html](#) [pdf](#)

Current Analysis: 04/16/2021 [Assembly Floor Analysis \(text 3/16/2021\)](#)

Introduced: 1/15/2021

Last Amend: 6/2/2021

Status: 6/21/2021-In committee: Set, first hearing. Hearing canceled at the request of author. (Set for hearing on 06/01/2022)

Location: 5/13/2022-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 6/1/2022 9 a.m. - 1021 O Street, Room 2200 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

Summary: Current law, until January 1, 2023, exempts from the requirements of CEQA prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act of 1969, as provided. Current law requires the Department of Forestry and Fire Protection, beginning December 31, 2019, and annually thereafter until January 1, 2023, to report to the relevant policy committees of the Legislature the number of times the exemption was used. This bill would extend the exemption from CEQA and the requirement on the department to report to the relevant policy committees of the Legislature to January 1, 2026.

Organization Position
Sierra Club Oppose

AB 682 (Bloom D) Planning and zoning: density bonuses: cohousing buildings.

Current Text: Amended: 1/13/2022 [html](#) [pdf](#)

Current Analysis: 01/24/2022 [Assembly Floor Analysis \(text 1/13/2022\)](#)

Introduced: 2/12/2021

Last Amend: 1/13/2022

Status: 5/4/2022-Referred to Coms. on HOUSING and GOV. & F.

Location: 5/4/2022-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, commonly referred to as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct, among other options, specified percentages of units for moderate-income, lower income, or very low income households and meets other requirements. This bill would additionally require that a density bonus be provided under these provisions to a developer who agrees to construct a housing development that is a cohousing building, as defined, that meets specified requirements and will contain either 10% of the total square footage for lower income households, as defined, or 5% of the total square footage for very low income households, as defined.

Organization Position
LEAGUE Watch

AB 1014 (McCarty D) Cannabis: retailers: delivery: vehicles.

Current Text: Amended: 1/24/2022 [html](#) [pdf](#)

Current Analysis: 01/25/2022 [Assembly Floor Analysis \(text 1/24/2022\)](#)

Introduced: 2/18/2021

Last Amend: 1/24/2022

Status: 5/4/2022-Referred to Coms. on B., P. & E.D. and L., P.E. & R.

Location: 5/4/2022-S. B., P. & E.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: MAUCRSA establishes the Department of Cannabis Control for the administration and enforcement of its provisions. MAUCRSA requires the department to establish a track and trace program for reporting the movement of cannabis and cannabis products throughout the distribution chain that utilizes a unique identifier and is capable of providing specified information. MAUCRSA requires the track and trace program to include an electronic seed to sale software tracking system with data points for the different stages of commercial activity, including, but not limited to, cultivation, harvest, processing, manufacturing, distribution, inventory, and sale. This bill would also require the

Organization **Position**
LEAGUE Oppose

AB 1307 **(Cervantes D) County of Riverside Citizens Redistricting Commission.**

Current Text: Amended: 5/10/2022 [html](#) [pdf](#)

Current Analysis: 01/24/2022 [Assembly Floor Analysis \(text 1/13/2022\)](#)

Introduced: 2/19/2021

Last Amend: 5/10/2022

Status: 5/10/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E. & C.A.

Location: 5/4/2022-S. E. & C.A.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the Citizens Redistricting Commission in the County of Riverside, which would be charged with adjusting the boundary lines of the districts of the Board of Supervisors of the County of Riverside. The commission would consist of 14 members who meet specified qualifications. This bill would require the commission to adjust the boundaries of the supervisorial districts in accordance with specified criteria and adopt a redistricting plan in accordance with existing deadlines for the adoption of county supervisorial district boundaries. By increasing the duties on local officials, the bill would impose a state-mandated local program.

Organization **Position**
LWVC Support

AB 1416 **(Santiago D) Elections: ballot label.**

Current Text: Amended: 1/27/2022 [html](#) [pdf](#)

Current Analysis: 01/28/2022 [Assembly Floor Analysis \(text 1/27/2022\)](#)

Introduced: 2/19/2021

Last Amend: 1/27/2022

Status: 5/4/2022-Referred to Com. on E. & C.A.

Location: 5/4/2022-S. E. & C.A.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law defines the ballot label as the portion of the ballot containing the names of the candidates or a statement of a measure. For statewide measures, current law requires the Attorney General to prepare a condensed version of the ballot title and summary, including the fiscal impact summary prepared by the Legislative Analyst that is printed in the state voter information guide. This bill would additionally require the ballot label for statewide measures, and, at the option of a county, the ballot label or similar description on the ballot of county, city, district, and school district measures, to include a listing of nonprofit organizations, businesses, or individuals taken from the signers or the text of ballot arguments printed in the voter information guide that support and oppose the measure, as specified. The bill would require a nonprofit organization, business, or individual to meet certain criteria before being listed on the ballot label or similar description of the measure on the ballot.

Organization **Position**
LWVC Support

AB 1445 **(Levine D) Planning and zoning: regional housing need allocation: climate change impacts.**

Current Text: Amended: 1/3/2022 [html](#) [pdf](#)

Current Analysis: 01/24/2022 [Assembly Floor Analysis \(text 1/3/2022\)](#)

Introduced: 2/19/2021

Last Amend: 1/3/2022

Status: 5/4/2022-Referred to Com. on HOUSING.

Location: 5/4/2022-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/31/2022 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE HOUSING, WIENER, Chair

Summary: Would, commencing January 1, 2025, require that a council of governments, a delegate subregion, or the Department of Housing and Community Development, as applicable, additionally consider among these factors emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change.

Organization **Position**
LWVC Support

AB 1551 (Santiago D) Planning and zoning: development bonuses: mixed-use projects.

Current Text: Amended: 1/13/2022 [html](#) [pdf](#)
Current Analysis: 01/18/2022 [Assembly Appropriations \(text 1/13/2022\)](#)
Introduced: 2/19/2021
Last Amend: 1/13/2022
Status: 5/4/2022-Referred to Coms. on HOUSING and GOV. & F.
Location: 5/4/2022-S. HOUSING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/31/2022 Upon adjournment of Session - 1021 O Street, Room 2200
 SENATE HOUSING, WIENER, Chair

Summary: The Density Bonus Law requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct specified percentages of units for lower income, very low income, or senior citizen housing, among other things, and meets other requirements. Previously existing law, until January 1, 2022, required a city, county, or city and county to grant a commercial developer a development bonus, as specified, when an applicant for approval of a commercial development had entered into an agreement for partnered housing with an affordable housing developer to contribute affordable housing through a joint project or 2 separate projects encompassing affordable housing. This bill would reenact the above-described provisions regarding the granting of development bonuses to certain projects. The bill would require a city or county to annually submit to the Department of Housing and Community Development information describing an approved commercial development bonus. The bill would repeal these provisions on January 1, 2028.

Organization Position
 LEAGUE Watch

AB 1702 (Levine D) Sales and Use Tax Law: exemptions: COVID-19 prevention and response goods.

Current Text: Amended: 3/22/2022 [html](#) [pdf](#)
Current Analysis: 03/18/2022 [Assembly Revenue And Taxation \(text 1/26/2022\)](#)
Introduced: 1/26/2022
Last Amend: 3/22/2022
Status: 3/23/2022-Re-referred to Com. on REV. & TAX.
Location: 2/3/2022-A. REV. & TAX

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current sales and use tax laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, and provides various exemptions from the taxes imposed by those laws. This bill would exempt from those taxes, until January 1, 2025, the gross receipts from the sale of, and the storage, use, or other consumption of, COVID-19 prevention and response goods, as defined.

Organization Position
 LEAGUE OUA

AB 1944 (Lee D) Local government: open and public meetings.

Current Text: Amended: 4/18/2022 [html](#) [pdf](#)
Current Analysis: 05/06/2022 [Assembly Floor Analysis \(text 4/18/2022\)](#)
Introduced: 2/10/2022
Last Amend: 4/18/2022
Status: 5/5/2022-Read second time. Ordered to third reading.
Location: 5/5/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #178 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a

declared state of emergency is in effect, or in other situations related to public health. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

Organization **Position**
LEAGUE Watch

AB 1965 **(Wicks D) California Antihunger Response and Employment Training Act of 2022.**

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)

Current Analysis: 04/04/2022 [Assembly Appropriations \(text 2/10/2022\)](#)

Introduced: 2/10/2022

Last Amend: 5/19/2022

Status: 5/19/2022-From committee: Amend, and do pass as amended. (Ayes 14. Noes 2.) (May 19). Read second time and amended. Ordered returned to second reading.

Location: 5/19/2022-A. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #44 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary: Current federal law limits a participant who is an able-bodied adult without dependents (ABAWD) to 3 months of CalFresh benefits in a 3-year period unless that participant has met work participation requirements or is otherwise exempt. Current federal law authorizes a waiver of that time limit upon the request of a state if it is determined that the area in which the individuals reside has an unemployment rate of over 10% or does not have a sufficient number of jobs to provide employment for the individuals. Current state law requires the State Department of Social Services, to the extent permitted by federal law, to annually seek a federal waiver of the time limit. Current federal law also authorizes a state to provide, in each fiscal year, a discretionary exemption from the 3-month time limit for covered individuals, to the extent that the average monthly number of exemptions in effect during a fiscal year does not exceed 12% of the number of covered individuals in the state. This bill would require the department, with appropriated state funds, to establish California Antihunger Response and Employment Training (CARET) to provide food assistance benefits to a person who has been determined ineligible for CalFresh benefits, or for whom CalFresh benefits have been discontinued as a result of the ABAWD time limit, and who also is ineligible for the discretionary exemption described above. The bill would require the person to receive CARET benefits in the same amount that they would have received under the CalFresh program if the ABAWD time limit did not make them ineligible.

Organization **Position**
LEAGUE Support

AB 1985 **(Rivas, Robert D) Organic waste: list: available products.**

Current Text: Introduced: 2/10/2022 [html](#) [pdf](#)

Current Analysis: 05/20/2022 [Assembly Floor Analysis \(text 2/10/2022\)](#)

Introduced: 2/10/2022

Status: 5/19/2022-From committee: Do pass. (Ayes 16. Noes 0.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #324 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Current law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Current law requires the methane emissions reduction goals to include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, including a requirement intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025. This bill would require the department to compile and maintain on its internet website a list, organized by ZIP Code, of information regarding persons or entities that produce and have available in the state organic waste products and update the list at least every 6 months.

Organization **Position**
LEAGUE Support

AB 2142 **(Gabriel D) Income taxes: exclusion: turf replacement water conservation program.**

Current Text: Amended: 4/6/2022 [html](#) [pdf](#)

Current Analysis: 05/20/2022 [Assembly Floor Analysis \(text 4/6/2022\)](#)

Introduced: 2/15/2022

Last Amend: 4/6/2022

LRC 05-31-2022

Status: 5/19/2022-Joint Rule 62(a), file notice suspended. From committee: Do pass. (Ayes 16. Noes 0.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #361 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under the Personal Income Tax Law and the Corporation Tax Law, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program.

Organization Position
LEAGUE Support

AB 2381 (Daly D) Address confidentiality.

Current Text: Amended: 3/24/2022 [html](#) [pdf](#)

Current Analysis: 04/25/2022 [Assembly Appropriations \(text 3/24/2022\)](#)

Introduced: 2/17/2022

Last Amend: 3/24/2022

Status: 5/19/2022-In committee: Held under submission.

Location: 4/27/2022-A. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes reproductive health care service providers, employees, volunteers, and patients to complete an application to be approved by the Secretary of State for the purposes of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. This bill would authorize an applicant seeking address confidentiality under this program to submit a certified statement by the employee, patient, or volunteer for a reproductive health care services facility that they have been the target of threats or acts of violence, or a workplace violence restraining order issued because of threats or acts of violence connected with a reproductive health care services facility, as specified, instead of a certified statement from a representative of the reproductive health care services facility.

Organization Position
LEAGUE Support

AB 2632 (Holden D) Segregated confinement.

Current Text: Amended: 4/18/2022 [html](#) [pdf](#)

Current Analysis: 05/20/2022 [Assembly Floor Analysis \(text 4/18/2022\)](#)

Introduced: 2/18/2022

Last Amend: 4/18/2022

Status: 5/19/2022-Coauthors revised. From committee: Do pass. (Ayes 12. Noes 4.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #470 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Current law establishes the state prisons under the jurisdiction of the Department of Corrections and Rehabilitation. Current law places county jails under the jurisdiction of the sheriff for the confinement of persons sentenced to imprisonment for the conviction of a crime. This bill would require every jail, prison, public or privately operated detention facility, and any facility in which individuals are subject to confinement or involuntary detention to develop and follow written procedures governing the management of segregated confinement, as specified. The bill would require those facilities to document the use of segregated confinement by, among other things, providing written orders of that confinement to the individual confined, as specified. The bill would prohibit those facilities from involuntarily placing an individual in segregated confinement if the individual belongs to a special population, including, among others, that the individual has a developmental disability or that the individual is under 26 years of age or over 59 years of age.

Organization Position
LWVC Support

AB 2647 (Levine D) Local government: open meetings.

Current Text: Amended: 4/19/2022 [html](#) [pdf](#)

Current Analysis: 05/06/2022 [Assembly Floor Analysis \(text 4/19/2022\)](#)

Introduced: 2/18/2022

Last Amend: 4/19/2022

Status: 5/12/2022-Read third time. Passed. Ordered to the Senate. (Ayes 62. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/12/2022-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board less than 72 hours before a meeting available for public inspection, as specified, at a public office or location that the agency designates. Current law also requires the local agency to list the address of the office or location on the agenda for all meetings of the legislative body of the agency. Current law authorizes a local agency to post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

Organization Position
LEAGUE Watch

AB 2889 (Wicks D) Wildfire mitigation plans: electrical infrastructure: hardening.

Current Text: Amended: 4/26/2022 [html](#) [pdf](#)

Current Analysis: 05/16/2022 [Assembly Appropriations \(text 4/26/2022\)](#)

Introduced: 2/18/2022

Last Amend: 4/26/2022

Status: 5/19/2022-Joint Rule 62(a), file notice suspended. In committee: Held under submission.

Location: 5/18/2022-A. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Under its current authority, the Public Utilities Commission requires certain electrical corporations to implement the California Overhead Conversion Program to provide financial assistance to local governments to facilitate projects that are in the public interest and replace overhead infrastructure with infrastructure in underground trenches. Current law requires each electrical corporation to annually prepare and submit a wildfire mitigation plan to the Office of Energy Infrastructure Safety for review and approval. Current law also requires the office to oversee and complete a review of each electrical corporation's compliance with its plan. Current law requires the commission to authorize the electrical corporation to establish a memorandum account to track costs incurred to implement the wildfire mitigation plan and requires the commission to consider whether the cost of implementing the wildfire mitigation plan is just and reasonable, as provided. This bill would additionally require each electrical corporation to prepare and submit to the office a multiyear wildfire mitigation plan, covering at least 7 years and not more than 10 years, that includes, among other things, a methodology for identifying and prioritizing circuits for mitigation based on wildfire risk reduction, public safety, and reliability benefits, and a comparison of undergrounding versus aboveground hardening of electrical equipment.

Organization Position
LEAGUE Watch

SB 38 (Wieckowski D) Beverage containers.

Current Text: Amended: 2/14/2022 [html](#) [pdf](#)

Current Analysis: 06/02/2021 [Senate Floor Analyses \(text 5/26/2021\)](#)

Introduced: 12/7/2020

Last Amend: 2/14/2022

Status: 2/14/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES. (Amended 2/14/2022)

Location: 7/14/2021-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require beverage manufacturers, as defined, in the state to form a beverage container stewardship organization. The organization would be required to develop and submit to the department a plan, annual report, and budget for the recovery and recycling of empty beverage containers in the state similar to that described in the Used Mattress Recovery and Recycling Act. The bill would require the organization to establish a stewardship fee, to be paid by beverage manufacturer members of the organization, to assist in covering the costs of implementing the beverage container stewardship program. The bill would require the organization to reimburse the department for the department's costs of enforcing the program. The bill would require the department to deposit all moneys submitted for reimbursement into the Beverage Container Stewardship Fund, which the bill would create in the State Treasury.

Organization **Position**
LEAGUE OUA

SB 45 (Portantino D) Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.

Current Text: Amended: 1/3/2022 [html](#) [pdf](#)
Current Analysis: 01/21/2022 [Senate Floor Analyses \(text 1/3/2022\)](#)
Introduced: 12/7/2020
Last Amend: 1/3/2022
Status: 5/5/2022-Referred to Com. on NAT. RES.
Location: 5/5/2022-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals. This bill would require the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.

Organization **Position**
APA Support

SB 49 (Umberg D) Corporate conversions.

Current Text: Amended: 5/9/2022 [html](#) [pdf](#)
Current Analysis: 01/13/2022 [Senate Floor Analyses \(text 5/11/2021\)](#)
Introduced: 12/7/2020
Last Amend: 5/9/2022
Status: 5/19/2022-Re-referred to Coms. on B. & F. and JUD. pursuant to Assembly Rule 96.
Location: 5/19/2022-A. B. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law specifies the process by which a corporation may be converted into a domestic other business entity if specified conditions are met. This bill would instead provide that this process applies to the conversion of a corporation into a domestic other business entity, foreign other business entity, or foreign corporation, as specified. The bill would define terms for purposes of these provisions, make other conforming changes, and establish the means by which an obligation of a corporation that has converted to a foreign corporation or foreign other business entity may be enforced.

Organization **Position**
LEAGUE Watch

SB 54 (Allen D) Plastic Pollution Producer Responsibility Act.

Current Text: Amended: 2/25/2021 [html](#) [pdf](#)
Current Analysis: 01/24/2022 [Senate Floor Analyses \(text 2/25/2021\)](#)
Introduced: 12/7/2020
Last Amend: 2/25/2021
Status: 5/5/2022-Referred to Com. on NAT. RES.
Location: 5/5/2022-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products

from offering for sale, selling, distributing, or importing in or into the state such packaging or products that are manufactured on or after January 1, 2032, unless they are recyclable or compostable.

Organization Position
LEAGUE Support
Sierra Club Support

SB 260 (Wiener D) Climate Corporate Accountability Act.

Current Text: Amended: 1/3/2022 [html](#) [pdf](#)
Current Analysis: 01/21/2022 [Senate Floor Analyses \(text 1/3/2022\)](#)
Introduced: 1/26/2021
Last Amend: 1/3/2022
Status: 5/5/2022-Referred to Coms. on NAT. RES. and JUD.
Location: 5/5/2022-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board, on or before January 1, 2024, to develop and adopt regulations requiring United States-based partnerships, corporations, limited liability companies, and other business entities with total annual revenues in excess of \$1,000,000,000 and that do business in California, defined as "reporting entities," to publicly disclose to the Secretary of State, and verify, starting in 2025 on a date to be determined by the state board, and annually thereafter, their greenhouse gas emissions, categorized as scope 1, 2, and 3 emissions, as defined, from the prior calendar year, as provided. The bill would require reporting entities to disclose their greenhouse gas emissions in a manner that is easily understandable and accessible to residents of the state.

Organization Position
Sierra Club Support

SB 286 (Min D) Elections: Orange County Board of Education.

Current Text: Amended: 1/13/2022 [html](#) [pdf](#)
Current Analysis: 01/21/2022 [Senate Floor Analyses \(text 1/13/2022\)](#)
Introduced: 2/1/2021
Last Amend: 1/13/2022
Status: 5/5/2022-Referred to Coms. on ELECTIONS and ED.
Location: 5/5/2022-A. ELECTIONS

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes, and in some circumstances requires, a political subdivision to consolidate its elections with statewide elections. This bill would require an election for Orange County Board of Education that is determined by the plurality of the votes cast for that office, with no possibility of a runoff, and is consolidated with a statewide election to be consolidated with the statewide general election in November.

Organization Position
LWVC Support

SB 379 (Wiener D) Residential solar energy systems: permitting.

Current Text: Amended: 1/12/2022 [html](#) [pdf](#)
Current Analysis: 01/21/2022 [Senate Floor Analyses \(text 1/12/2022\)](#)
Introduced: 2/10/2021
Last Amend: 1/12/2022
Status: 5/5/2022-Referred to Coms. on L. GOV. and U. & E.
Location: 5/5/2022-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires a city or county to approve administratively applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Current law requires every city, county, or city and county to develop a streamlined permitting process for the installation of small residential rooftop solar energy systems, as that term is defined. Current law prescribes and limits permit fees that a city or county may charge for a residential and commercial solar energy system. Current law creates the State Energy Resources Conservation and Development Commission (Energy Commission) in the Natural Resources Agency and prescribes its duties, which include administering programs for the installation of solar energy systems. This bill would require every city, county, or city and county to implement an online, automated permitting platform that verifies code compliance and issues permits in real time for a solar energy system, as defined, that is no larger than 38.4 kilowatts alternating current nameplate rating and an energy storage system, as defined, paired with a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating.

Organization **Position**
LEAGUE Watch

SB 387 **(Portantino D) Pupil health: school employee and pupil training: youth mental and behavioral health.**

Current Text: Amended: 5/16/2022 [html](#) [pdf](#)

Current Analysis: 01/21/2022 [Senate Floor Analyses \(text 1/3/2022\)](#)

Introduced: 2/11/2021

Last Amend: 5/16/2022

Status: 5/16/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on ED.

Location: 5/5/2022-A. ED.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, contingent on an appropriation made for these purposes, requires the State Department of Education, on or before January 1, 2023, to recommend best practices and identify training programs for use by local educational agencies to address youth behavioral health, including, but not necessarily limited to, staff and pupil training, as specified. Current law requires the department to ensure that each identified training program, among other requirements, provides instruction on how school staff can best provide referrals to youth behavioral health services or other support to individuals in the early stages of developing a youth behavioral health disorder. Current law defines a local educational agency for purposes of these provisions to mean a county office of education, school district, state special school, or charter school that serves pupils in any of grades 7 to 12, inclusive. This bill would include referrals to special education services in that instruction requirement for identified training programs. The bill would require, on or before January 1, 2025, those local educational agencies to certify to the department that 75% of both its classified and certificated employees have received that youth behavioral health training, as specified. The bill would prohibit the training in youth behavioral health to be a condition of employment or hiring.

Organization **Position**
LEAGUE Support

SB 513 **(Hertzberg D) Homeless shelters grants: pets and veterinary services.**

Current Text: Amended: 1/3/2022 [html](#) [pdf](#)

Current Analysis: 01/21/2022 [Senate Floor Analyses \(text 1/3/2022\)](#)

Introduced: 2/17/2021

Last Amend: 1/3/2022

Status: 5/5/2022-Referred to Com. on H. & C.D.

Location: 5/5/2022-A. H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the California Emergency Solutions and Housing Program, under the administration of the Department of Housing and Community Development and requires the department to, among other things, provide rental assistance and housing relocation and stabilization services to ensure housing affordability to people who are experiencing homelessness or who are at risk of homelessness. This bill would require the department, subject to an appropriation in the annual Budget Act, to develop and administer a program to award grants to qualified homeless shelters, as described, for the provision of shelter, food, and basic veterinary services for pets owned by people experiencing homelessness.

Organization **Position**
LEAGUE Support

SB 830 **(Portantino D) Education finance: additional education funding.**

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)

Current Analysis: 05/19/2022 [Senate Appropriations \(text 4/18/2022\)](#)

Introduced: 1/3/2022

Last Amend: 5/19/2022

Status: 5/19/2022-From committee: Do pass as amended. (Ayes 5. Noes 1.) (May 19). Read second time and amended. Ordered to second reading. (Amended Text Released 5/20/2022)

Location: 5/19/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #3 SENATE SENATE BILLS - SECOND READING FILE

Summary: Current law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a

local control funding formula, as specified, that includes average daily attendance as a component of that calculation for these local educational agencies. Current law requires the Superintendent of Public Instruction, on or before February 20 of each year, to make a first principal apportionment of funds and, on or before July 2 of each year, to make a 2nd principal apportionment of funds to each local educational agency. This bill would define "average daily membership" as the quotient of the aggregate enrollment days for all pupils in a school district, county office of education, or charter school, from transitional kindergarten to grade 12, inclusive, as applicable, divided by the total number of instructional days for the local educational agency in an academic year. The bill would require a local educational agency's average daily membership to be calculated using data from the same fiscal year or years that the local educational agency used to calculate its average daily attendance for purposes of state apportionment, as provided. For any fiscal year before the 2022-23 fiscal year for which average daily membership data is not available, the bill would require the Superintendent to use a local educational agency's census day enrollment count, as provided.

Organization **Position**
LEAGUE Watch

SB 833

(Dodd D) Community Energy Resilience Act of 2022.

Current Text: Amended: 3/21/2022 [html](#) [pdf](#)

Current Analysis: 05/21/2022 [Senate Floor Analyses \(text 3/21/2022\)](#)

Introduced: 1/4/2022

Last Amend: 3/21/2022

Status: 5/19/2022-From committee: Do pass. (Ayes 7. Noes 0.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #302 SENATE SENATE BILLS -THIRD READING FILE

Summary: Current law assigns the State Energy Resources Conservation and Development Commission various duties, including applying for and accepting grants, contributions, and appropriations, and awarding grants consistent with the goals and objectives of a program or activity the commission is authorized to implement or administer. This bill, the Community Energy Resilience Act of 2022, would require the commission to develop and implement a grant program for local governments to develop community energy resilience plans that help achieve energy resilience objectives and state clean energy and air quality goals.

Organization **Position**
LEAGUE Watch

SB 852

(Dodd D) Climate resilience districts: formation: funding mechanisms.

Current Text: Amended: 5/18/2022 [html](#) [pdf](#)

Current Analysis: 05/21/2022 [Senate Floor Analyses \(text 5/18/2022\)](#)

Introduced: 1/18/2022

Last Amend: 5/18/2022

Status: 5/19/2022-Read second time. Ordered to third reading.

Location: 5/19/2022-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #199 SENATE SENATE BILLS -THIRD READING FILE

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including projects that enable communities to adapt to the impacts of climate change. Current law also requires the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing district, prior to the adoption of a resolution to form an enhanced infrastructure district and adopt an infrastructure financing plan. This bill would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, unless the district is specified as otherwise. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified.

Organization **Position**
APA Support

SB 884

(McGuire D) Electricity: expedited utility distribution infrastructure undergrounding program.

Current Text: Amended: 4/26/2022 [html](#) [pdf](#)
Current Analysis: 05/21/2022 [Senate Floor Analyses \(text 4/26/2022\)](#)
Introduced: 1/26/2022
Last Amend: 4/26/2022

Status: 5/19/2022-From committee: Do pass. (Ayes 5. Noes 2.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #208 SENATE SENATE BILLS -THIRD READING FILE

Summary: Would require the Public Utilities Commission to establish an expedited utility distribution infrastructure undergrounding program, and would authorize a large electrical corporation, as defined, to participate in the program by submitting to the commission, on or before July 1, 2023, a plan that identifies the eligible undergrounding projects that it will construct as part of the program, including timelines for the completion of those undergrounding projects, as specified. If the commission approves the electrical corporation's plan, the bill would require a telecommunications provider to cooperate with the electrical corporation to underground any of its infrastructure on utility poles that will be removed as part of an undergrounding project, except as specified, require each undergrounding project to fully exhaust all available federal, state, and other nonratepayer moneys before any costs are recovered from ratepayers, and deem each undergrounding project to be an environmental leadership development project for purposes of the Jobs and Economic Improvement Through Environmental Leadership Act of 2021 and a development project for purposes of the Permit Streamlining Act, as specified. The bill would require that an electrical corporation earn a rate of return on its investments or expenditures made pursuant to the program, subject to a performance metric developed by the commission that would, at a minimum, require the withholding of those earnings until 60 consecutive months have elapsed without either the undergrounding project's infrastructure causing a deenergization event or a wildfire resulting from the undergrounding project's infrastructure.

Organization **Position**
 LEAGUE Watch

SB 891 (Hertzberg D) Business licenses: stormwater discharge compliance.

Current Text: Amended: 5/18/2022 [html](#) [pdf](#)
Current Analysis: 05/21/2022 [Senate Floor Analyses \(text 5/18/2022\)](#)
Introduced: 1/31/2022
Last Amend: 5/18/2022

Status: 5/19/2022-Read second time. Ordered to third reading.

Location: 5/19/2022-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #200 SENATE SENATE BILLS -THIRD READING FILE

Summary: Current law requires, when applying to a city or a county for an initial business license or business license renewal, a person who conducts a business operation that is a regulated industry, as defined, to demonstrate enrollment with the National Pollutant Discharge Elimination System (NPDES) permit program by providing specified information, under penalty of perjury, on the application, including, among other things, the Standard Industrial Classification Code for the business, and an applicable identification number, as specified. Current law applies these provisions to all applications for initial business licenses and business license renewals submitted on and after January 1, 2020. This bill would require the city or county to make the applicable identification number available to the public upon request, as provided.

Organization **Position**
 LEAGUE Watch

SB 921 (Newman D) Political Reform Act of 1974: digital political advertisements.

Current Text: Amended: 4/28/2022 [html](#) [pdf](#)
Current Analysis: 05/06/2022 [Senate Appropriations \(text 4/28/2022\)](#)
Introduced: 2/3/2022
Last Amend: 4/28/2022

Status: 5/19/2022-May 19 hearing: Held in committee and under submission.

Location: 5/9/2022-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing and activities. Among other things, the act requires specified disclosures in advertisements regarding the source of the advertisement. Current law requires an online platform that disseminates

committees' online platform disclosed advertisements to maintain, and make available for online public inspection, a record of any advertisement disseminated on the online platform by a committee that purchased \$500 or more in advertisements during the preceding 12 months, as specified. Current law establishes the Fair Political Practices Commission that enforces the Political Reform Act of 1974. This bill would enact the Digital Advertisement Transparency and Accountability Act, or DATA Act. The bill would, 60 days after the Fair Political Practices Commission certifies a system for accepting and maintaining digital advertisements, as defined, require an online platform that disseminates those advertisements and that receives \$50,000 or more from digital advertisement sales during a calendar month to submit to the commission a record of any digital advertisements disseminated on the online platform by a committee that purchased \$500 or more in advertisements on the online platform during the preceding 12 months. The bill would require a record to contain, among other things, a digital copy of the advertisement, the approximate number of views generated from the advertisement, and the name and identification number of the committee that paid for the advertisement, as specified.

Organization **Position**
LWVC Support

SB 922 **(Wiener D) California Environmental Quality Act: exemptions: transportation-related projects.**

Current Text: Amended: 5/11/2022 [html](#) [pdf](#)
Current Analysis: 05/13/2022 [Senate Floor Analyses \(text 5/11/2022\)](#)
Introduced: 2/3/2022
Last Amend: 5/11/2022
Status: 5/16/2022-Read third time. Passed. (Ayes 24. Noes 1.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
Location: 5/16/2022-A. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Environmental Quality Act (CEQA) until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would delete the requirement that the bicycle transportation plan is for an urbanized area. The bill would extend the exemption to an active transportation plan or pedestrian plan. The bill would define "active transportation plan" and "pedestrian plan." The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law.

Organization **Position**
CASCC Support

SB 932 **(Portantino D) General plans: circulation element: bicycle and pedestrian plans and traffic calming plans.**

Current Text: Amended: 5/4/2022 [html](#) [pdf](#)
Current Analysis: 05/21/2022 [Senate Floor Analyses \(text 5/4/2022\)](#)
Introduced: 2/7/2022
Last Amend: 5/4/2022
Status: 5/19/2022-From committee: Do pass. (Ayes 5. Noes 2.) (May 19). Read second time. Ordered to third reading.
Location: 5/19/2022-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 5/23/2022 #214 SENATE SENATE BILLS -THIRD READING FILE
Summary: Current law states the Legislature's intention that a county or city general plan and the elements and parts of that general plan comprise an integrated, internally consistent and compatible statement of policies for the adopting agency. This bill would emphasize the intent of the Legislature to fight climate change with these provisions.

Organization **Position**
LEAGUE Oppose

SB 1345 **(Ochoa Bogh R) Excavations: subsurface installations.**

Current Text: Amended: 4/7/2022 [html](#) [pdf](#)
Current Analysis: 04/22/2022 [Senate Appropriations \(text 4/7/2022\)](#)
Introduced: 2/18/2022
Last Amend: 4/7/2022
Status: 5/19/2022-May 19 hearing: Held in committee and under submission.
Location: 4/25/2022-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	LRC 05-31-2022
1st House				2nd House				Conc.				52 of 79

Summary: The Dig Safe Act of 2016 generally regulates excavations around subsurface installations, defined as any underground pipeline, conduit, duct, wire, or other structure, except nonpressurized sewerlines, nonpressurized storm drains, and other nonpressurized drain lines. The act requires an excavator to comply with specified notification and delineation requirements before starting an excavation. Current law provides for the enforcement of the act by the California Underground Facilities Safe Excavation Board. Current law defines the terms "legal excavation start date and time," "working day," and "subsurface installation" for purposes of the act. This bill would revise the definition of "legal excavation start date and time" to, among other things, exclude weekends and holidays. The bill would revise the definition of "subsurface installation" to include nonpressurized sewerlines, nonpressurized storm drains, and other nonpressurized drain lines. The bill would revise the definition of "working day" by the deleting provision limiting the hours from 7:00 a.m. to 5:00 p.m.

Organization Position
LEAGUE Watch

SB 1393 (Archuleta D) Energy: appliances: local requirements.

Current Text: Amended: 5/19/2022 [html](#) [pdf](#)

Current Analysis: 05/19/2022 [Senate Appropriations \(text 4/21/2022\)](#)

Introduced: 2/18/2022

Last Amend: 5/19/2022

Status: 5/19/2022-From committee: Do pass as amended. (Ayes 5. Noes 2.) (May 19). Read second time and amended. Ordered to second reading. (Amended Text Released 5/20/2022)

Location: 5/19/2022-S. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	
1st House				2nd House				Conc.				

Calendar: 5/23/2022 #111 SENATE SENATE BILLS - SECOND READING FILE

Summary: Current law requires the State Energy Resources Conservation and Development Commission to gather or develop, and publish on its internet website, guidance and best practices to help building owners, the construction industry, and local governments overcome barriers to electrification of buildings and installation of electric vehicle charging equipment that include one or more specified topics. This bill would require the commission to gather or develop, and publish on its internet website, the guidance and best practices by July 1, 2023, and would require the guidance to include all of those specified topics and additional topics. The bill would require the commission to update annually the guidance and best practices. The bill would require a city, including a charter city, or county, when adopting an ordinance requiring the replacement of a fossil fuel-fired appliance with an electric appliance upon the alteration or retrofit of a residential and nonresidential building, to consider the guidance published by the commission.

Organization Position
LEAGUE Watch

SB 1439 (Glazer D) Campaign contributions: agency officers.

Current Text: Amended: 3/16/2022 [html](#) [pdf](#)

Current Analysis: 05/21/2022 [Senate Floor Analyses \(text 3/16/2022\)](#)

Introduced: 2/18/2022

Last Amend: 3/16/2022

Status: 5/19/2022-May 19 set for first hearing. Reconsideration of favorable vote granted. From committee: Do pass. (Ayes 5. Noes 0.) (May 19). Read second time. Ordered to third reading.

Location: 5/19/2022-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	
1st House				2nd House				Conc.				

Calendar: 5/23/2022 #294 SENATE SENATE BILLS -THIRD READING FILE

Summary: The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than \$250 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 3 months following the date a final decision is rendered in the proceeding, if the officer knows or has reasons to know that the participant has financial interest, as defined. The act also prohibits a party, participant, or participant's agent from making a contribution of more than \$250 to an officer of the agency during the proceeding and 3 months following the date a final decision is rendered. The act defines "agency" for these purposes to mean any state or local government agency, except certain entities, including local government agencies whose members are directly elected by the voters. This bill would remove the exception for local government agencies, thereby subjecting them to the prohibition described above. The bill would extend the prohibition on contributions from 3 to 12 months following the date a final decision is rendered in the proceeding.

Organization Position

SCA 2

(Allen D) Public housing projects.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Current Analysis: 05/09/2022 [Assembly Housing And Community Development \(text 12/7/2020\)](#)

Introduced: 12/7/2020

Status: 5/11/2022-From committee: Be adopted and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (May 11). Re-referred to Com. on APPR. Coauthors revised.

Location: 5/11/2022-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

Organization Position

APA Support

LWVC Support

SCA 6

(Newman D) Elections: recall of state officers.

Current Text: Amended: 3/17/2022 [html](#) [pdf](#)

Introduced: 1/3/2022

Last Amend: 3/17/2022

Status: 3/23/2022-Re-referred to Com. on E. & C.A.

Location: 3/23/2022-S. E. & C.A.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would provide, in the event an officer is removed in a recall election, for the office to remain vacant until a successor candidate to hold the unexpired term of the office receives a majority of votes at a special election, or for the office to remain vacant for the remainder of the term if the nomination period for the subsequent term of that office has closed. The measure would allow an officer who was the subject of the recall election to be a candidate in the special election. The measure would require the Legislature to enact laws providing for the election of a successor. This bill contains other existing laws.

Organization Position

LWVC Support

Total Measures: 38

Total Tracking Forms: 40



CITY OF CUPERTINO

Agenda Item

22-11019

Agenda Date: 5/31/2022
Agenda #: 5.

Subject: Discuss Prioritizing the Legislative Platform

Discuss Prioritizing the Legislative Platform and provide any input



CITY OF CUPERTINO

Agenda Item

22-11020

Agenda Date: 5/31/2022
Agenda #: 6.

Subject: Consider adopting a position on Assembly Bill 2011 (Wicks) - Affordable Housing and High Road Jobs Act of 2022

Adopt an oppose position on AB 2011 and authorize the Mayor to send letters to the state legislature



Joe A. Gonsalves & Son

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

PROFESSIONAL LEGISLATIVE REPRESENTATION

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TO: City Of Cupertino, Legislative Review Committee
FROM: Anthony, Jason, And Paul Gonsalves
SUBJECT: Consider adopting a position on Assembly Bill 2011 (Wicks) – Affordable Housing And High Roads Jobs Act 2022
DATE: **May 31, 2022**

Bill Information:

The official text of AB 2011 can be found [here](#)¹.

Summary:

AB 2011 by Assemblymember Buffy Wicks was gutted and amended on April 18, 2022. As proposed, AB 2011 aims to establish the “Affordable Housing and High Road Jobs Act of 2022 (Act)”, to create a ministerial, streamlined approval process for 100 percent affordable housing projects in commercially zoned areas and for mixed-income housing along commercial corridors.

AB 2011 would allow construction of housing with density bonuses included to be built “by right” on commercial property and parking lots with no CEQA review and no parking standards.

Examples of CEQA exempt, by right potential sites could include contaminated tech parks, gas stations, shopping centers, and dry cleaners.

Support:

According to the author: “This bill combines some of the best ideas advanced in the Legislature over the last several years for promoting affordable housing development with a requirement to create ‘high road’ jobs. To effectively take on our state’s housing issues, I firmly believe we need to do both. This legislation

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2011

gives us all the opportunity to work together toward our shared goal: Building more affordable housing for struggling Californians, while also growing the thriving, high-wage construction workforce every community needs.”

AB 2011 is co-sponsored by the CA Conference of Carpenters and the California Housing Consortium. In addition, the bill is sponsored by AARP, Abundant Housing, LA Affirmed Housing, All Home, Bay Area Council, Burbank Housing Development Corporation, California Apartment Association, California Association of Local Housing Finance Agencies, California Coalition for Rural Housing, California Community Builders, California Housing Partnership, California YIMBY, and several local Carpenters Unions.

Opposition:

Opponents of the bill include groups that represent construction workers and local governments. The State Building and Construction Trades Council and affiliated groups, argue the bill should require the use of a skilled and trained workforce. The local governments argue the bill removes local control and express concern over a potential reduction in tax revenue from the loss of commercial properties.

AB 2011 is opposed by the California State Association of Electrical Workers, California State Pipe Trades Council, City of Laguna Beach, City of Mission Viejo, City of Rancho Santa Margarita, District Council 16, International Union of Painters and Allied Trades, State Building & Construction Trades Council of California, and Western States Council Sheet Metal, Air, Rail and Transportation.

Status:

AB 2011 is currently on the Assembly Floor awaiting a vote of the full Assembly.

Legislative Platform:

This bill falls under Cupertino’s 2022 Legislative Platform in the Environmental Protection Section #8 on page 5 “Oppose legislation that weakens environmental review policy or CEQA” and Housing & Community Development Section Items #2 “Oppose legislation that may reduce municipal authority, with an emphasis on land use policy, local review, and design standards” and #3 “Oppose efforts to erode local decision making over the appropriate location, scale, and character of residential development or that may reduce public hearing or oversight” on page 7.

Recommended Action:

Adopt an oppose position on AB 2011 and authorize the Mayor to send letters to the State Legislature.



CITY OF CUPERTINO

Agenda Item

22-11021

Agenda Date: 5/31/2022
Agenda #: 7.

Subject: Consider adopting a position on Assembly Bill 2181 (Berman) - Santa Clara Valley Transportation Authority, Board Of Directors

Adopt an oppose position on AB 2181 (Moore opposes) and authorize the Mayor to send letters to the state legislature



Joe A. Gonsalves & Son

Anthony D. Gonsalves

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TO: City of Cupertino, Legislative Review Committee
FROM: Anthony, Jason, And Paul Gonsalves
SUBJECT: Consider adopting a position on AB 2181 (Berman)
Santa Clara Valley Transportation Authority, Board
Of Directors
DATE: **MAY 31, 2022**

Bill Information:

The official text of AB 2181 can be found [here](#)¹:

Summary:

AB 2181 (Berman) proposes changes to the Santa Clara Valley Transportation Authority (VTA) beginning July 1, 2023. Specifically, AB 2181 revises the membership of the board of directors of the VTA as follows:

- Two county representatives who are community members and appointed by the president of the board of supervisors of Santa Clara County.
- Five representatives of the City of San Jose, including at least two city council members or the mayor and two community members, appointed by the mayor with city council approval.
- Five representatives of the other cities in the county, including at least two community members and two city council members or mayors of those cities, elected through a ranked choice voting process by the city councils of those cities, as specified.
- Authorizes the VTA board to include ex officio nonvoting members from regional transportation or governmental bodies and increases the terms of the board members to four years.

¹ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2181

Support:

According to the author, "Valley Transportation Authority provides essential public transit options that help get Santa Clara County's two million residents to and from work, school, and home. However, three Civil Grand Jury Reports over the last 17 years have concluded that VTA's governance structure is a root cause of the agency's poor performance and is in need of structural reform. AB 2181 delivers this structural reform by transitioning the current board—a rotating group of 12 elected officials and 6 alternates in Santa Clara County—to a 12-member hybrid board composed of both elected officials and qualified members of the public. This bill honors local control by building in flexibility, while prioritizing both regional accountability and equity in using a regional ranked choice voting process. The new VTA board members would be selected by city and county officials in a transparent public process, ensuring that expertise related to transportation, infrastructure or project management, and budgetary expertise are represented on the board. A more experienced, transparent, and regionally focused VTA Board will be better positioned to meet Santa Clara County's complex transportation needs."

The City of Campbell, with a support with requests position, writes, "The City of Campbell stands ready to work with our legislature to continue to productively share our input and perspective on this legislation. Accordingly, we encourage you to work with the small to midsized cities in our region to ensure that all residents of our County are represented on this important public agency."

Opposition:

The City of Morgan Hill, in an oppose unless amended position, writes, "While the City of Morgan Hill is in favor of reforming Valley Transportation Authority's (VTA) governance AB 2181 Page 4 structure, we have reservations about the smaller cities in South Santa Clara County representation as AB 2181 is written and are concerned about having an adequate voice. AB 2181 is a significant step that would have far reaching implications for the delivery of transit and transportation in Santa Clara County. The impact of these changes will have a long-lasting effect and seriously undermine the principle of regional representation balanced with population, as with the current VTA board structure."

Status:

AB 2181 is on the Assembly Floor on proposed consent.

Legislative Platform:

This bill falls under Cupertino's 2022 Legislative Platform in the Local Control guiding principle #2 on page 1. "The City... opposes preemption of local control.

Cities are voluntarily created by the residents of a community to provide local self-government and to make decisions at a local level to best meet the needs of the community. Each community has unique needs and characteristics that are best met by policies set by its local governing body. Efforts to remove the ability to set policy at the local level should be opposed...”

Recommended Action:

Adopt an oppose position on AB 2181 and authorize the Mayor to send letters to the state legislature.



CITY OF CUPERTINO

Agenda Item

22-11022

Agenda Date: 5/31/2022
Agenda #: 8.

Subject: Consider adopting a position on Senate Bill 897 (Wieckowski) - Accessory Dwelling Units: Junior ADUs

Adopt an oppose position on SB 897 and authorize the Mayor to send letters to the state legislature



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TO: City Of Cupertino, Legislative Review Committee
FROM: Anthony, Jason, And Paul Gonsalves
SUBJECT: Consider adopting a position on SB 897
(Wieckowski) – Accessory Dwelling Units
DATE: **MAY 31, 2022**

Bill Information:

The official text of SB 897 can be found [here](#)¹:

Summary:

Senate Bill 897 would require local agencies to allow accessory dwelling units (ADUs) of up to 25 feet in height (from the current 16 feet). SB 897 would also make various other changes to ADU law. SB 897 would repeal the January 1, 2025, sunset date in existing law, the prohibition on local owner-occupancy requirements, and the existing owner-occupancy requirement in Junior-ADU (JADU) law.

Existing law allows for the construction of ADUs on sites with an existing or proposed single family dwelling, or with an existing (but not proposed) multifamily dwelling. SB 897 additionally would allow for the construction of ADUs along with a proposed multifamily dwelling.

Existing law requires a JADU to be contained within a proposed or existing single-family residence. SB 897 would allow a JADU to be attached to a detached accessory dwelling unit and clarifies that enclosed uses within the residence are considered a part of the proposed or existing single-family residence. Existing law provides that local agencies can impose local building code requirements that apply to detached dwellings, as appropriate. SB 897 strikes “as appropriate” and instead provides that the construction of an accessory dwelling unit shall not constitute an occupancy change under the local

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB897

building code.

Existing law prohibits local agencies from requiring sprinklers in the ADU if they are not required for the primary residence. SB 897 provides that constructing an ADU does not trigger a requirement for fire sprinklers to be installed in the proposed or existing primary dwelling. Existing law requires local agencies to act on an application for an ADU or JADU within 60 days of receiving the completed application, unless the application ADU or JADU is submitted along with a proposed single-family dwelling, in which case the local agency may delay action until it approves or denies the single-family dwelling. SB 897 requires a local agency to instead approve or deny applications within those timeframes and makes changes to conform with the new authority in SB 897 to develop ADUs along with proposed multifamily dwellings.

Existing law allows ADUs to be constructed in the same location and to the same dimensions as an existing structure, such as a garage, without complying with setback requirements. SB 897 requires local ADU ordinances to review and issue a demolition permit for a detached garage that is to be replaced with an ADU at the same time as the application for the ADU.

Existing law prohibits a local agency from establishing requirements for ADU size that would not allow at least an 800 square foot ADU that is 16 feet in height, with four-foot side and rear yard setbacks. SB 897 additionally prohibits requirements for a zoning clearance or separate zoning review for either attached or detached dwellings that does not permit at least an 800 square foot ADU that is at least 25 feet in height with four-foot side and rear yard setbacks. It also prohibits a local agency from requiring a modification of an existing multifamily dwelling that exceeds a height of 25 feet or has side and rear setbacks of less than 4 feet or rejecting an application for an ADU because the existing dwelling meets one of those conditions.

Existing law prohibits a local agency from imposing parking standards on ADUs in specified circumstances, and otherwise restricts the amount and configuration of off-street parking that a local agency may require. SB 897 additionally prohibits parking standards on an ADU when a permit application for an ADU is submitted with an application for a new single-family home.

Support:

According to the author, "California was and continues to be in an ongoing housing crisis since he introduced his first ADU bill in 2016. While California has seen a significant increase in the amount of ADU building permit applications and ADU construction since that time, the lack of housing, and in particular affordable housing, is one of the most significant drivers of institutional and generational poverty cycles and will not be resolved until more housing can be developed. Eliminating any unnecessary barriers to ADU construction is a cost-effective

approach that will allow homeowners to make better use of their property. ADU's can provide additional rental availability in their communities and allow homeowners to create more financial stability for themselves. Additionally, ADU's provide housing options for those homeowners who want to age in place as well as providing flexible living space for their family, friends, or caregivers. SB 897 builds upon previous ADU legislation by addressing some of the remaining barriers to ADU construction and supporting the development of housing that is more affordable by design."

SB 897 is sponsored by the Bay Area Council and has the support of AARP, Abundant Housing LA, All Home, Apartment Association of Greater Los Angeles, California Apartment Association, California Building Industry Association, California YIMBY, CalRHA, Civic Well, Fremont for Everyone, Housing Action Coalition, Meta, MidPen Housing Corporation, Silicon Valley @ Home Action Fund, South Pasadena Residents for Responsible Growth, Southern California Rental Housing Association, SPUR, Turner Center for Housing Innovation, The Two Hundred, YIMBY LA!

Opposition:

SB 897 continues what has been a nearly annual tradition of numerous significant revisions to ADU law. Since 2016, when the Legislature rewrote ADU law, the Legislature has enacted 11 measures that amend ADU law to some degree, including three bills in 2019 that sent local agencies back to the drawing board on their ADU ordinances, including to prohibit local agencies from requiring owner-occupancy until January 1, 2025. The Legislature should wait on further changes to ADU laws until local governments have had a chance finalize their ADU ordinances and the Legislature can evaluate the effect of recent changes on ADU development.

SB 897 is opposed by the League of California Cities as well as the California Association of Code Enforcement Officers, California Association of Realtors, California Building Officials, California State Association of Counties (CSAC), Catalysts for Local Control, City of Bakersfield, City of Los Altos, City of Paramount, City of Torrance, Community Associations Institute, Hills 2000, Livable California, Marin County Council of Mayors and Council Members, Mission Street Neighbors, Rural County Representatives of California (RCRC), and Urban Counties of California.

Status:

SB 897 is on the Senate floor awaiting a vote of the full Senate.

Legislative Platform:

This bill falls under Cupertino's 2022 Legislative Platform in the Housing & Community Development Section Item #2, "Oppose legislation that may reduce municipal authority, with an emphasis on land use policy, local review, and design standards", and #6, "Oppose legislation that would impact the ability of a local municipality to regulate ADUs", on page 7.

Recommended Action:

Adopt an oppose position on SB 897 and authorize the Mayor to send letters to the state legislature.



CITY OF CUPERTINO

Agenda Item

22-11023

Agenda Date: 5/31/2022
Agenda #: 9.

Subject: Consider adopting a position on Assembly Bill 2164 (Lee) - Disability Access

Adopt a support position on AB 2164 and authorize the Mayor to send letters to the state legislature



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TO: City of Cupertino, Legislative Review Committee
FROM: Anthony, Jason, And Paul Gonsalves
SUBJECT: Reconsider adopting a position on Assembly Bill 2164 (Lee) – Disability Access
DATE: **MAY 31, 2022**

Bill Information:

The official text of AB 2164 can be found [here](#)¹:

Summary:

AB 2164 (Lee) proposes to increase certainty in ADA compliance and support for small businesses in their efforts to remain accessible and avoid legal action.

Existing law requires that, on and after January 1, 2018, and until December 31, 2023, inclusive, any applicant for an original or renewed local business license, equivalent instrument, or permit shall pay an additional fee of \$4 for that license, instrument, or permit, to the jurisdiction that issued it. Commencing January 1, 2024, that fee will be reduced to \$1.

Existing law requires the jurisdiction to collect and deposit the fees for specified purposes related to disability access, including the Certified Access Specialist Program (CASP) Certification and Training Fund, as well as the Division of the State Architect's (DSA's) Disability Access and Education Revolving Fund. This bill would repeal the provision reducing the fee to \$1 commencing January 1, 2024, thereby extending the operation of this fee at the amount of \$4 indefinitely.

Support:

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2164

Budgeting certainty is a critical element of local government decision-making on whether to create or continue programs. By removing the uncertainty that the existing sunset date provides, AB 2164 would allow local governments to continue and improve their Certified Access Specialist programs (CASp), thereby assisting more small businesses and increasing overall compliance. Additionally, AB 2164 would reduce the amount of funding required for administrative costs by 20%, which would instead be put towards CASp certification and training. This would put money where it is most impactful and most needed and would also benefit from increasing compliance and reducing lawsuits.

This bill is sponsored by the City of San Jose and supported by the California Business Properties Association, California Chamber of Commerce, Consumer Attorneys of California, Cupertino Chamber of Commerce, Disability Rights California, Fremont Chamber of Commerce, and San Jose Chamber of Commerce

Opposition:

There is no registered opposition to AB 2164

Status:

AB 2164 is on the Assembly floor awaiting a vote of the full Assembly.

Legislative Platform:

This bill falls under Cupertino's 2022 Legislative Platform in the Health & Public Safety Section Item #3 page 6, "Support legislation to provide funding and services for vulnerable populations." It also falls under Guiding Principle #5 page 2, "The City supports legislation that protects and enhances services to the City's most vulnerable populations, such as the economically disadvantaged, elderly, homeless, and disabled."

Recommended Action:

Adopt a support position on AB 2164 and authorize the Mayor to send letters to the state legislature.



CITY OF CUPERTINO

Agenda Item

22-11042

Agenda Date: 5/31/2022
Agenda #: 10.

Subject: Consider adopting a position on Vehicle License Fee (VLF) Trailer Bill

Adopt an oppose position on the VLF Trailer Bill and authorize the Mayor to send letters to the state legislature



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TO: City Of Cupertino, Legislative Review Committee
FROM: Anthony, Jason, And Paul Gonsalves
SUBJECT: Consider adopting a position on Vehicle License Fee (VLF) Trailer Bill
DATE: **MAY 31, 2022**

Bill Information:

The official text of SB 897 can be found [here](#)¹:

Summary:

In 2004, the state permanently reduced the vehicle license fee (VLF) from 2% to 0.65%, which reduced funding for cities and counties by approximately \$4.4 billion (in 2004 dollars). To mitigate this impact, the State agreed to backfill the lost VLF revenues dollar-for-dollar by allocating more property tax revenues to cities and counties.

A 2022 budget trailer bill proposed by the Department of Finance would renege on this agreement in counties where there are more Educational Revenue Augmentation Fund (ERAF) dollars than required to fund schools up to their minimum state funding levels—so-called “excess ERAF” counties.

In November 2004, the voters enacted Proposition 1A. Among other things, Proposition 1A prohibits the Legislature from enacting laws that reduce the existing allocations of property taxes among cities, counties, and special districts beyond what the laws in effect on November 3, 2004 would have provided. This would include any statutory amendments affecting excess ERAF.

In 2020, DOF proposed amendments to Revenue and Taxation Code section 97.2(d) that would have given it the authority to publish ERAF guidance and impose penalties on county auditors who failed to comply. DOF issued its own

¹ <https://esd.dof.ca.gov/trailer-bill/public/trailerBill/pdf/576>

ERAF Guidance, which contained numerous erroneous statutory interpretations that were aimed at reducing the excess ERAF returned to cities, counties, and special districts. The LAO issued a [report](#)² supporting DOF's erroneous claims.

DOF's VLF trailer bill would require county auditors to use excess ERAF beyond what existed in fiscal year 2021-22 to cover part of the VLF offset. The trailer bill also proposes to authorize continuous state appropriations for any VLF insufficiencies. However, the bill includes a "poison pill" invalidating this provision if the fiscal year 2021-22 cap on excess ERAF is challenged and invalidated by a court.

Status:

The VLF Trailer Bill was presented as part of the May Revise and will be reviewed as part of the June 15th budget.

Legislative Platform:

This bill falls under Cupertino's 2022 Legislative Platform in the Fiscal Responsibility Section on page 1, "The City of Cupertino has a fiduciary responsibility to its residents to ensure assets and resources are properly safeguarded and deployed in a fair, prudent, and efficient manner. As such, the City supports the protection of existing federal, state, and local funding sources and the authorities that provide revenues to the City. Likewise, the City has an interest in the solvency of public entities that provide resources to the City. The City opposes any new mandates that are unfunded or inadequately funded, and supports efforts to eliminate, or provide funding for currently unfunded mandates."

Recommended Action:

Adopt an oppose position on the VLF Trailer Bill and authorize the Mayor to send letters to the state legislature.

² <https://lao.ca.gov/Publications/Report/4193>



CITY OF CUPERTINO

Agenda Item

22-11024

Agenda Date: 5/31/2022
Agenda #: 11.

Subject: Consider adopting a position on the California Plastic Waste Reduction Regulations Initiative

Adopt a support position on the California Plastic Waste Reduction Regulations Initiative and authorize the Mayor to send letters to the state legislature



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TO: CITY OF CUPERTINO
LEGISLATIVE REVIEW COMMITTEE

FROM: ANTHONY, JASON, AND PAUL GONSALVES

SUBJECT: CONSIDER ADOPTING A POSITION ON THE CALIFORNIA
PLASTIC WASTE REDUCTION REGULATIONS INITIATIVE

DATE: May 31, 2022

Initiative Information:

The California Plastic Waste Reduction Regulations Initiative has qualified for the ballot in California as an initiated state statute for November 8, 2022.

Initiative Summary:

The ballot initiative would require the California Department of Resources, Recycling, and Recovery (CalRecycle), in consultation with other agencies, to adopt regulations that reduce the use of single-use plastic packaging and foodware, including:

- requiring producers to ensure that single-use plastic packaging and foodware is recyclable, reusable, refillable, or compostable by 2030;
- requiring producers to reduce or eliminate single-use plastic packaging or foodware that CalRecycle determines is unnecessary for product or food item delivery;
- requiring producers to reduce the amount of single-use plastic packaging and foodware sold in California by at least 25 percent by 2030;
- requiring producers to use recycled content and renewable materials in the production of single-use plastic packaging and foodware;
- establishing "mechanisms for convenient consumer access to recycling," including take-back programs and deposits;
- establishing and enforcing labeling standards to support the sorting of discarded single-use plastic packaging and foodware; and
- prohibiting food vendors from distributing expanded polystyrene food service containers.

The ballot initiative would also enact a fee, called the California Plastic Pollution Reduction Fee, on single-use plastic packaging and foodware. CalRecycle would

determine the fee amount with a maximum amount of one-cent per item of packaging or foodware. Beginning in 2030, the fee would be adjusted based on changes in the California Consumer Price Index.

A "yes" vote supports this ballot initiative to require CalRecycle to adopt regulations that reduce the use of single-use plastic packaging and enact a maximum one-cent per item fee on single-use plastic packaging and foodware, with revenue from the fee distributed to CalRecycle, the California Natural Resources Agency, and local governments.

A "no" vote opposes this ballot initiative, thus not requiring CalRecycle to adopt regulations that reduce the use of single-use plastic packaging nor enacting a fee on single-use plastic packaging and foodware.

Fiscal Impact:

State revenue is likely to increase by a few billion dollars annually from new tax on single-use plastic packaging and foodware. Revenues would be used to administer and implement programs intended to reduce waste, increase recycling, and restore habitats. The net effect on local governments is currently unknown. There would likely be increased costs for waste collecting and sorting, which might be partially or fully offset by new tax revenue payments from producers to support recycling, or lower costs associated with a reduction in total plastic waste collected.

Revenue from the fee would be distributed to CalRecycle, the California Natural Resources Agency, and local governments as follows:

- 50% to CalRecycle for implementing and enforcing the measure and providing funds for statewide recycling, reduction, and composting efforts;
- 30% to the California Natural Resources Agency for state and local grants to address the environmental impacts of plastic pollution, such as habitat restoration; and
- 20% to local governments for recycling and composting programs and plastic pollution mitigation.

Registered Supporters Include:

- State Assemblymember Luz Maria Rivas (D)
- Recology, Inc.
- Corn Refiners Association
- Natural Resources Defense Council
- Save The Bay
- Surfrider Foundation
- The Nature Conservancy

Registered Opponents Include:

- American Chemistry Council

Status:

The initiative has qualified for the November 8, 2022 ballot. However, The Legislature is working on a bill to reduce plastic waste, and, if they are able to reach an agreement by June 30, 2022, this initiative will not be on the ballot.

Legislative Platform:

This initiative falls under Cupertino's 2022 Legislative Platform in the Environmental Protection Section, page 5, Item #7, "Support legislation to reduce plastic waste and single-use plastics, such as plastic bags and containers."

Recommended Action:

Adopt a support position on the initiative and authorize the Mayor to send letters to the state legislature.



CITY OF CUPERTINO

Agenda Item

22-11025

Agenda Date: 5/31/2022
Agenda #: 12.

Subject: Consider adopting a position on Assembly Bill 2221 (Quirk-Silva) Accessory Dwelling Units

Adopt an oppose position on AB 2221 and authorize the Mayor to send letters to the state legislature



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TO: City Of Cupertino, Legislative Review Committee
FROM: Anthony, Jason, And Paul Gonsalves
SUBJECT: Consider adopting a position on Assembly Bill 2221
(Quirk-Silva) – Accessory Dwelling Units
DATE: **MAY 31, 2022**

Bill Information:

The official text of AB 2221 can be found [here](#)¹:

Summary:

AB 2221 by Assemblymember Quirk-Silva proposes to add front setbacks to the list of local development standards that local governments cannot impose if they would preclude construction of an attached or detached ADU of at least 800 square feet, that is at least 16 feet in height, and that has at least four-foot side and rear yard setbacks.

Additionally, AB 2221 states that, in ministerially approving an application for a building permit (within 60 days) to create one detached, new construction ADU on a lot with a single-family dwelling in a zone that allows residential use, a local agency must not impose any objective planning standards that conflict with the ability for the ADU to be at least 800 square feet, at least 16 feet in height, and have at least four-foot side and rear yard setbacks

Support:

According to the author, “Before the COVID 19 pandemic, our state was facing the nation’s worst housing crisis and in the last two years we have seen several families become housing insecure. Some Californians have had their homes

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2221

foreclosed on, while others are at a greater risk of homelessness. Homeownership rates in California are the second lowest in the nation. Last year, California broke the \$800,000 median home price mark for the first time in history. Accessory dwelling units (ADUs) can play an important role in solving California's complex housing crisis. AB 2221 would make it easier to build ADUs by clarifying elements of existing law."

AB 2221 is sponsored by California YIMBY and has the support of the California Association of Realtors, Fremont for Everyone, Mountain View YIMBY, People for Housing Orange County, Sustainable Growth Yolo, YIMBY Action and Gilroy City Councilmember, Zach Hilton.

Opposition:

Opponents state that AB 2221 would harm the communities with negligible impact on increasing the supply of affordable housing. As an unfunded mandate, it adds cost-burden on cities, when the burden to show compliance with city ordinances belongs to the applicant. "City staff work under difficult conditions, yet you would add to their workload a requirement to write comprehensive explanations to developers. This policy allows developer/investor to call the shots."

AB 2221 is opposed by Catalysts for Local Control.

Status:

AB 2221 is currently on the Assembly Floor awaiting a vote of the full Assembly.

Legislative Platform:

This bill falls under Cupertino's 2022 Legislative Platform in the Housing & Community Development Section Items #6 on page 7, "Oppose legislation that would impact the ability of a local municipality to regulate ADUs."

Recommended Action:

Adopt an oppose position on AB 2221 and authorize the Mayor to send letters to the state legislature.