



# CITY OF CUPERTINO

## APPROVED MINUTES

### LEGISLATIVE REVIEW COMMITTEE

Friday, July 23, 2021

3:00 PM

### SPECIAL MEETING

#### ROLL CALL

The meeting was called to order at 3:02 p.m.

Present: Vice Mayor Chao, Councilmember Moore, Interim City Manager Greg Larson, Assistant to the City Manager Katy Nomura, Townsend Public Affairs (TPA)

#### APPROVAL OF MINUTES

1. Subject: Consider approving the June 18, 2021 Legislative Review Committee minutes.  
Recommended Action: Approve the June 18, 2021 Legislative Review Committee minutes

Councilmember Moore motioned to approve the June 18, 2021 Legislative Review Committee minutes. Vice Mayor Chao seconded. The motion carried unanimously.

#### POSTPONEMENTS

This item was not conducted.

#### ORAL COMMUNICATIONS

Jennifer Griffin is concerned about the placement of boards and RHNA data.

#### PUBLIC COMMENT (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.

#### AGENDA REVIEW

This item was not conducted.

#### ACTION ITEMS

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

TPA explained that the legislature is currently in their summer recess and are set to return on August 16<sup>th</sup>. There is work being done behind the scenes by staff and committees preparing for the end of session. Once the legislators return there is a quick 4-week turn around time to finalize all bills by September 10<sup>th</sup>.

The legislature and the Governor were able to agree on a completed budget as of now, so the budget is basically complete. We do expect to have more budget trailer bills that the legislature will consider at the end of session. This budget has \$75 billion of general fund surplus in addition to the \$27 billion coming from the federal government American Rescue Plan funding. This money will be going to homelessness, local governments, and broadband services that will be administered by new grant programs. The legislature also made modifications to the eviction moratorium to provide 100% of rental arrearages. In education, community colleges and schools throughout the state have to provide plans before bringing their students back for the next school year.

*Public Comment:*

Jennifer Griffin asked about the status of SB 9 and SB 10

TPA explains that SB 9 will most likely not fail, but it could be held in the Appropriations Committee. SB 10 does not have a fiscal component to the state, so this bill is currently on the Assembly floor and is eligible to be considered at any floor session.

Councilmember Moore asked for an update on AB 1401. TPA explained that this bill was approved by the Housing Committee as well as the governance and finance committee after it was amended to only apply to local governments that are in counties with a population of 600,000 or more.

3. Subject: Update on positions taken by the League of California Cities (League) and the Cities Association of Santa Clara County (CASCC)  
Recommended Action: Receive update on positions taken by the League and CASCC and provide any input

TPA explains that the organizations are currently modifying existing positions based on amendments that have happened as part of the committee process. The League recently considered ACA 7 and they took a watch position. Since it is a constitutional amendment it does not have the same timeline as other bills do. If they want to place this on next year's ballot they would have to get it on there by February of next year.

*Public Comment:*

Jennifer Griffin asked about the process of constitutional amendments.

TPA explains that constitutional amendments are not subject to the same deadlines as assembly bills and senate bills. These bills cannot be considered when the legislature is out on session and still need to be taken up within the legislative session timeline.

4. Subject: Consider adopting a position on AB 215 (Chiu) Housing Element: regional housing need: relative progress determination  
Recommended Action: Adopt an oppose position on AB 215 and authorize the Mayor to send letters to the state legislature

TPA explains that there have been significant amendments to this bill after the summary report was finalized. In particular, the part of the bill that removes the provisions that a jurisdiction would need to obtain a pro-housing designation, was removed. Another amendment specified that mid-cycle consultations would be required for jurisdictions whose RHNA progress is less than half of the relative progress for the median jurisdiction within the region.

Councilmember Moore asked if the recommended action for this bill should change based on the new amendments. TPA explains that there were four major points which explain why they recommend an oppose position and the first two bullet points were somewhat addressed and if we were only basing the opposition on that then we would maybe move to a watch position. However, the bill still undermines local control and does not allow for public comment on the housing elements, so it is still recommended to oppose this bill.

*Public Comment:*

Jennifer Griffin expressed her opposition to this bill

*Action Taken:*

Councilmember Moore motioned to take an oppose position on AB 215 and authorize the Mayor to send letters to the state legislature. Vice Mayor Chao seconded, and the motion carried unanimously.

5. Subject: Consider adopting a position on AB 816 (Chiu) State and local agencies: homelessness plan: Housing Trust Fund: housing projects  
Recommended Action: Adopt an oppose position on AB 816 and authorize the Mayor to send letters to the state legislature

TPA explained that this bill was significantly amended and now the bill only deals with funds that come to the state through the federal housing trust fund and would authorize HCD to prioritize funding for projects that serve people experiencing homelessness. The provisions in the bill that would have warranted an oppose position have been stricken, along with 80% of the original bill. TPA recommended taking a

watch position on this bill and will review it once the legislature returns from session. If it is amended to include a revised version of the amendments then the LRC can consider this bill again at a future meeting.

*Public Comment:*

Jennifer Griffin is concerned that this bill is for micromanaging local cities and is concerned that this bill might be gut and amended.

TPA explained that all bills have to be in print at least 72 hrs. before they get voted on, any amendments would restart the 72 hr. timeline.

*Action Taken:*

Councilmember Moore motioned to take a watch position on AB 816. Vice Mayor Chao seconded, and the motion carried unanimously.

6. Subject: Consider adopting a position on SB 52 (Dodd) State of Emergency: Local Emergency: Sudden and Severe Energy Shortage: Planned Power Outage  
Recommended Action: Adopt a support position on SB 52 and authorize the Mayor to send letters to the state legislature

TPA explained that this bill defines a deenergization event as a planned power outage event. This enables that event as a condition for constituting a local emergency. This allows local jurisdictions to claim reimbursements and to work with emergency assistant organizations. This bill has been moving through the process without any opposition and is publicly supported by the League and other environmental organizations.

*Public Comment:*

Jennifer Griffin expressed that this bill could make it easier for cities to recover their losses in the case of an emergency

*Action Taken:*

Vice Mayor Chao motioned to take a support position on SB 52 and authorize the Mayor to send letters to the state legislature. Councilmember Moore seconded, and the motion carried unanimously.

7. Subject: Consider adopting a position on SB 99 (Dodd) Community Energy Resilience Act of 2021  
Recommended Action: Adopt a support position on SB 99 and authorize the Mayor to send letters to the state legislature

TPA explained that this measure would direct the California Energy Commission (CEC) to develop and implement a grant and technical assistance program to help local governments develop plans and projects to help reduce adverse impacts from power interruptions. This bill requires the CEC to take a number of steps to develop those plans. This has moved through the Senate with broad support and is now in the Appropriations Committee. There is no official opposition to this bill. This bill, if passed, will be worked into a budget trailer bill.

*Public Comment:*

Jennifer Griffin expressed her support for this bill.

Councilmember Moore asked if this is for only low income communities. TPA explained that the bill is not exclusively limited to disadvantaged communities

*Action Taken:*

Vice Mayor Chao motioned to take a support position on SB 99 and authorize the Mayor to send letters to the state legislature. Councilmember Moore seconded, and the motion carried unanimously.

8. Subject: Discuss Town Hall on Legislative Process

Recommended Action: Discuss and provide input on Town Hall on Legislative Process

TPA is scheduled to make a presentation on how to engage in the legislative process at the August 17 Council Meeting. In addition, the future Town Hall will be another opportunity to educate the community on the legislative process. Vice Mayor Chao wondered if it would be best to schedule this in October or November once the legislative session is over. In addition, the LRC discussed possibly having a special Council meeting where legislators can come and discuss their positions. Staff will consider possible dates.

## FUTURE AGENDA SETTING

The Legislative Day is tentatively scheduled for August 18<sup>th</sup>. The next LRC meeting is scheduled for September 17<sup>th</sup> at 11:00 a.m.

## ADJOURNMENT

The meeting was adjourned at 5:30 p.m.



Astrid Robles, City Manager's Office