



# CITY OF CUPERTINO

## APPROVED MINUTES

### LEGISLATIVE REVIEW COMMITTEE

Monday, July 18, 2022

11:00 AM

#### SPECIAL MEETING

#### ROLL CALL

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

Present: Vice Mayor Chao, Councilmember Moore, Acting Assistant to the City Manager Astrid Robles, and Gonsalves and Son (G&S).

#### APPROVAL OF MINUTES

1. Subject: Consider approving the June 27, 2022 Legislative Review Committee minutes  
Recommended Action: Approve the June 27, 2022 Legislative Review Committee minutes

Vice Mayor Chao motioned to approve the June 27, 2022 Legislative Review Committee minutes. Councilmember Moore seconded. The motion carried unanimously.

#### ORAL COMMUNICATIONS

#### PUBLIC COMMENTS (Including comments on all agenda items)

Jennifer Griffin is concerned about the lack of public engagement in the bill introduction process.

#### AGENDA REVIEW/ORDERS OF THE DAY

#### ACTION ITEMS

1. Subject: Discuss Funding Request Process  
Recommended Action: Discuss Funding Request Process

Tara Sreekrishnan from the Office of Senator Dave Cortese provided information on the annual budget allocation process.

Patrick Ahrens from the Office of Assemblymember Evan Low gave a presentation on annual budget requests and awarding process.

Councilmember Moore expressed appreciation for Senator Cortese's contribution in providing student services funding for De Anza College and also noted the efforts of Assemblymember Low in securing funding for the Maclellan Road Bridge and improvement for connectivity and resiliency of the fiber network.

Vice Mayor Chao commented on the State and County's support in funding the all-inclusive playground project at Jollyman Park. The Vice Mayor also discussed the Maclellan Road Bridge funding and expressed the need for additional funding to retrofit the Stevens Creek Boulevard Bridge.

*Public Comment*

Jennifer Griffin expressed concern about roadway infrastructure on Highway 17.

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

G&S stated that Middle Class Tax Refund Bill was passed as part of the budget. The amount awarded to Californians is associated with income thresholds and these rebates can be expected to arrive in October 2022.

According to G&S, there were an additional 29 Trailer Bills that were adopted in the majority party's budget, which did not receive support from the Governor. It took an additional budget proposal to get the Governor, the Democratic Pro Tem, the Speaker, and the majority party in agreement to adopt the budget. When lawmakers return after the July recess on August 1, they will have until August 30 to introduce additional Trailer Bills.

SB 54 (Allen, Hertzberg, Rivas, Skinner, Stern, and Wiener) passed on June 30 after 18 months of negotiations between industry and environmental groups. The result avoids a plastics initiative which would have qualified on the November ballot. G&S states the anticipated outcome of SB 54 is the plastics industry spending five billion dollars over 10 years in order to comply with the plastics recycling mandates.

G&S cautioned over the record 300 billion dollar surplus due to the funding requirement in the constitution which will result in a large growth in the K-12 education budget due to

Prop 98. The education budget will be guaranteed, but there may be a possibility of the surplus being nonexistent next year, resulting in a deficit by 2025.

G&S informed the committee about the one-year suspension of State's Diesel Tax, which would amount to 439 million dollars of relief to the transportation industry.

Councilmember Moore raised the concern about what the deduction in tax would do to funding for road maintenance and construction.

Due to the concern over the Prop 98 triggered deficit, Vice Mayor Chao inquired about the current funding available in the state's rainy-day fund. G&S provided that 23.2 billion dollars were added to the fund last year, increasing the total fund amount to around 50 billion dollars.

*Public Comment*

Jennifer Griffin asked about the budget process.

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

G&S stated the Policy Committee Deadline for bills coming out of appropriations in each legislative house is August 12. The LRC discussed and asked questions on positions taken from housing organizations.

*Public Comment*

Jennifer Griffin raised concerns about pro-housing groups.

4. Subject: Consider adopting a position on Assembly Bill 2097 (Friedman) Residential, commercial, or other development types: parking requirements  
Recommended Action: Adopt an oppose position on AB 2097 and authorize the Mayor to send letters to the state legislature

G&S informed the committee about the contents of AB 2097, describing the constraints it places on the ability of local agencies to determine parking standards. The bill restricts localities from requiring any parking mandates for new developments located within a half-mile of public transit. The bill allows exception for hotel, motel, and lodging developments. Councilmember Moore recognized the well-intended nature of the bill,

but countered that public transit has infrastructure and inequity related issues which undermine the viability of this bill. Vice Mayor Chao raised the challenges faced by local businesses who rely on parking to ensure ease of access for their patrons. The Vice Mayor also discussed the difficulties Cupertino residents living in developments with limited parking will encounter if they commute long distances for work or have irregular hours of work which are inconsistent with public transit hours of operation.

*Public Comment*

Jennifer Griffin raised the issues of accessibility and mobility due to lack of parking.

*Action Taken*

Councilmember Moore motioned to adopt an appose position on AB 2097 and authorize the Mayor to send letters to the state legislature. Vice Mayor Chao seconded. The motion carried unanimously.

5. Subject: Discuss Property Tax Allocation in Cupertino  
Recommended Action: Discuss Property Tax Allocation in Cupertino

G&S discussed Cupertino's history related to property tax allocations. G&S described the effects of AB 117, which increased the property tax revenue share for Cupertino and other low or no property tax cities in Santa Clara County from 4 percent to 7 percent. G&S explained that Cupertino gets a very low share of the property tax compared to other tax equity allocation cities. Councilmember Moore discussed the possibility, however unlikely, of other cities in the county redistributing the property tax returns equitably. The LRC would like to further discuss property tax allocations at a future meeting.

*Public comment*

Jennifer Griffin expressed agreement with the discussion.

6. Subject: Discuss Expanding the Membership of the LRC  
Recommended Action: Discuss Expanding the Membership of the LRC

Acting Assistant to the City Manager, Astrid Robles, gave a brief summary of the history of the members on the LRC and presented the possibility of adding members to the committee. After deliberation, the action taken was to maintain the current membership of the LRC.

*Public comment*

Jennifer Griffin expressed appreciation for the LRC.

## **FUTURE AGENDA SETTING**

The next LRC meeting was set for Monday, September 12. At 11 a.m., but was later rescheduled to 6 p.m.

This meeting will include a wrap-up of the legislative session, including bills that have been sent to the Governor for consideration.

## **ADJOURNMENT**

The meeting was adjourned at 1:19 p.m.



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Astrid Robles, City Manager's Office