



CITY OF CUPERTINO

DRAFT MINUTES

LEGISLATIVE REVIEW COMMITTEE

10300 Torre Avenue, City Hall, Conference Room A
Thursday, December 5, 2019
9:00 AM

SPECIAL MEETING

ROLL CALL

The meeting was called to order at 9:06 a.m.

Present: Mayor Scharf, Councilmember Chao, Townsend Public Affairs (TPA), and Assistant to the City Manager Katy Nomura

APPROVAL OF MINUTES

1. Subject: Minutes from November 19, 2019
Recommended Action: Approve minutes from November 19, 2019

Mayor Scharf moved to approve the November 19 Legislative Review Committee minutes. Councilmember Chao seconded. The motion carried unanimously.

ORAL COMMUNICATIONS

Jennifer Griffin spoke about AB 68 and AB 69 and is concerned about JADU's and ADU's.

PUBLIC COMMENT (including comments on all agenda items)

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

AGENDA REVIEW

This item was not conducted.

ACTION ITEMS

1. Subject: Discuss the City's draft 2020 Legislative Platform
Recommended Action: Discuss the draft 2020 Legislative Platform and recommend for City Council's adoption

TPA explained that they sat down with staff to discuss the priorities for the City and updated the 2019 legislative platform in order to reflect changes for the upcoming year. The redlined version was included in the meeting materials. TPA went through the changes in the redlined documents

and the Mayor and Councilmember Chao provided their feedback.

Guiding Principles

There were additions to bullets 3 and 4 regarding climate change and increasing energy and water efficiency. There was an addition to bullet 5 regarding supporting legislation that strengthens efforts for local disaster preparedness.

The Proposed 2020 Federal Legislative Priorities

This section had no change since most of the changes applied to the State. TPA explains that the federal legislation has not had many changes this year and does not expect major policy changes next year either. The Mayor and Councilmember Chao decided to add support for legislation that addresses aircraft noise issues to the Transportation and Infrastructure section.

The Proposed 2020 State Legislative Priorities

Economic Development

This section includes two additional monitor positions on legislation that amends sales and property taxes (#8) as well as legislation that amends the definition of independent contractors (No. 9). Number 8 is due to the potential new split role bill that would amend Prop 13 and number 9 is due to AB 5, which recently passed the state legislature earlier this year.

Education

This section remained unchanged. TPA did speak about a \$15 billion education bond measure called the Public Preschool, K-12, and College Health and Safety Bond Act of 2020. This measure will be on the March 2020 ballot and it would no longer allow education development fees to be collected from apartment building developments close to schools.

Emergency Preparedness

This section is new, and it was added due to increased focus on emergency preparedness especially in light of the local impacts to cities from the Public Safety Power Shutoff (PSPS) events. This will allow Cupertino to support incentives for emergency preparedness and funding allocations from the State.

Environmental Protection

TPA proposed removing number 7 in this section regarding CEQA restrictions. The Mayor and Councilmember Chao decided to keep it since they want to make sure streamlining bills do not weaken the CEQA process.

Government Transparency

TPA proposed removing number 4 in the section regarding the Political Reform Act, since they felt that number 1 was general enough to capture the same thing that was already stated in number 4. The Mayor and Councilmember Chao want to support an expansion for public records request in order to increase transparency as long as the expansion wouldn't have a significant cost to the City without state funding. Since number 3 and number 4 were similar, the Mayor and Councilmember Chao agreed to combine them in a way that opposes public disclosure legislation that imposes significant costs to the City.

Health and Public Safety

TPA added support for vaping regulations in Number 5, since the state will probably have many bills against vaping in the upcoming legislative session. The Mayor and Councilmember Chao agreed to add opposition of any legislation that takes away a city's ability to regulate the sale of tobacco/vaping products to number 7. Councilmember Chao also wants to add a line that monitors legislation related to the regulation of mobile food vendors and businesses that prepare food in home kitchens.

Housing

TPA explains that most of this section stayed the same except item 2 was moved from the Quality of Life Section. The Mayor wants to add an emphasis on the affordable housing shortage in item 1. The Mayor and Councilmember Chao agree to add a line that supports legislation that considers job-housing balance as part of the local planning process and/or requires reporting of any jobs-housing imbalance. They also want to add a line that supports legislation that acknowledges elements of RHNA within the City's control. TPA explains that number 6 includes a strikeout of the details in order to make it a more general statement and allow more flexibility for the City to take a position in the future. The Mayor and Councilmember Chao also wants to copy number 8 from the transportation section and add it to the housing section as well. The Mayor and Councilmember Chao would like to change number 13 to support legislation that allows state funding to backfill reductions in mitigation fees. They also want to support legislation that would provide state funding for housing for staff and teachers in public schools.

Councilmember Chao would like to support legislation that speaks about square footage based parcel tax.

Quality of Life

The Mayor and Councilmember Chao want to add a line that monitors legislation on overnight parking of recreational vehicles on public streets.

Transportation

TPA explains that staff wanted to include alternative modal items to number 1 of this section. TPA also added four additions to the end of this section as numbers 10-13. Number 10, 11, and 12 were accepted as is by the Mayor and Councilmember Chao. Number 13 was changed to reflect transit benefits for the surrounding region and Cupertino.

The Mayor and Councilmember Chao would also like to add support for legislation that clarifies a city's ability to create a parcel tax based on square footage to the document. Its placement is still to be determined.

Public Comment:

Jennifer Griffin says that Sacramento needs to work with public utilities due to PSPS. She is also concerned with EB 5.

2. Subject: Discussion of future meetings and agenda topics_

Recommended Action: Recommend future meetings and agenda topics

Future Meetings:

The next LRC meeting will be on January 13th at 11am to further discuss the Legislative platform and recommend it for the full Councils approval. The Legislative Platform will be going to Council at the January 21st City Council meeting.

ADJOURNMENT

The meeting was adjourned at 11:14 a.m.