



CITY OF CUPERTINO

AGENDA

LEGISLATIVE REVIEW COMMITTEE

This will be a teleconference meeting without a physical location

Monday, July 18, 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 Monday, July 18 to the Committee at AstridR@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 AstridR@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 AstridR@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_ZkFsRZZjQWmgLa5vw4cEyw

Phone

Dial: (669) 900 6833 and enter Webinar ID: 927 4112 3590 (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: 927 4112 3590

SIP: 92741123590@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 Monday, July 18, 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 June 27, 2022 Legislative Review Committee minutes
Recommended Action: Approve the June 27, 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

2. Subject: Discuss Funding Request Process
Recommended Action: Discuss Funding Request Process
3. Subject: Legislative Update
Recommended Action: Receive legislative update
[A - Legislative Update](#)
[B - Cupertino Bill Positions and Other Bills of Interest](#)
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), 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
[A – League, APA, CASCC, LWVC, SPUR, YIMBY, and Sierra Club Bill Positions](#)
5. 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

[A - AB 2097 Summary Report](#)

6. Subject: Discuss Property Tax Allocation in Cupertino

Recommended Action: Discuss Property Tax Allocation in Cupertino

[A - State and Local Fiscal History](#)

[B - No & Low 1987 analysis](#)

[C - AB 117 2006 Santa Clara County](#)

[D - AB 117 2006 Analysis](#)

7. Subject: Discuss Expanding the Membership of the LRC

Recommended Action: Discuss Expanding the Membership of the LRC

[Staff Report](#)

[A - Staff Report from May 24, 2019 LRC Meeting](#)

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 24 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

22-11192

Agenda Date: 7/18/2022
Agenda #: 1.

Subject: Consider approving the June 27, 2022 Legislative Review Committee minutes

Approve the June 27, 2022 Legislative Review Committee minutes



CITY OF CUPERTINO

DRAFT MINUTES

LEGISLATIVE REVIEW COMMITTEE

Monday, June 27, 2022

11:00 AM

SPECIAL MEETING

ROLL CALL

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

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

APPROVAL OF MINUTES

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

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

ORAL COMMUNICATIONS

PUBLIC COMMENTS (Including comments on all agenda items)

Jennifer Griffin is concerned HCD will go after coastal communities.

AGENDA REVIEW/ORDERS OF THE DAY

ACTION ITEMS

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

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

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

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

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

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

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

Public Comment

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

Lisa Warren is concerned about ADUs and the water issue.

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

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

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

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

Public Comment

Jennifer Griffin is concerned about AB 2011 and ADU bills.

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

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

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

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

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

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

Public Comment

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

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

Action Taken

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

Vice Mayor Chao seconded. The motion carried unanimously.

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

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

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

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

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

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

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

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

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

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

FUTURE AGENDA SETTING

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

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

ADJOURNMENT

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



CITY OF CUPERTINO

Agenda Item

22-11193

Agenda Date: 7/18/2022
Agenda #: 2.

Subject: Discuss Funding Request Process

Discuss Funding Request Process



CITY OF CUPERTINO

Agenda Item

22-11194

Agenda Date: 7/18/2022
Agenda #: 3.

Subject: Legislative Update

Receive legislative update



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 & Paul Gonsalves

SUBJECT: Legislative Update

DATE: Monday, July 18, 2022

STATE LEGISLATIVE UPDATE

The Legislature passed a budget on June 13, 2022, and while this budget allowed the Legislature to meet its constitutional deadline to adopt a budget by June 15th, it was opposed by the Governor and did not represent a negotiated compromise between the Assembly, Senate, and Administration. Consequently, the Governor did not sign the budget bill.

Given the start of the state's budget year on July 1, the Governor and legislative leadership continued to negotiate behind the scenes. Just before the Legislature was scheduled to adjourn for summer recess on July 1, 2022, the Governor and Legislative Leaders reached an agreement on a \$300 billion budget. The centerpiece for this budget agreement is a \$9.5 billion "inflation relief package." Under the agreement, 95% of California taxpayers will be eligible for stimulus payments ranging from \$200 up to \$1,050 for some families. The budget proposal will also suspend the state's diesel tax.

In addition to the budget, the Legislature had until July 1, 2022, to pass all bills out of Policy Committees. When the Legislature returns from Summer Recess, they will have until August 12, 2022, to pass all bills out of the Appropriations Committees and until the end of the month to pass all remaining legislation to Governor Newsom for his consideration. The Governor will then have until September 30th to act on the legislation sent to him.

BUDGET

As previously mentioned, on June 13, 2022, the Legislature approved SB 154 (Skinner), a \$300 billion state budget bill. However, legislative leaders had to continue to negotiate

with Governor Newsom over numerous items, including a proposed multibillion-dollar rebate to taxpayers. The Legislature adopted the record spending plan to meet a constitutional requirement that the Legislature pass a balanced budget by June 15th or forgo their pay.

On June 27, 2022, Legislative Leaders and Governor Newsom announced they reached an agreement on the 2022-23 budget, which includes total spending of \$308 billion, of which \$234.4 billion is from the General Fund. The budget contains total reserves of \$37.1 billion, including \$3.4 billion in the regular operating reserve.

The following will provide you with the highlights of the newly agreed upon budget:

Middle-Class Tax Refund:

Part of the newly agreed upon budget is the Middle-Class Tax Refund, totaling \$9.5 billion, which provides direct tax refunds for 23 million Californians based on 3 tiers:

- First Tier: 14.2 million tax filers with incomes up to \$75,000/\$150,000 (Single Filers / Joint Filers):
 - \$350 per tax filer, plus an additional \$350 if tax filer has at least one dependent.
- Second Tier: 2.1 million tax filers with incomes above First Tier, but below \$125,000/\$250,000 (Single Filers / Joint Filers):
 - \$250 per tax filer, plus an additional \$250 if tax filer has at least one dependent.
- Third Tier: 1.1 million tax filers with incomes above Second Tier, but below \$250,000/\$500,000 (Single Filers / Joint Filers):
 - \$200 per tax filer, plus an additional \$200 if tax filer has at least one dependent.

\$3.35 Billion for Emergency Rental Assistance and Past-Due Utility Bill Relief:

The budget provides additional \$1.95 billion to ensure qualified low-income tenants who requested rental assistance before March 31, 2022, get the support they need.

Additionally, the budget expanded on last year's utility relief program by providing \$1.4 billion to continue covering past-due electricity and water bills.

\$439 Million to Pause the State Sales Tax on Diesel for 12 Months:

The suspension of the State's Diesel tax is an effort to bring relief to the commercial sector and drivers by pausing the General Fund (3.9375 percent rate) portion of the sales tax rate on diesel fuel that will provide an estimated \$439 million in relief.

\$53.9 Billion California Climate Commitment

- Drought and Water Resilience: The budget invests another \$2.8 billion (on top of last year's \$5.2 billion) to ensure water security for Californians and focuses on near- and long-term actions to build water resilience and promote conservation.

- Fighting Wildfires: \$2.7 billion to reduce the risk of catastrophic wildfires and bolster forest health. These projects include forest thinning, prescribed burns, grazing, reforestation, and fuel breaks.
- Accelerating the Zero-Emission Vehicle (ZEV) Transition: \$6.1 billion to expand ZEV access and affordability and support the build-out of infrastructure across the state.
- Bolstering our Energy System: \$4.3 billion to support energy reliability, provide relief to ratepayers, create strategic energy reserves, and accelerate clean energy projects. Additionally, the budget includes \$3.8 billion for clean energy projects to boost affordability and reliability.
- Regional Transit, Rail and Ports: \$14.8 billion for projects to support the continued development of clean transportation projects, including the high-speed rail system and bicycle and pedestrian projects.

Homelessness and Mental Health:

The budget includes \$3.4 billion over two years to build on last year's \$12 billion multi-year investment by continuing progress on expanding behavioral health housing, encampment cleanup grants and support for local government efforts.

COVID-19:

The budget adds \$1.8 billion to continue implementing the state's SMARTER plan, including more funding to support school testing, increase vaccination rates and more. The budget also invests \$300 million from the General Fund for CDPH and local health jurisdictions to permanently expand the state's capacity to protect public health and promote health equity.

Crime:

The budget expands CHP's retail theft task force and includes funding for the Attorney General to prosecute organized retail theft crimes, lead anti-crime task forces throughout the state, and establish a new Fentanyl Enforcement Program. Additionally, the budget expands fentanyl drug interdiction efforts led by the California Military Department.

AB 178 (Ting) is the Budget Bill that amends the Legislature's original budget contained in SB 154. AB 180 is the Budget Bill that amends the 2021-22 budget to make current year allocations. There is also a substantial trailer bill package to make statutory changes needed to implement the budget agreement. The budget and related budget trailer bills include:

- AB 178 by Assemblymember Philip Ting – Budget Act of 2022.
- AB 180 by Assemblymember Philip Ting – Budget Act of 2021.
- AB 181 by the Committee on Budget – Education finance: education omnibus budget trailer bill.
- AB 182 by the Committee on Budget – COVID-19 emergency response: Learning Recovery Emergency Fund.
- AB 183 by the Committee on Budget – Higher education trailer bill.

- AB 186 by the Committee on Budget – Public health.
- AB 192 by the Committee on Budget – Better for Families Tax Refund.
- AB 194 by the Committee on Budget – Taxation.
- AB 195 by the Committee on Budget – Cannabis.
- AB 199 by the Committee on Budget – Courts.
- AB 200 by the Committee on Budget – Public safety omnibus.
- AB 202 by the Committee on Budget – County jail financing.
- AB 203 by the Committee on Budget – Public resources.
- AB 205 by the Committee on Budget – Energy.
- AB 210 by the Committee on Budget – Early childhood: childcare and education.
- SB 125 by the Committee on Budget and Fiscal Review – Public resources: geothermal resources: lithium.
- SB 130 by the Committee on Budget and Fiscal Review – State employment: State Bargaining Units 5, 6, 7, and 8: agreements.
- SB 131 by the Committee on Budget and Fiscal Review – November 8, 2022, statewide general election: ballot measures.
- SB 132 by the Committee on Budget and Fiscal Review – State employment: State Bargaining Units 16 and 18: agreements.
- SB 184 by the Committee on Budget and Fiscal Review – Health.
- SB 187 by the Committee on Budget and Fiscal Review – Human services.
- SB 188 by the Committee on Budget and Fiscal Review – Developmental services omnibus.
- SB 189 by the Committee on Budget and Fiscal Review – State Government.
- SB 191 by the Committee on Budget and Fiscal Review – Employment.
- SB 193 by the Committee on Budget and Fiscal Review – Economic development: grant programs and other financial assistance.
- SB 196 by the Committee on Budget and Fiscal Review – State employment: State Bargaining Units: agreements.
- SB 197 by the Committee on Budget and Fiscal Review – Housing.
- SB 198 by the Committee on Budget and Fiscal Review – Transportation.
- SB 201 by the Committee on Budget and Fiscal Review – Taxation: Earned Income Tax Credit: Young Child Tax Credit: Foster Youth Tax Credit.

PLASTICS INITIATIVE COMPROMISE/SB54

On June 30, 2022, Governor Newsom signed SB 54 (Allen), requiring all packaging in the state to be recyclable or compostable by 2032, cutting plastic packaging by 25% in 10 years and requiring 65% of all single-use plastic packaging to be recycled in the same timeframe. The legislation is a result of negotiations between lawmakers and stakeholders in response to a pending initiative on the November ballot, which has since been removed as a result of this action.

SB 54 shifts the plastic pollution burden from consumers to the plastics industry by raising \$5 billion from industry members over 10 years to assist efforts to cut plastic pollution and support disadvantaged communities hurt most by the damaging effects of plastic waste. This is the most significant overhaul of California's plastics and packaging

recycling policy in history and goes further than any other state on cutting plastics production at the source. A global study in 2018 found that only 9% of plastics actually get recycled, leaving 91% to litter land and pollute oceans.

SB 54 requires all plastic packaging in California to be recycled at the following levels:

- At least 30% on and after January 1, 2028.
- At least 40% on and after January 1, 2030.
- At least 65% on and after January 1, 2032.

NOVEMBER 8, 2022, QUALIFIED STATEWIDE BALLOT MEASURES

Proposition 1

SCA 10 (Resolution Chapter 97, Statutes of 2022) ATKINS. REPRODUCTIVE FREEDOM.

Enacts a constitutional amendment, expressly providing that the state shall not deny or interfere with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives. Specifies that the constitutional amendment is intended to further the constitutional right of privacy guaranteed by Section 1 of the California Constitution and the constitutional right to not be denied equal protection guaranteed by Section 7 of the California Constitution. Specifies that nothing herein narrows or limits the right to privacy or to equal protection.

Proposition 26

AUTHORIZES NEW TYPES OF GAMBLING. INITIATIVE CONSTITUTIONAL AND STATUTORY AMENDMENT.

Allows federally recognized Native American tribes to operate roulette, dice games, and sports wagering on tribal lands, subject to compacts negotiated by the Governor and ratified by the Legislature. Beginning in 2022, Prop 26 allows on-site sports wagering only at privately operated horse-racing tracks in four specified counties for persons 21 years or older. Imposes 10% tax on sports-wagering profits at horse-racing tracks; directs portion of revenues to enforcement and problem-gambling programs. Prohibits marketing of sports wagering to persons under 21. Authorizes private lawsuits to enforce other gambling laws. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: 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.

Proposition 27

ALLOWS ONLINE AND MOBILE SPORTS WAGERING. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.

Legalizes online and mobile sports wagering, which currently is prohibited for persons 21 years and older. Such wagering may be offered only by federally recognized Indian tribes and eligible businesses that contract with them. Individuals placing bets must be in California and not located on Indian lands. Imposes 10% tax on sports-wagering revenues and licensing fees. Directs tax and licensing revenues first to regulatory costs, then remainder to: 85% to homelessness programs; 15% to nonparticipating tribes. Specifies licensing, regulatory, consumer-protection, and betting-integrity standards for sports wagering. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Increased state revenues, potentially reaching the mid-hundreds of millions of dollars annually, from online sports wagering-related taxes, licensing fees, and penalties. Some portion of these revenues would reflect a shift from other existing state and local revenues. Increased state regulatory costs, potentially reaching the mid-tens of millions of dollars annually, that would be fully or partially offset by the increased revenues.

Proposition 28

PROVIDES ADDITIONAL FUNDING FOR ARTS AND MUSIC EDUCATION IN PUBLIC
SCHOOLS. INITIATIVE STATUTE.

Provides additional funding for arts and music education in all K-12 public schools (including charter schools) by annually allocating from state General Fund an amount equaling 1% of required state and local funding for public schools. Allocates greater proportion of the funds to schools serving more economically disadvantaged students. Schools with 500 or more students must spend at least 80% of funding to employ teachers and remainder on training, supplies, and education partnerships. Requires audits and limits administrative costs to 1% of funding. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Increased spending likely in the range of \$800 million to \$1 billion annually, beginning in 2023-24, for arts education in schools.

Proposition 29

REQUIRES ON-SITE LICENSED MEDICAL PROFESSIONAL AT KIDNEY DIALYSIS
CLINICS AND ESTABLISHES OTHER STATE REQUIREMENTS. INITIATIVE
STATUTE.

Requires physician, nurse practitioner, or physician assistant, with six months' relevant experience, on site during treatment at outpatient kidney dialysis clinics; authorizes exemption for staffing shortage if qualified medical professional is available through telehealth. Requires clinics to disclose to patients all physicians with clinic ownership interests of five percent or more. Requires clinics to report dialysis-related infection data to state. Prohibits clinics from closing or substantially reducing services without state approval. Prohibits clinics from refusing to treat patients based on source of payment.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Increased state and local government costs likely in the low tens of millions of dollars annually.

Proposition 30

PROVIDES FUNDING FOR PROGRAMS TO REDUCE GREENHOUSE GAS EMISSIONS BY INCREASING TAX ON PERSONAL INCOME OVER \$2 MILLION. INITIATIVE STATUTE.

Increases tax on personal income over \$2 million by 1.75% for individuals and married couples and allocates new tax revenues as follows: (1) 45% for rebates and other incentives for zero-emission vehicle purchases and 35% for charging stations for zero-emission vehicles, with at least half of this funding directed to low-income households and communities; and (2) 20% for wildfire prevention and suppression programs, with priority given to hiring and training firefighters. Requires audits of programs and expenditures. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Increased annual state tax revenue ranging from \$3 billion to \$4.5 billion, with the additional revenue used to support zero-emission vehicle programs and wildfire-related activities. Potential increased state administrative costs paid from other funding sources that could reach tens of millions to the low hundreds of millions of dollars annually. Net decrease in state and local transportation revenue of up to several tens of millions of dollars annually in the initial years and growing to up to a few hundreds of millions of dollars annually after several years.

Proposition 31

REFERENDUM CHALLENGING A 2020 LAW PROHIBITING RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.

If the required number of registered voters sign this petition and the petition is timely filed, there will be a referendum challenging a 2020 law on the next statewide ballot after the November 3, 2020, general election. The challenged law prohibits the retail sale of certain flavored tobacco products and tobacco flavor enhancers. The referendum would require a majority of voters to approve the 2020 state law before it can take effect.

LEGISLATIVE DEADLINES

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

June 30, 2022: Last day for a legislative measure to qualify for the Nov. 8, 2022, General Election ballot

July 1, 2022: Last day for policy committees to meet and report bills

July 1- August 1, 2022: Summer Recess

August 12, 2022: Last day for fiscal committees to meet and report bills

August 15 – 31, 2022: Floor session only. No committee may meet for any purpose except Rules Committee.

August 25, 2022: Last day to amend bills on the floor

August 31, 2022: Last day for each house to pass bills. Final Recess begins upon adjournment

Cupertino Bill Positions and Other Bills of Interest

[AB 988](#)

(Bauer-Kahan D) Mental health: 988 crisis hotline.

Current Text: Amended: 6/16/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Health](#) (text 6/16/2022)

Introduced: 2/18/2021

Last Amend: 6/16/2022

Status: 6/30/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (June 29). Re-referred to Com. on APPR.

Location: 6/30/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Current federal law, the National Suicide Hotline Designation Act, designates the 3-digit telephone number "988" as the universal number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline maintained by the Assistant Secretary for Mental Health and Substance Abuse and the Veterans Crisis Line maintained by the Secretary of Veterans Affairs. This bill would enact the Miles Hall Lifeline and Suicide Prevention Act. The bill would require the Office of Emergency Services to ensure, no later than July 16, 2022, that designated 988 centers utilize technology that allows for transfers between 988 centers as well as between 988 centers and 911 public safety answering points. The bill would require, no later than 90 days after passage of the act, the office to appoint a 988 crisis hotline system director, among other things. The bill would require, no later than July 1, 2024, the office to ensure interoperability between and across crisis and emergency response systems used throughout the state, as described. The bill would require the office to consult with specified entities on any technology requirements for 988 centers.

Organization **Position**
Cupertino Support

[AB 1014](#)

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

Current Text: Amended: 6/22/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Committee On Labor, Public Employment And Retirement](#) (text 6/22/2022)

Introduced: 2/18/2021

Last Amend: 6/22/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 29). Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

Summary: The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. MAUCRSA establishes the Department of Cannabis Control for the administration and enforcement of its provisions. MAUCRSA generally defines delivery to mean the commercial transfer of cannabis or cannabis products to a customer, requires the delivery of cannabis or cannabis products to be made only by a licensed retailer, microbusiness, or nonprofit, and establishes requirements for the delivery of cannabis and cannabis products, including that an employee of the licensee carry a copy of the licensee's current license and a government-issued identification with a photo of the employee, such as a driver's license. This bill would require, on or before January 1, 2023, the regulations established by the bureau regarding the minimum security and transportation safety requirements to include regulations that would allow for an increase in the value of cannabis goods to be carried during delivery of those cannabis goods to customers by employees of a licensed retailer to \$10,000, as specified. The bill would require a licensed retailer to provide their delivery employee certain hardware, tools, and supplies, access to healthcare benefits, and either a vehicle that meets certain requirements or reimbursement for certain costs for the use of the employee's vehicle, as specified.

Organization **Position**
Cupertino Watch

[AB 1445](#)

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

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

Current Analysis: 06/10/2022 [Senate Appropriations](#) (text 6/6/2022)

Introduced: 2/19/2021

Last Amend: 6/6/2022

Status: 6/13/2022-In committee: Referred to suspense file.

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

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that includes, among other mandatory elements, a housing element. For the 4th and subsequent revisions of the housing element, existing law requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region. Current law requires the appropriate council of governments, or the department for cities and counties without a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county, as provided. Current law requires that the final regional housing plan adopted by a council of governments, or a delegate subregion, as applicable, be based on a methodology that includes specified factors, and similarly requires that the department take into consideration specified factors in distributing regional housing need, as provided. Commencing January 1, 2025, this bill would require that a council of governments, a delegate subregion, or the department, 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: Amended: 6/21/2022 [html](#) [pdf](#)

Current Analysis: 06/24/2022 [Senate Appropriations \(text 6/21/2022\)](#)

Introduced: 1/31/2022

Last Amend: 6/21/2022

Status: 6/27/2022-In committee: Referred to suspense file.

Location: 6/27/2022-S. APPR. SUSPENSE FILE

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, an 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 require a core recycler to include additional information in the written record, including the year, make, and model of the vehicle from which the catalytic converter was removed and a copy of the title of the vehicle from which the catalytic converter was removed. The bill would prohibit a core recycler from entering into a transaction to purchase or receive a catalytic converter from a person that is not a commercial enterprise, as defined, or a verifiable owner of the vehicle from which the catalytic converter was removed, as specified, and would make other conforming changes.

Organization **Position**
 Cupertino Watch

AB 1985 **(Rivas, Robert D) Organic waste: recovered organic waste product procurement targets.**

Current Text: Amended: 6/30/2022 [html](#) [pdf](#)

Current Analysis: 07/11/2022 [Senate Environmental Quality \(text 6/13/2022\)](#)

Introduced: 2/10/2022

Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Existing 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. This bill would require the department's regulations to allow a local jurisdiction to procure a product made from California, landfill-diverted recovered organic waste, as provided, to comply with these recovered organic waste product procurement target requirements. The bill would allow a local jurisdiction, in procuring recovered organic waste products, to utilize California-derived recovered organic waste that is processed outside of the state. The bill would require any penalties imposed by the department on a local jurisdiction that fails to meet its recovered organic waste procurement target to be imposed pursuant to a specified schedule based on the percentage of the local jurisdiction's recovered organic waste product

Organization **Position**
Cupertino Watch

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

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Governance And Finance \(text 6/23/2022\)](#)

Introduced: 2/14/2022

Last Amend: 6/23/2022

Status: 6/30/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 29). Re-referred to Com. on APPR.

Location: 6/30/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Would create the Affordable Housing and High Road Jobs Act of 2022, which 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 a requirement that all construction workers be paid at least the general prevailing rate of wages, as specified. The bill would require a development proponent to certify to the local government that those standards will be met in project construction. By expanding the crime of perjury, the bill would impose a state-mandated local program.

Organization **Position**
Cupertino Oppose

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

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

Current Analysis: 06/24/2022 [Senate Judiciary \(text 5/19/2022\)](#)

Introduced: 2/15/2022

Last Amend: 5/19/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (June 28). Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

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

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

Current Analysis: 06/27/2022 [Senate Governance And Finance \(text 5/2/2022\)](#)

Introduced: 2/15/2022

Last Amend: 5/2/2022

Status: 6/30/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 29).

Location: 6/30/2022-S. APPR.

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

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: 6/6/2022 [html](#) [pdf](#)
Current Analysis: 06/27/2022 [Senate Governance And Finance \(text 6/6/2022\)](#)
Introduced: 2/15/2022
Last Amend: 6/6/2022
Status: 6/30/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 29).
Location: 6/30/2022-S. APPR.

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

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 local ordinance to require an accessory dwelling unit to be either attached to, or located within, the proposed or existing primary dwelling, as specified, or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling. This bill would specify that an accessory dwelling unit that is detached from the proposed or existing primary dwelling may include a detached garage.

Organization **Position**
 Cupertino Watch

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

Current Text: Amended: 6/8/2022 [html](#) [pdf](#)
Current Analysis: 06/25/2022 [Senate Public Safety \(text 6/8/2022\)](#)
Introduced: 2/17/2022
Last Amend: 6/8/2022
Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 28). Re-referred to Com. on APPR.
Location: 6/29/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Current law imposes various requirements on a core recycler, as defined. Existing 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. The bill would also require a core recycler to obtain the thumbprint of a seller of a catalytic converter and to preserve the thumbprint for a period of 2 years, except as specified.

Organization **Position**
 Cupertino Watch

Current Text: Amended: 6/30/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Judiciary](#) (text 6/23/2022)

Introduced: 2/17/2022

Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

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. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, 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. This bill contains other related provisions and other existing laws.

Organization **Position**
Cupertino Support

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 6

(Caballero D) Local planning: housing: commercial zones.

Current Text: Amended: 6/20/2022 [html](#) [pdf](#)

Current Analysis: 06/28/2022 [Assembly Housing And Community Development \(text 6/20/2022\)](#)

Introduced: 12/7/2020

Last Amend: 6/20/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (June 29). Re-referred to Com. on APPR.

Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. Current law requires that the housing element include, among other things, an inventory of land suitable and available for residential development. If the inventory of sites does not identify adequate sites to accommodate the need for groups of all households pursuant to specified law, existing law requires the local government to rezone sites within specified time periods and that this rezoning accommodate 100% of the need for housing for very low and low-income households on sites that will be zoned to permit owner-occupied and rental multifamily residential use by right for specified developments. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a parcel that is within a zone where office, retail, or parking are a principally permitted use, if the development and site meet specified requirements, including that the site is not adjacent to an industrial use or agricultural use. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction. The bill would require the housing development to meet all other local requirements, other than those that prohibit residential use, or allow residential use at a lower density than that required by the bill.

Organization **Position**
Cupertino Oppose

SB 379

(Wiener D) Residential solar energy systems: permitting.

Current Text: Amended: 6/20/2022 [html](#) [pdf](#)

Current Analysis: 06/28/2022 [Assembly Committee On Utilities And Energy \(text 5/31/2022\)](#)

Introduced: 2/10/2021
Last Amend: 6/20/2022

Status: 6/29/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (June 29). Re-referred to Com. on APPR.

Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: 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 or allows the city, county, or city and county to issue permits in real time for a residential solar energy system, as defined, that is no larger than 38.4 kilowatts alternating current nameplate rating and a residential energy storage system, as defined, paired with a residential 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: 6/30/2022 [html](#) [pdf](#)

Current Analysis: 06/28/2022 [Assembly Local Government \(text 6/20/2022\)](#)

Introduced: 2/1/2022

Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

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. The bill would also prohibit a local agency from denying an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

Organization **Position**
Cupertino Oppose

SB 986

(Umberg D) Vehicles: catalytic converters.

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

Current Analysis: 06/27/2022 [Assembly Public Safety \(text 5/19/2022\)](#)

Introduced: 2/14/2022

Last Amend: 5/19/2022

Status: 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 28). Re-referred to Com. on APPR.

Location: 6/28/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

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.

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

Current Text: Amended: 6/30/2022 [html](#) [pdf](#)

Current Analysis: 06/28/2022 [Assembly Local Government \(text 6/16/2022\)](#)

Introduced: 2/15/2022

Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

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 makes written findings, within 30 days of the receipt of a completed application, that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact, supported by a preponderance of the evidence in the record, 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 (1) 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, (2) contains fewer than 20 housing units, or (3) is not subject to parking requirements based on any other state law. The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a housing development project that is located within 1/2 mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities.

Organization Position
Cupertino Watch

SB 1087 (Gonzalez D) Vehicles: catalytic converters.

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Assembly Public Safety \(text 6/23/2022\)](#)

Introduced: 2/15/2022

Last Amend: 6/23/2022

Status: 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 7. Noes 0.) (June 28). Re-referred to Com. on APPR.

Location: 6/28/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

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: 6/6/2022 [html](#) [pdf](#)

Current Analysis: 06/22/2022 [Assembly Floor Analysis \(text 6/6/2022\)](#)

Introduced: 2/16/2022

Last Amend: 6/6/2022

Status: 6/22/2022-Read second time. Ordered to third reading.

Location: 6/22/2022-A. THIRD READING

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

Summary: 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: 6/30/2022 [html](#) [pdf](#)

Current Analysis: 06/26/2022 [Assembly Health](#) (text 6/16/2022)

Introduced: 2/18/2022

Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/28/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

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 currently experiencing a severe mental illness and have a diagnosis of 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 facts 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 would prescribe the requirements for the graduation plan. By expanding the crime of perjury and imposing additional duties on the county behavioral health agencies, this bill would impose a state-mandated local program.

Organization **Position**
Cupertino Watch

SB 1469 (Bradford D) Water corporations: rates.

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

Current Analysis: 06/21/2022 [Assembly Committee On Utilities And Energy](#) (text 6/6/2022)

Introduced: 2/18/2022

Last Amend: 6/6/2022

Status: 6/23/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (June 22). Re-referred to Com. on APPR.

Location: 6/22/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: Current law requires the Public Utilities Commission, in establishing rates for water service, to consider separate charges for costs associated with customer service, facilities, variable operating costs, or other components of the water service provided to water users. Current law requires the commission to consider, and authorizes the commission to authorize, a water corporation to establish programs, including rate designs, for achieving conservation of water and recovering the cost of these programs through the rates. This bill would, upon application by a water corporation, require the commission to consider, and authorize the commission to authorize, the implementation of a mechanism that separates the water corporation’s revenues and its water sales, as provided.

Organization **Position**
Cupertino Support

Total Measures: 23
Total Tracking Forms: 23



CITY OF CUPERTINO

Agenda Item

22-11195

Agenda Date: 7/18/2022
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), San Francisco Planning and Urban Research (SPUR), Yes in My Backyard (YIMBY), and the Sierra Club

Receive update on positions taken by the League, APA, CASCC, LWVC, SPUR, YIMBY, and the Sierra Club

APA/CASCC/LOCC/LWVC/SIERRA/SPUR/YIMBY, Legislative Update

June 2022

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

Current Text: Amended: 6/30/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Environmental Quality \(text 6/2/2021\)](#)

Introduced: 1/15/2021

Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, 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 to January 1, 2026. The bill would additionally require that a project's significant impacts identified in an environmental impact statement prepared pursuant to the federal National Environmental Policy Act of 1969 are avoided or mitigated in order for the exemption to apply. The bill would require the lead agency, if it determines that the exemption applies and determines to approve or carry the project, to file a notice of exemption with the Office of Planning and Research and the county clerk of the county in which the project is located. If the lead agency is not the department, the bill would require the lead agency to file a notice with the department containing specified information about the project. If the lead agency is the department, the bill would require the department to maintain records containing that specified information.

Organization	Position
Sierra Club	Oppose

[AB 561](#) **(Ting D) Help Homeowners Add New Housing Program: accessory dwelling unit financing.**

Current Text: Amended: 6/13/2022 [html](#) [pdf](#)

Current Analysis: 08/31/2021 [Senate Floor Analyses \(text 8/26/2021\)](#)

Introduced: 2/11/2021

Last Amend: 6/13/2022

Status: 6/16/2022-Re-referred to Com. on RLS pursuant to Senate Rule 29.10(c). Re-referred to Com. on B. & F.I.

Location: 6/16/2022-S. B. & F. I.

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

Summary: Current law establishes the Capital Access Loan Program to assist qualified small businesses in financing the costs of complying with environmental mandates and the remediation of contamination on their properties, which is administered by the California Pollution Control Financing Authority. Under the program, the authority may enter into contracts with participating financial institutions and is required to establish a loss reserve account with each participating financial institution. Under the program, a participating financial institution that experiences a default on a qualified loan enrolled in the Capital Access Loan Program may obtain reimbursement from the authority by submitting a claim for reimbursement for a specified amount of the loss covered by that loan, subject to certain procedures. This bill, upon appropriation by the Legislature, would require the office of the Treasurer to establish and administer the Help Homeowners Add New Housing Program for the purpose of protecting participating financial institutions, as defined, from default on loans provided to a qualified homeowner to construct an accessory dwelling unit.

Organization	Position
APA	Support

[AB 682](#) **(Bloom D) Planning and zoning: density bonuses: shared housing buildings.**

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/20/2022 [Senate Governance And Finance \(text 6/6/2022\)](#)

Introduced: 2/12/2021

Last Amend: 6/23/2022

Status: 6/23/2022-Read second time and amended. Re-referred to Com. on APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, 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, among other options, 10% of the total units of a housing development for rental or sale to lower income households, as defined, or 5% of the total units for rental or sale to very low income households, as defined, and meets other requirements. This bill would provide that a housing development eligible for a density bonus be provided under these provisions includes a shared housing building, as defined, that will contain either 10% of the total units for lower income households or 5% of the total units for very low income households, as described above. The bill would prohibit the city, county, or city and county from requiring any minimum unit size requirements or minimum bedroom requirements in conflict with the bill's provisions with respect to a shared housing building eligible for a density bonus under these provisions.

Organization Position
LEAGUE Watch

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

Current Text: Amended: 6/22/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Committee On Labor, Public Employment And Retirement \(text 6/22/2022\)](#)

Introduced: 2/18/2021

Last Amend: 6/22/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 29). Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

Summary: The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. MAUCRSA establishes the Department of Cannabis Control for the administration and enforcement of its provisions. MAUCRSA generally defines delivery to mean the commercial transfer of cannabis or cannabis products to a customer, requires the delivery of cannabis or cannabis products to be made only by a licensed retailer, microbusiness, or nonprofit, and establishes requirements for the delivery of cannabis and cannabis products, including that an employee of the licensee carry a copy of the licensee's current license and a government-issued identification with a photo of the employee, such as a driver's license. This bill would require, on or before January 1, 2023, the regulations established by the bureau regarding the minimum security and transportation safety requirements to include regulations that would allow for an increase in the value of cannabis goods to be carried during delivery of those cannabis goods to customers by employees of a licensed retailer to \$10,000, as specified. The bill would require a licensed retailer to provide their delivery employee certain hardware, tools, and supplies, access to healthcare benefits, and either a vehicle that meets certain requirements or reimbursement for certain costs for the use of the employee's vehicle, as specified.

Organization Position
LEAGUE Oppose

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

Current Text: Amended: 6/27/2022 [html](#) [pdf](#)

Current Analysis: 06/20/2022 [Senate Governance And Finance \(text 5/10/2022\)](#)

Introduced: 2/19/2021

Last Amend: 6/27/2022

Status: 6/27/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

Location: 6/22/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Current law requires the board of supervisors of each county, following each decennial federal census, and using that census as a basis, to adjust the boundaries of any or all of the supervisorial districts of the county so that the districts are as nearly equal in population as possible and comply with applicable federal law, and specifies the procedures the board of supervisors must follow in adjusting those boundaries. Current law establishes the Independent Redistricting

Commission in the County of San Diego and the Citizens Redistricting Commission in the County of Los Angeles, which are charged with adjusting the supervisorial district boundaries for those counties. If an appropriation is made for this purpose, this bill 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.

Organization **Position**
LWVC Support

AB 1416 (Santiago D) Elections: ballot label.

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/17/2022 [Senate Elections And Constitutional Amendments \(text 1/27/2022\)](#)

Introduced: 2/19/2021

Last Amend: 6/23/2022

Status: 6/23/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/21/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

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, existing 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. The bill would require the signers of the ballot arguments to submit the lists of supporters and opponents to the Secretary of State or the respective elections official and would require the Secretary of State or respective elections official to provide those lists to county elections officials as part of the ballot label.

Organization **Position**
LWVC Support

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

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

Current Analysis: 06/10/2022 [Senate Appropriations \(text 6/6/2022\)](#)

Introduced: 2/19/2021

Last Amend: 6/6/2022

Status: 6/13/2022-In committee: Referred to suspense file.

Location: 6/13/2022-S. APPR. SUSPENSE FILE

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

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that includes, among other mandatory elements, a housing element. For the 4th and subsequent revisions of the housing element, existing law requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region. Current law requires the appropriate council of governments, or the department for cities and counties without a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county, as provided. Current law requires that the final regional housing plan adopted by a council of governments, or a delegate subregion, as applicable, be based on a methodology that includes specified factors, and similarly requires that the department take into consideration specified factors in distributing regional housing need, as provided. Commencing January 1, 2025, this bill would require that a council of governments, a delegate subregion, or the department, 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: 06/20/2022 [Senate Governance And Finance \(text 1/13/2022\)](#)

Introduced: 2/19/2021

Last Amend: 1/13/2022

Status: 6/22/2022-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 5. Noes 0.) (June 22). Re-referred to Com. on APPR.

Location: 6/22/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, 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 1965](#) (Wicks D) California Antihunger Response and Employment Training Act of 2022.

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

Current Analysis: 05/24/2022 [Assembly Floor Analysis \(text 5/19/2022\)](#)

Introduced: 2/10/2022

Last Amend: 5/19/2022

Status: 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 27). Re-referred to Com. on APPR.

Location: 6/28/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

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: recovered organic waste product procurement targets.

Current Text: Amended: 6/30/2022 [html](#) [pdf](#)

Current Analysis: 07/11/2022 [Senate Environmental Quality \(text 6/13/2022\)](#)

Introduced: 2/10/2022

Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Existing 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. This bill would require the department's regulations to allow a local jurisdiction to procure a product made from California, landfill-diverted recovered organic waste, as provided, to comply with these recovered organic waste product procurement target requirements. The bill would allow a local jurisdiction, in procuring recovered organic waste products, to utilize California-derived recovered organic waste that is processed outside of the state. The bill would require any penalties imposed by the department on a local jurisdiction that fails to meet its recovered organic waste procurement target to be imposed pursuant to a specified schedule based on the percentage of the local jurisdiction's recovered organic waste product procurement target achieved.

Organization **Position**
LEAGUE Support

AB 2097 (Friedman D) Residential, commercial, or other development types: parking requirements.

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/20/2022 [Senate Housing \(text 6/9/2022\)](#)

Introduced: 2/14/2022

Last Amend: 6/23/2022

Status: 6/23/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/22/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a land use element, and a conservation element. Current law also permits variances to be granted from the parking requirements of a zoning ordinance for nonresidential development if the variance will be an incentive to the development and the variance will facilitate access to the development by patrons of public transit facilities. This bill would prohibit a public agency, in a county with a population of 600,000 or more, from imposing or enforcing a minimum automobile parking requirement, on any of specified residential, commercial, or other development types if the project is located within 1/2 mile of public transit, as defined. The bill would also prohibit a public agency, in a county with a population of less than 600,000, and a city with a population of 75,000 or more, from imposing or enforcing a minimum automobile parking requirement on specified residential, commercial, or other development types if the project is located within 1/4 mile of public transit. For a city with a population of less than 75,000, or a county with a population of less than 600,000, the bill would authorize that city or county to adopt an ordinance or resolution that applies certain prohibitions regarding the above-described parking requirements within its boundaries. When a project provides parking voluntarily, the bill would authorize a public agency to impose specified requirements on the voluntary parking.

Organization Position
YIMBY Support
SPUR Support

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

Current Text: Amended: 4/6/2022 [html](#) [pdf](#)
Current Analysis: 06/24/2022 [Senate Appropriations \(text 4/6/2022\)](#)
Introduced: 2/15/2022
Last Amend: 4/6/2022

Status: 6/27/2022-In committee: Referred to suspense file.

Location: 6/27/2022-S. APPR. SUSPENSE FILE

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

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 2221 (Quirk-Silva D) Accessory dwelling units.

Current Text: Amended: 6/6/2022 [html](#) [pdf](#)
Current Analysis: 06/27/2022 [Senate Governance And Finance \(text 6/6/2022\)](#)
Introduced: 2/15/2022
Last Amend: 6/6/2022

Status: 6/30/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 29).

Location: 6/30/2022-S. APPR.

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

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 local ordinance to require an accessory dwelling unit to be either attached to, or located within, the proposed or existing primary dwelling, as specified, or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling. This bill would specify that an accessory dwelling unit that is detached from the proposed or existing primary dwelling may include a detached garage.

Organization Position
YIMBY Support

AB 2632 (Holden D) Segregated confinement.

Current Text: Amended: 6/30/2022 [html](#) [pdf](#)
Current Analysis: 06/25/2022 [Senate Public Safety \(text 4/18/2022\)](#)
Introduced: 2/18/2022
Last Amend: 6/30/2022

Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/29/2022-S. APPR.

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

Calendar: 8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: 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 mental or physical disability or that the individual is under 26 years of age or over 59 years of age. The bill would

require the facility to additionally periodically check on the individual and have a medical or mental health professional periodically assess the individual. This bill would require a facility to offer out-of-cell programming to individuals in segregated confinement for at least 4 hours per day, not including time spent on housekeeping or in paid employment. The bill would also authorize a facility to use segregated confinement to help treat and protect against the spread of communicable disease, under certain circumstances.

Organization **Position**
LWVC Support

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

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

Current Analysis: 06/27/2022 [Senate Governance And Finance \(text 4/19/2022\)](#)

Introduced: 2/18/2022

Last Amend: 4/19/2022

Status: 6/30/2022-From committee: Amend, and do pass as amended. (Ayes 5. Noes 0.) (June 29).

Location: 5/25/2022-S. GOV. & F.

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 2656 **(Ting D) Housing Accountability Act: disapprovals: California Environmental Quality Act.**

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Governance And Finance \(text 6/23/2022\)](#)

Introduced: 2/18/2022

Last Amend: 6/23/2022

Status: 6/30/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 29).

Location: 6/30/2022-S. APPR.

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

Summary: The Housing Accountability Act prohibits a local agency from disapproving a housing development project, as described, unless it makes certain written findings based on a preponderance of the evidence in the record. The act defines “disapprove the housing development project” as including any instance in which a local agency either votes and disapproves a proposed housing development project application, including any required land use approvals or entitlements necessary for the issuance of a building permit, or fails to comply with specified time periods. Current law, the California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if the lead agency finds that the project will not have that effect. This bill would define “disapprove the housing development project” as also including any instance in which a local agency fails to issue a project an exemption from CEQA for which it is eligible, as described, or fails to adopt a negative declaration or addendum for the project or to approve another comparable environmental document, if certain conditions are satisfied. Among other conditions,

Organization **Position**
SPUR Support

AB 2668 **(Grayson D) Planning and zoning: housing: streamlined, ministerial approval.**

Current Text: Amended: 6/22/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Senate Governance And Finance \(text 6/22/2022\)](#)

Introduced: 2/18/2022

LRC 07-18-2022

Last Amend: 6/22/2022

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Status: 6/30/2022-From committee: Do pass. (Ayes 5. Noes 0.) (June 29).

Location: 6/14/2022-S. GOV. & F.

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

Summary: The Planning and Zoning Law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. Current law specifies that a development is consistent with the objective planning standards if there is substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards. This bill would clarify that a development subject to these provisions is subject to a streamlined, ministerial approval process, and not subject to a conditional use permit or any other nonlegislative discretionary approval.

Organization **Position**
 SPUR Support

AB 2873 (Jones-Sawyer D) California Tax Credit Allocation Committee: low-income housing credit: women, minority, disabled veteran, and LGBT business enterprises.

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

Current Analysis: 06/24/2022 [Senate Appropriations \(text 5/2/2022\)](#)

Introduced: 2/18/2022

Last Amend: 5/2/2022

Status: 6/27/2022-In committee: Referred to suspense file.

Location: 6/27/2022-S. APPR. SUSPENSE FILE

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

Summary: Current law requires the California Tax Credit Allocation Committee to allocate the housing credit on a specified regular basis, and to only allocate credits to a project if the housing sponsor enters into a specified regulatory agreement. Current law authorizes the committee to make any allocation or reservation of the state's housing credit ceiling to a housing credit applicant subject to specified terms and conditions. This bill would require a housing sponsor that receives a credit allocation on or after January 1, 2024, and that has completed 5 or more housing projects by January 1, 2023, to annually submit a report to the committee, in a form and at the time designated by the committee, that includes, among other things, a detailed and verifiable supplier and contractor plan for increasing procurement from women, minority, disabled veteran, and LGBT business enterprises, as defined, and short- and long-term diversity goals and timetables.

Organization **Position**
 YIMBY Support

SB 6 (Caballero D) Local planning: housing: commercial zones.

Current Text: Amended: 6/20/2022 [html](#) [pdf](#)

Current Analysis: 06/28/2022 [Assembly Housing And Community Development \(text 6/20/2022\)](#)

Introduced: 12/7/2020

Last Amend: 6/20/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (June 29). Re-referred to Com. on APPR.

Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. Current law requires that the housing element include, among other things, an inventory of land suitable and available for residential development. If the inventory of sites does not identify adequate sites to accommodate the need for groups of all households pursuant to specified law, existing law requires the local government to rezone sites within specified time periods and that this rezoning accommodate 100% of the need for housing for very low and low-income households on sites that will be zoned to permit owner-occupied and rental multifamily residential use by right for specified developments. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a parcel that is within a zone where office, retail, or parking are a principally permitted use, if the development and site meet specified requirements, including that the site is not adjacent to an industrial use or agricultural use. The bill would require the density for a housing development under

these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction. The bill would require the housing development to meet all other local requirements, other than those that prohibit residential use, or allow residential use at a lower density than that required by the bill.

Organization **Position**
APA Support

SB 38 **(Wieckowski D) Beverage containers.**

Current Text: Amended: 6/20/2022 [html](#) [pdf](#)

Current Analysis: 06/24/2022 [Assembly Natural Resources](#) (text 6/20/2022)

Introduced: 12/7/2020

Last Amend: 6/20/2022

Status: 6/27/2022-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Location: 6/27/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: The California Beverage Container Recycling and Litter Reduction Act requires every beverage container sold or offered for sale in this state to have a minimum refund value. Under the act, the Department of Resources Recycling and Recovery is required to calculate a processing fee for each beverage container with a specified scrap value, which is required to be paid by beverage manufacturers for each beverage container sold or transferred to a distributor or dealer, and requires a processor to pay a certified recycling center or other program the refund value, a percentage of the refund value for administrative costs, and the processing payment. The act provides that a violation of the act or a regulation adopted pursuant to the act is a crime. This bill would require a processor to make those payments by check or electronic fund transfer, and not by cash payment.

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: 06/27/2022 [Assembly Appropriations](#) (text 1/3/2022)

Introduced: 12/7/2020

Last Amend: 1/3/2022

Status: 6/29/2022-June 29 set for first hearing. Placed on suspense file.

Location: 6/29/2022-A. APPR. SUSPENSE FILE

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

Summary: Current law 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: 06/24/2022 [Assembly Judiciary](#) (text 5/9/2022)

Introduced: 12/7/2020

Last Amend: 5/9/2022

Status: 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 11. Noes 0.) (June 28). Re-referred to Com. on APPR.

Location: 6/28/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

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 222 **(Dodd D) Water Rate Assistance Program.**

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/24/2022 [Assembly Floor Analysis \(text 6/23/2022\)](#)

Introduced: 1/14/2021

Last Amend: 6/23/2022

Status: 6/23/2022-Read third time and amended. Ordered to third reading.

Location: 6/21/2022-A. THIRD READING

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

Summary: Current law requires the State Water Resources Control Board, by January 1, 2018, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program, as prescribed. Current law requires the state board, by February 1, 2018, to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendations for legislative action that may need to be taken. This bill would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income residential ratepayers. The bill would make moneys in the fund available upon appropriation by the Legislature to the state board to provide, in consultation with relevant agencies, direct water bill assistance, water bill assistance to residential ratepayers served by eligible systems, as defined, and by tribal water systems that choose to participate and would require 80% of total funds to be directly applied to customer assistance. The bill would authorize the state board to identify and contract with a third-party fund administrator. The bill would impose requirements on the state board in connection with the program, including, among others, within 270 days of the effective date, as defined, adopting guidelines in consultation with relevant agencies and an advisory group for implementation of the program and preparing a report to be posted on state board's internet website identifying how the fund has performed.

Organization **Position**
Sierra Club Support

SB 260 **(Wiener D) Climate Corporate Accountability Act.**

Current Text: Amended: 6/22/2022 [html](#) [pdf](#)

Current Analysis: 06/17/2022 [Assembly Judiciary \(text 6/2/2022\)](#)

Introduced: 1/26/2021

Last Amend: 6/22/2022

Status: 6/22/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/21/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair
Summary: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with the act. The act requires the state board to make available, and update at least annually, on its internet website the emissions of greenhouse gases, criteria pollutants, and toxic air contaminants for each facility that reports to the state board, as provided. This bill would require the state board, on or before January 1, 2024, to develop and adopt regulations requiring United States 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 the state board, on or before January 1, 2029, to review, and update as necessary, these deadlines to evaluate trends in scope 3 emissions reporting and to consider changes to the deadlines, as provided.

Organization **Position**
Sierra Club Support

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

Current Text: Amended: 6/2/2022 [html](#) [pdf](#)
Current Analysis: 06/28/2022 [Assembly Education \(text 6/2/2022\)](#)
Introduced: 2/1/2021
Last Amend: 6/2/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (June 29). Re-referred to Com. on APPR.

Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

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: 6/20/2022 [html](#) [pdf](#)

Current Analysis: 06/28/2022 [Assembly Committee On Utilities And Energy \(text 5/31/2022\)](#)

Introduced: 2/10/2021

Last Amend: 6/20/2022

Status: 6/29/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (June 29). Re-referred to Com. on APPR.

Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: 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 or allows the city, county, or city and county to issue permits in real time for a residential solar energy system, as defined, that is no larger than 38.4 kilowatts alternating current nameplate rating and a residential energy storage system, as defined, paired with a residential solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating.

Organization **Position**
 LEAGUE Watch

SB 457 (Portantino D) Personal income taxes: credit: reduction in vehicles.

Current Text: Amended: 6/21/2022 [html](#) [pdf](#)

Current Analysis: 06/29/2022 [Assembly Revenue And Taxation \(text 6/21/2022\)](#)

Introduced: 2/16/2021

Last Amend: 6/21/2022

Status: 6/30/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 1.) (June 30). Re-referred to Com. on APPR.

Location: 6/30/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: The Personal Income Tax Law allows various credits against the taxes imposed by the law. This bill would, for taxable years beginning on or after January 1, 2023, and before January 1, 2028, allow a credit against those taxes in an amount of \$2,500 for each household member, as defined, that exceeds the number of registered vehicles, as defined, and would limit the amount of the credit allowed to \$7,500.

Organization **Position**
 LEAGUE Oppose

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

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

Current Analysis: 06/13/2022 [Assembly Housing And Community Development \(text 1/3/2022\)](#)

Introduced: 2/17/2021

Last Amend: 6/6/2022

Status: 6/15/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes

Location: 6/15/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: Would require the Department of Housing and Community Development, subject to an appropriation in the annual Budget Act, to develop and administer a program to award grants to qualified homeless shelters and qualified domestic violence shelters, as described, for the provision of shelter, food, and basic veterinary services for pets owned by people experiencing homelessness or escaping domestic violence. The bill would authorize the department to use up to 5% of the funds appropriated in the annual Budget Act for those purposes for its costs in administering the program.

Organization **Position**
LEAGUE Support

[SB 649](#)**(Cortese D) Local governments: affordable housing: local tenant preference.****Current Text:** Amended: 6/30/2022 [html](#) [pdf](#)**Current Analysis:** 06/27/2022 [Assembly Housing And Community Development \(text 4/19/2021\)](#)**Introduced:** 2/19/2021**Last Amend:** 6/30/2022**Status:** 6/30/2022-Read second time and amended. Ordered to second reading.**Location:** 6/30/2022-A. SECOND READING

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

Summary: The California Fair Employment and Housing Act protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination, abridgment, or harassment on account of various personal characteristics. Under existing law, the Department of Fair Employment and Housing is responsible for receiving, investigating, conciliating, mediating, and prosecuting complaints alleging violations of specified civil rights. This bill would provide that it is the state's policy to use its resources, as specified, to assist low-income individuals at risk of displacement, as described, in accessing affordable housing and in avoiding displacement. The bill would require the Department of Housing and Community Development and the Department of Fair Employment and Housing to jointly develop and publish informational guidelines for developing local tenant preference policies consistent with state and federal law, as specified. This bill would require any local government adopting a local tenant preference policy, as specified, to submit the ordinance and its supporting materials to the Department of Housing and Community Development. The bill would require the Department of Housing and Community Development to post on its internet website any local government ordinances enacted, any supporting materials related to those ordinances, and other materials, as specified.

Organization **Position**
CASCC Watch

[SB 833](#)**(Dodd D) Community Energy Resilience Act of 2022.****Current Text:** Amended: 6/30/2022 [html](#) [pdf](#)**Current Analysis:** 06/28/2022 [Assembly Committee On Utilities And Energy \(text 3/21/2022\)](#)**Introduced:** 1/4/2022**Last Amend:** 6/30/2022**Status:** 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.**Location:** 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: Current law establishes within the Natural Resources Agency the State Energy Resources Conservation and Development Commission. Current law assigns the 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 to award grants through a noncompetitive process 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: 6/6/2022 [html](#) [pdf](#)

Introduced: 1/18/2022

Last Amend: 6/6/2022

Status: 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (June 27). Re-referred to Com. on APPR.

Location: 6/27/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair
Summary: 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. The bill would establish project priorities and would authorize districts to establish additional priorities.

Organization Position
 APA Support

SB 884

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

Current Text: Amended: 6/23/2022 [html](#) [pdf](#)

Current Analysis: 06/21/2022 [Assembly Committee On Utilities And Energy \(text 4/26/2022\)](#)

Introduced: 1/26/2022

Last Amend: 6/23/2022

Status: 6/27/2022-June 27 hearing postponed by committee. Re-referred to Com. on APPR. pursuant to Assembly Rule 96.

Location: 6/27/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair
Summary: Would require the Public Utilities Commission to establish an expedited utility distribution infrastructure undergrounding program, and would authorize only those electrical corporations with 250,000 or more customer accounts within the state to participate in the program. In order to participate in the program, the bill would require a large electrical corporation to submit a distribution infrastructure undergrounding plan, including the undergrounding projects that it will construct as part of the program, to the Office of Energy Infrastructure Safety, which would be required to approve or deny the plan within 6 months. If the office approves the large electrical corporation's plan, the bill would require the large electrical corporation to submit to the commission a copy of the plan and an advice letter requesting review and conditional approval of the plan's costs and would require the commission to approve or deny the plan within 6 months. If the plan is approved by the office and commission, the bill would require the large electrical corporation to file specified progress reports, include additional information in its wildfire mitigation plans, and hire an independent monitor to review and assess its compliance with its plan, 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 a development project for purposes of the Permit Streamlining Act, as specified. The bill would authorize the commission to annually assess penalties on a large electrical corporation that fails to substantially comply with its plan.

Organization Position
 LEAGUE Watch

SB 886

(Wiener D) California Environmental Quality Act: exemption: public universities: university housing development projects.

Current Text: Amended: 6/16/2022 [html](#) [pdf](#)

Current Analysis: 06/27/2022 [Assembly Appropriations \(text 6/16/2022\)](#)

Introduced: 1/27/2022

Last Amend: 6/16/2022

Status: 6/29/2022-June 29 set for first hearing. Placed on suspense file.

Location: 6/29/2022-A. APPR. SUSPENSE FILE

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

Summary: Would, until January 1, 2030, exempt from CEQA a university housing development project, as defined, carried out by a public university, as defined, on real property owned by the public university if the project meets certain requirements, including that each building within the project is

certified as Leadership in Energy and Environmental Design (LEED) platinum or better by the United States Green Building Council, that the project's construction impacts are fully mitigated, and that the project is not located, in whole or in part, on certain types of sites, including a site that is within a special flood hazard area subject to inundation by a 1% annual chance flood or within a regulatory floodway as determined by the Federal Emergency Management Agency, as provided. The bill, with respect to a site that is within a special flood hazard area subject to inundation by a 1% annual chance flood or within a regulatory floodway, would prohibit a local government from denying an application on the basis that a public university did not comply with any additional permit requirement, standard, or action adopted by that local government applicable to the site if the public university is able to satisfy all applicable federal qualifying criteria in order to demonstrate that the site meets these criteria and is otherwise eligible to be exempt from CEQA pursuant to the above requirements. By imposing additional duties on local governments, this bill would impose a state-mandated local program.

Organization **Position**
YIMBY Support

SB 891

(Hertzberg D) Business licenses: stormwater discharge compliance.

Current Text: Amended: 6/21/2022 [html](#) [pdf](#)
Current Analysis: 06/28/2022 [Assembly Local Government \(text 6/21/2022\)](#)
Introduced: 1/31/2022
Last Amend: 6/21/2022
Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 29). Re-referred to Com. on APPR.
Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair
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 expand the application of these provisions to instruments or permits equivalent to business licenses and to the renewals of those equivalent instruments or permits.

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**

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

Current Text: Amended: 5/11/2022 [html](#) [pdf](#)
Current Analysis: 06/27/2022 [Assembly Appropriations \(text 5/11/2022\)](#)
Introduced: 2/3/2022
Last Amend: 5/11/2022
Status: 6/30/2022-Read second time. Ordered to third reading.
Location: 6/30/2022-A. THIRD READING

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: 6/20/2022 [html](#) [pdf](#)
Current Analysis: 06/24/2022 [Assembly Transportation \(text 6/20/2022\)](#)
Introduced: 2/7/2022
Last Amend: 6/20/2022
Status: 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 2.) (June 27). Re-referred to Com. on APPR.
Location: 6/28/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair
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 1393 (Archuleta D) Energy: appliances: local requirements.

Current Text: Amended: 6/30/2022 [html](#) [pdf](#)
Current Analysis: 06/28/2022 [Assembly Local Government \(text 6/9/2022\)](#)
Introduced: 2/18/2022
Last Amend: 6/30/2022
Status: 6/30/2022-Read second time and amended. Re-referred to Com. on APPR.
Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair
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 any guidance published by the commission. The bill would require the commission, upon request by a local government considering the adoption of that ordinance, to provide technical

Organization **Position**
LEAGUE Watch

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

Current Text: Amended: 6/21/2022 [html](#) [pdf](#)
Current Analysis: 06/27/2022 [Assembly Elections \(text 6/21/2022\)](#)
Introduced: 2/18/2022
Last Amend: 6/21/2022
Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 29). Re-referred to Com. on APPR.
Location: 6/29/2022-A. APPR.

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

Calendar: 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair
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**
LWVC Support

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

Position
Support

Total Measures: 42

Total Tracking Forms: 45



CITY OF CUPERTINO

Agenda Item

22-11198

Agenda Date: 7/18/2022
Agenda #: 5.

Subject: Consider adopting a position on Assembly Bill 2097 (Friedman) Residential, commercial, or other development types: parking requirements

Adopt an oppose position on AB 2097 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

105 L ST. • SUITE 330 • SACRAMENTO, CA 95814-2706

PH 916-490-7000 • FAX 916-441-5081

Email: gonsalves@jgsonsi.com



TO: CITY OF CUPERTINO
LEGISLATIVE REVIEW COMMITTEE

FROM: Anthony, Jason, and Paul Gonsalves

SUBJECT: Consider Adopting a Position On AB 2097
(Friedman) Residential, Commercial, Or Other
Development Types: Parking Requirements

DATE: JULY 18, 2022

Bill Information:

The official text of AB 2097 can be found here:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2097

Summary:

- 1) Assembly Bill 2097 prohibits a public agency from imposing or enforcing a minimum parking requirement on any of the following development, including residential or commercial, if the project is located within ½ mile of public transit:
 - a) A residential development with 40 or fewer units of housing.
 - b) A mixed-use development with 40 units or fewer units of housing
 - c) A residential or mixed-use development of any size in which 11% of the units are affordable to very low-income households, 20% of the units will be affordable to lower income households, or 40% will be affordable to moderate-income households for at least 55 years.
 - d) Commercial or other development.

- 2) Provides that when a project provides parking voluntarily, a public agency may impose requirements on that voluntary parking to require spaces for car share vehicles, requires spaces to be shared with the public, or require parking owners to charge for parking.
- 3) Provides that the prohibition on local governments enforcing minimum parking standards does not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new multifamily residential or nonresidential development to provide electric vehicle parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development.
- 4) Provides that the parking prohibitions in (1) and (2) to not apply to commercial parking if it conflicts with an existing contractual agreement of the public agency that was executed before January 1, 2023, provided that all the required commercial parking is shared with the public.
- 5) Authorizes a project to build additional parking that is not shared with the public.
- 6) Provides that a development shall provide parking, as required by a local ordinance, for employees and other workers of either of the following: a) A hotel, motel, bed and breakfast in, or other transient lodging use. b) An event center, as specified.
- 7) Defines “public agency” as any state or state agency, board or commission, any city, county, city and county, or commission of the city, county, city and county, special district, joint powers authority, or other political subdivision.
- 8) Defines “public transit” as any major transit stop.

Opposition:

Local governments writing in opposition are concerned about the loss of local control and negative impacts to density bonus law. Unite Here Local 11 wants to exempt hotels, motels, transient lodging, and event centers.

Opponents:

California Contract Cities Association, City of Beverly Hills, City of Rancho Palos Verdes, City of San Marcos, City of Santa Clarita, City of Torrance, Marin County Council of Mayors and Council Members (MCCMC), Unite Here Local 11

Support:

According to the author: “California is experiencing a housing crisis and we need to consider all options to reduce the overall cost of housing. There are plenty of communities that have access to high-quality transit, or where cars are underutilized, that need housing far more than they need parking. Yet, many cities require residential or commercial developments to provide on-site parking. Apartments must include one or two parking spots per unit, and commercial properties must provide one space for every 100-200 square feet (frequently causing more space to be provided for parking than for the business itself). Mandatory parking requirements have led to an oversupply of parking spaces; Los Angeles County has 18.6 million parking spaces, or almost two for every resident. These requirements raise the cost of housing.

Supporters:

Abundant Housing LA (Co-Sponsor), California Yimby (Co-Sponsor) Council of Infill Builders (Co-Sponsor), San Francisco Bay Area Planning and Urban Research Association (SPUR) (CoSponsor), Mayor Rick Bonilla, City of San Mateo, Vice Mayor Jen Wolosin,, City of Menlo Park Councilmember Alex Fisch, City of Culver City Councilmember Brian Barnacle, City of Petaluma Councilmember Dennis Pocekay, Petaluma Councilmember Gleam Davis, City of Santa Monica, Councilmember John Bauters, City of Emeryville Councilmember John Erickson, City of West Hollywood Councilmember Jon Wizard, City of Seaside Councilmember Kevin Mcdonnell, City of Petaluma Councilmember Lori Droste, City of Berkeley Councilmember Rashi Kesarwani, City of Berkeley Councilmember Zach Hilton, City of Gilroy, 350 Bay Area Action, Activesgv, Alameda County Transportation Commission, Alameda-contra Costa Transit District, Asian Business Association, Bay Area Council, CA Coalition for Clean Air, California Building Industry Association, California Community Builders, California Downtown Association, California Hispanic Chamber of Commerce, California Interfaith Power and Light, California Native Plant Society, Central City Association of Los Angeles, Circulate San Diego, CivicWell, Climate Resolve, Defenders of Wildlife, East Bay YIMBY, Eden Housing, Endangered Habitats League, Fieldstead and Company, INC., Fremont for Everyone, Generation Housing, Getaround, Inc., a Delaware Corporation, Greenbelt Alliance, Grow the Richmond, Habitat for Humanity, California Housing Action Coalition, Humboldt County Supervisor Mike Wilson, LA Mesa Councilmember Colin Parent, League of Women Voters of California, Lisc San Diego, Los Angeles Area Chamber of Commerce, Midpen Housing, Monterey Bay Economic Partnership, Mountain View YIMBY, Napa County Transportation and Planning Agency/Napa Valley Transportation Authority, New Way Homes, Northern Neighbors, Peninsula for Everyone, People for Housing - Orange County, Progress Noe Valley, Safe Routes Partnership, San Diego Climate Action Campaign, San Diego Regional Chamber of Commerce, San Francisco Bay Area Rapid Transit District (BART), San Francisco YIMBY, San Luis Obispo YIMBY, Sand Hill Property Company, Santa Cruz Climate Action Network, Santa Cruz YIMBY, Santa Monica Chamber of Commerce, Sequoia Riverlands Trust, Sierra Business Council, Silicon Valley

Leadership Group, Solano County Supervisor Jim Spering, Southside Forward Streets for People Bay Area, Sunnyvale City Council Member Alysa Cisneros, Sunrise Silicon Valley, The Los Angeles Coalition for The Economy & Jobs, The Trust for Public Land, The Two Hundred Tmg Partners, Urban Environmentalists, Urban League of San Diego County, Ventura County Supervisor Carmen Ramirez, Vice Mayor Lucas Ramirez, City of Mountain View, Westside for Everyone, Wildlands Network, YIMBYAction, YIMBY Democrats of San Diego County

Status:

AB 2097 is pending in the Senate Appropriations Committee.

Legislative Platform:

This bill falls under Cupertino's 2022 Legislative Platform in the Housing & Community Development Section, Item #2 (page 7) "Oppose legislation that may reduce municipal authority, with an emphasis on land use policy, local review, and design standards."

Recommended Action:

Adopt an oppose position on AB 2097 and authorize the Mayor to send letters to the State Legislature.



CITY OF CUPERTINO

Agenda Item

22-11199


Agenda Date: 7/18/2022
Agenda #: 6.


Subject: Discuss Property Tax Allocation in Cupertino


Discuss Property Tax Allocation in Cupertino

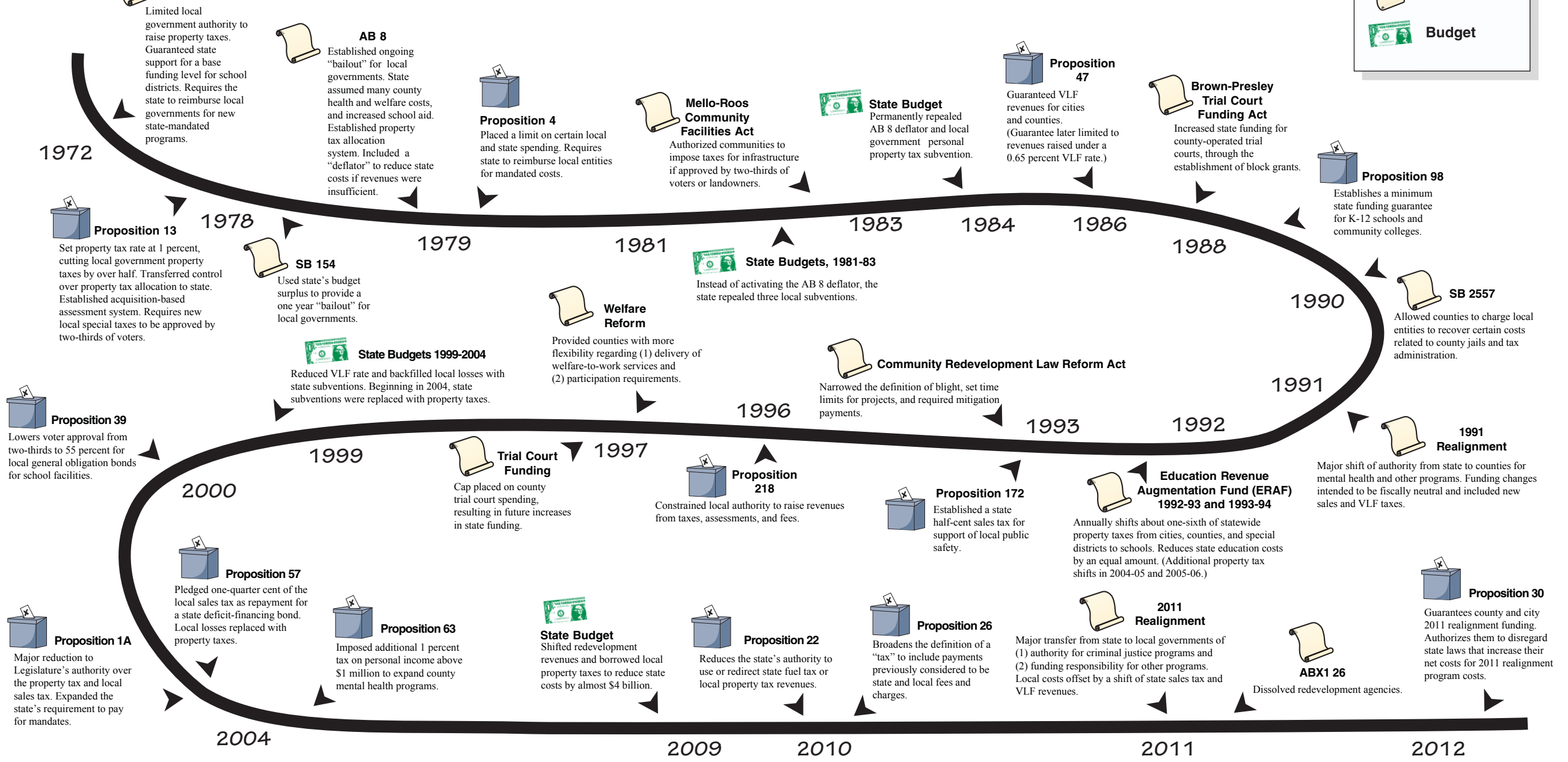
Major Milestones: Over Four Decades of the State-Local Fiscal Relationship

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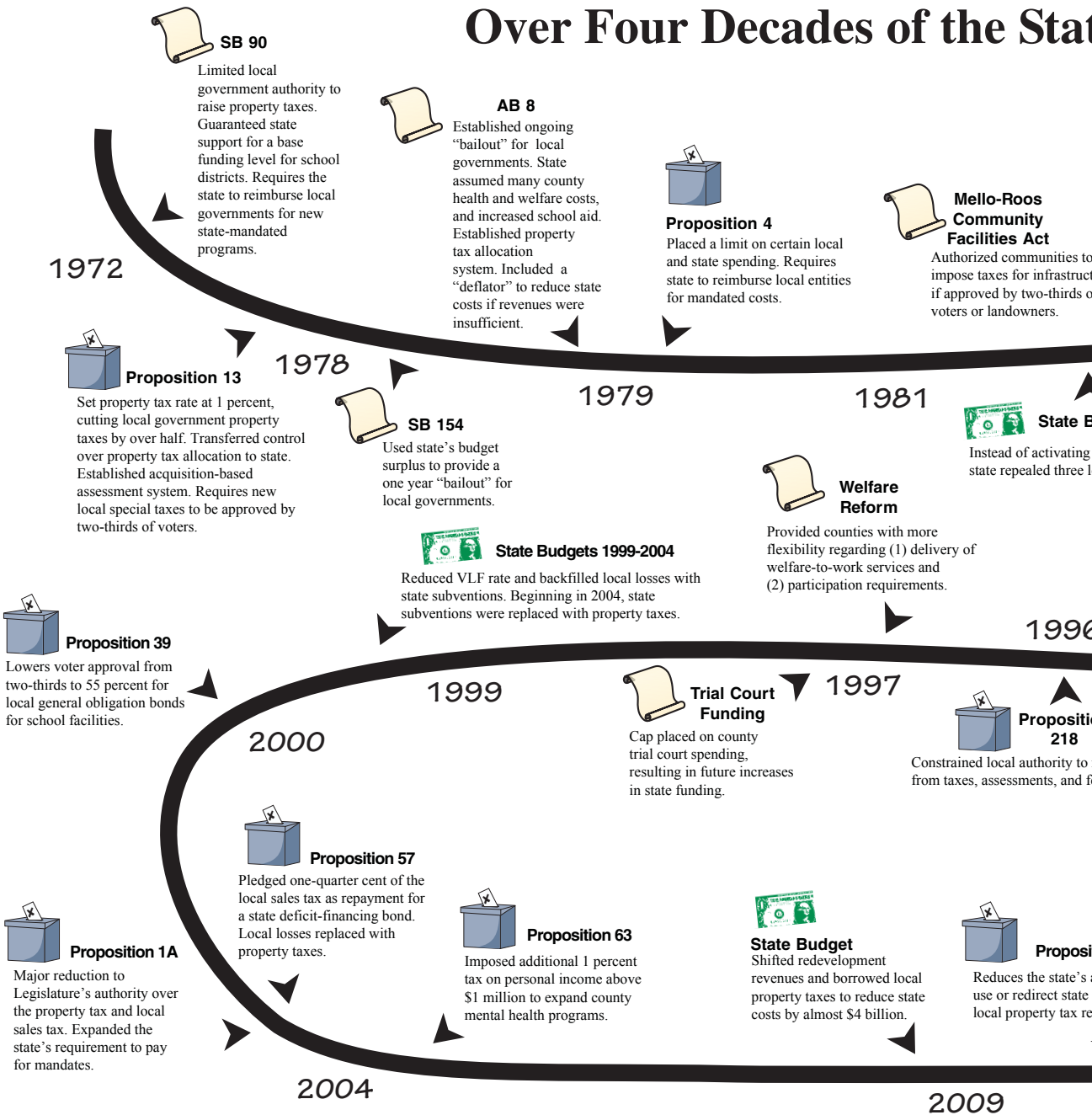
 **Proposition**

 **Statute**

 **Budget**



Over Four Decades of the State



Stones: State-Local Fiscal Relationship

LRC 07-18-2022

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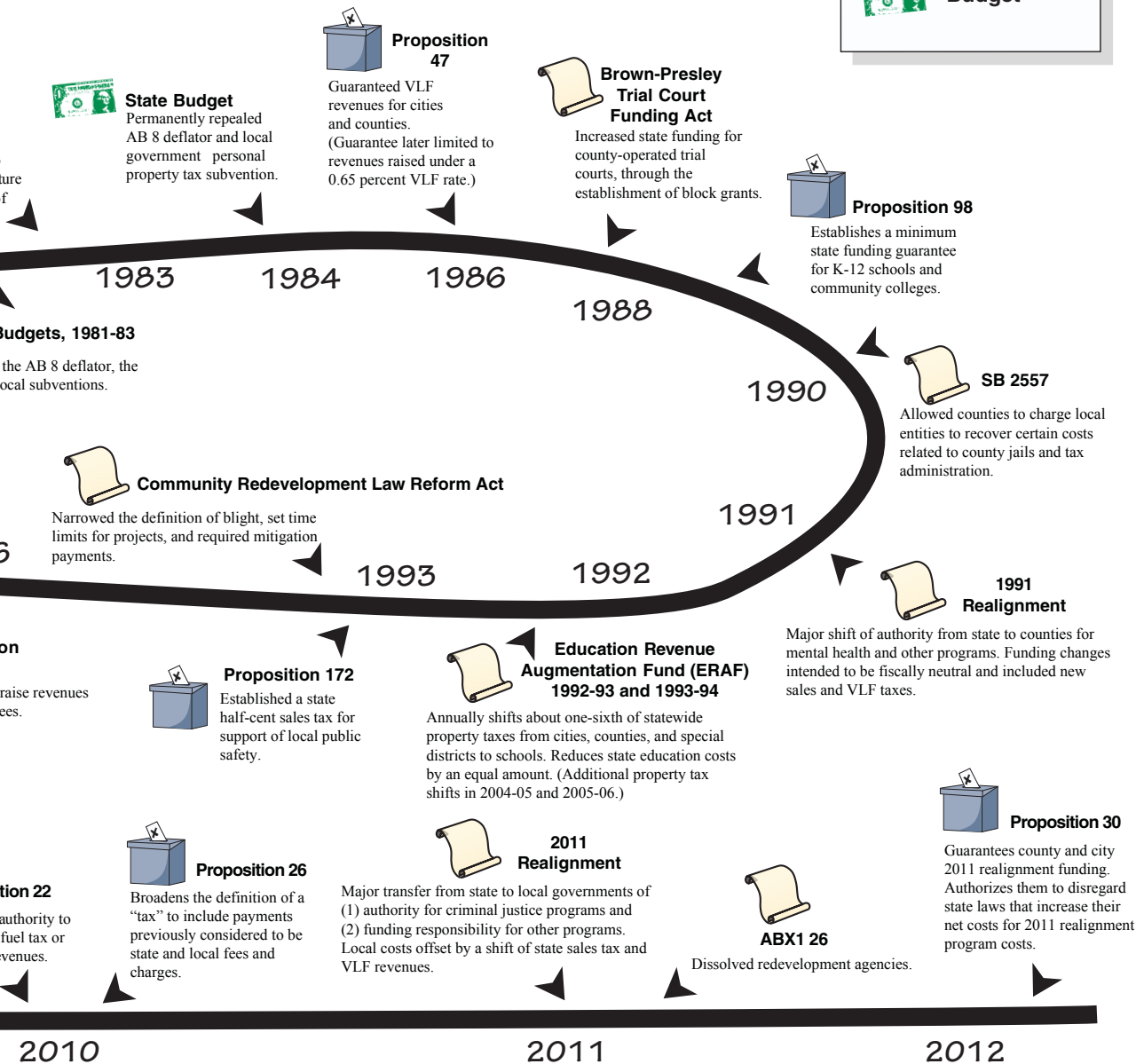
Proposition



Statute



Budget



Contact—Brian Uhler—(916) 319-8328

DISTRICT OFFICE
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WALNUT CREEK. CA 94596

Assembly

California Legislature

SUBCOMMITTEE ON PUBLIC
EMPLOYEES AND BONDED

INDEBTEDNESS

JOINT BUDGET COMMITTEE
GOVERNMENTAL
ORGANIZATION

COMMITTEES

ELECTIONS. REAPPORTIONMENT

AND CONSTITUTIONAL
AMENDMENTS

COMMISSION ON STATE



WILLIAM P. BAKER
ASSEMBLYMAN, FIFTEENTH DISTRICT
VICE CHAIRMAN
COMMITTEE ON WAYS AND MEANS FINANCE

October 23 1987

MEMO TO:Members of the Assembly Republican Caucus

FROM: Bill Baker

SUBJECT: No/ Low Property Tax City Revenues (SB 709)

Attached is the 10-year revenue impact projection by the Legislative Analyst's Office for no and low property tax cities pursuant to Senate Bill 709 (Chapter 1211, 1987).

This projection is still being reviewed by the Department of Finance, which has already identified one controversial assumption: the assessed property value is determined in 1987-88 and is not recalculated until the 10-year phase-in is completed. This would have the impact of reduced revenues to the cities because the methodology does not reflect any appreciation of value during the 10-year period. Unless this issue is otherwise resolved, clean-up legislation may be required to clarify the methodology.

Other issues which should be considered in clean-up legislation include :

- a. Consideration of revenue received for services performed by cities that incorporated after 1979.
- b. Schedule for phase-in of revenue shifts to low property tax cities.
- c. Schedule for discontinuance of Motor Vehicle License Fees to no property tax cities.

We are expecting a detailed analysis of the provisions of SB 709 from the Legislative Analyst within the next month. Please contact

Shannon Hood of the Minority Ways and Means Committee staff (501-45-6817, ATSS 485-6817) if you need assistance in working with the attached chart.

BB :dg

Attachment

SB 709 Property Tax Allocations to Low and No Property Tax Cities
Assessed Valuation inclusive of RDA increment
Totals reflect elimination of No Property Tax city VLF subventions (estimated growth at 10% per year)

Legislative Analyst
October 6, 1987

City	0.1% of the											
	1987-88	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98
	Prop Tax	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue
	Share	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer
Alameda County												
Dublin	930,507	645,000	0	0	0	0	0	0	6,355	99,406	192,456	285,507
Contra Costa County												
Clayton	225,287	213,701	0	0	0	0	0	0	0	0	0	11,586
Danville	1,888,618	1,188,431	0	0	0	0	0	0	133,602	322,463	511,325	700,187
Hercules	617,269	452,850	0	0	0	0	0	0	40,965	932,836	102,692	164,419
Lafayette*	1,388,874	45,137	25,435	157,492	288,864	419,486	549,281	678,166	806,051	932,836	1,058,412	1,182,655
Moraga	883,347	578,713	0	0	0	0	0	0	39,630	127,965	216,299	304,634
Orinda	1,136,432	627,282	0	0	0	0	0	54,577	168,220	281,864	395,507	509,150
Pleasant Hill*	1,453,098	48,926	(6,578)	128,436	262,419	395,271	526,877	657,112	785,840	912,909	1,038,155	1,161,394
San Pablo	474,850	304,866	0	0	0	0	0	0	27,529	75,014	122,499	169,984
San Ramon	1,827,946	1,088,502	0	0	0	0	0	8,266	191,060	373,855	556,649	739,444
Total	\$9,895,721	\$4,548,408	\$18,857	\$285,927	\$551,284	\$814,757	\$1,076,158	\$1,398,121	\$2,151,932	\$3,067,871	\$4,001,539	\$4,943,453
Del Norte County												
Crescent City	107,130	99,625	0	0	0	0	0	0	0	0	0	7,505
Humboldt County												
Fortuna	209,176	153,288	0	0	0	0	0	0	0	14,053	34,970	55,888
Rio Dell	42,621	35,665	0	0	0	0	0	0	0	0	2,694	6,956
Total	\$251,797	\$188,953	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$14,053	\$37,664	\$62,844
Kern County												
Arvin	85,162	22,994	0	0	2,555	11,071	19,587	28,103	36,619	45,136	53,652	62,168
Los Angeles County												
Agoura Hills	1,303,904	863,240	0	0	0	0	0	0	49,493	179,883	310,274	440,664
Artesia*	422,113	0	(23,848)	11,758	46,703	80,921	114,340	146,880	178,452	208,960	238,299	266,350

0.1% of the
1987-88
A.V.

Bell	486,501
Bell Gardens	461,732
Bellflower*	1,335,185
Bradbury	72,344
Carson*	4,584,898
Cerritos*	2,411,445
Commerce*	1,932,668
Cudahy*	214,252
Culver City	2,624,671
Duarte	583,290
El Segundo	4,740,111
Hawaiian Gardens	218,766
Hidden Hills	198,781
Industry	2,234,604
Irwindale	715,235
La Canada Flintridge*	1,139,395
La Mirada*	1,514,263
La Puente*	576,707
Lakewood	2,212,900
Lancaster*	2,159,573
Lawndale*	653,077
Lomita*	597,647
Montebello	1,716,039
Norwalk*	1,935,457
Palmdale*	1,633,530
Paramount*	1,004,942
Pico Rivera*	1,753,512
Rancho Palos Verdes	2,649,502
Rolling Hills	299,165
Rolling Hills Estates	782,852
Rosemead*	1,181,242
San Dimas	1,223,249

Year	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98		
Share	234,947	0	0	0	0	8,304	56,954	105,604	154,254	202,904	251,55	251,554	Santa Fe Springs
Share	358,515	0	0	0	0	0	0	0	10,871	57,044	103,21	103,217	Signal Hill
Share	0	(67,381)	46,049	157,469	266,678	373,458	477,562	578,726	676,654	771,023	861,47	861,477	South El Monte*
Share	58,169	0	0	0	0	0	0	0	0	6,941	14,17	14,175	South Gate
Share	0	145,271	572,439	996,474	1,417,065	1,833,865	2,246,497	2,654,543	3,057,543	3,454,996	3,846,343	3,846,345	Temple City*
Share	0	62,335	285,598	507,074	726,582	943,927	1,158,891	1,371,239	1,580,706	1,787,006	1,989,821	1,989,820	Vernon
Share	0	140,200	328,160	515,589	702,434	888,638	1,074,136	1,258,856	1,442,721	1,625,647	1,807,531	1,807,538	Walnut
Share	0	(52,932)	(38,943)	(25,697)	(13,269)	(1,741)	8,798	18,247	26,500	33,435	38,92	38,921	Westlake Village
Share	1,617,691	0	0	0	0	0	0	219,579	482,046	744,513	1,006,981	1,006,980	Whittier
Share	313,694	0	0	0	0	0	36,280	94,609	152,938	211,267	269,59	269,596	Total
Share	2,527,460	0	0	0	0	0	316,607	790,618	1,264,629	1,738,640	2,212,652	2,212,651	Marin County
Share	29,552	0	14,201	36,078	57,954	79,831	101,708	123,584	145,461	167,337	189,21	189,214	Tiburon
Share	101,318	0	0	0	0	0	17,951	37,829	57,707	77,585	97,46	97,463	
Share	660,643	0	0	9,738	233,199	456,559	680,119	903,580	1,127,040	1,350,501	1,573,961	1,573,961	Mendocino County
Share	151,801	0	0	62,770	134,293	205,817	277,340	348,864	420,387	491,911	563,43	563,434	Fort Bragg
Share	0	41,818	148,545	254,552	359,764	464,105	567,485	669,809	770,972	870,857	969,33	969,336	Orange County
Share	0	(15,856)	118,843	251,868	383,053	512,214	639,149	763,634	885,425	1,004,253	1,119,821	1,119,821	Irvine
Share	0	(81,465)	(37,709)	4,657	208,606	84,645	121,944	157,207	190,229	220,785	248,63	248,631	Westminster
Share	676,554	0	0	0	0	429,896	651,166	872,476	1,093,766	1,315,056	1,536,341	1,536,346	Yorba Linda
Share	0	21,214	217,698	412,233	604,626	794,664	982,109	1,166,702	1,348,159	1,526,167	1,700,371	1,700,379	Total
Share	0	(22,215)	34,340	90,021	144,738	198,397	250,890	302,102	351,905	400,157	446,70	446,703	
Share	0	(9,721)	43,095	95,216	146,573	197,090	246,680	295,254	342,710	388,933	433,80	433,803	
Share	1,619,624	0	0	0	0	0	0	0	0	0	96,41	96,415	Riverside County
Share	0	(139,716)	20,503	177,391	330,612	479,801	624,553	764,427	898,934	1,027,535	1,149,641	1,149,644	Cathedral City
Share	0	115,733	274,324	432,439	590,030	747,044	903,425	1,059,109	1,214,026	1,368,099	1,521,241	1,521,244	Indian Wells
Share	0	(41,909)	44,345	129,176	212,439	293,979	373,624	451,184	526,451	599,195	669,16	669,164	La Quinta
Share	0	(35,913)	118,312	270,425	420,213	567,445	711,865	853,190	991,117	1,125,298	1,255,361	1,255,363	Lake Elsinore
Share	546,260	0	0	248,591	513,541	778,491	1,043,441	1,308,391	1,573,342	1,838,292	2,103,242	2,103,242	Moreno Valley
Share	150,668	0	0	0	0	0	28,831	58,747	88,664	118,581	148,49	148,497	Palm Desert*
Share	0	51,444	127,045	202,378	277,415	352,128	426,483	500,445	573,976	647,031	719,56	719,562	Rancho Mirage*
Share	0	(55,944)	44,773	143,750	240,812	335,767	428,406	518,496	605,784	689,987	770,79	770,798	Total
Share	1,077,836	0	0	0	0	0	0	0	0	23,088	145,41	145,413	

	0.1% of the	1987-88	1987-88	1988-89	1988-89	1989-90	1989-90	1990-91	1990-91	1991-92	1991-92	1992-93	1992-93	1993-94	1993-94	1994-95	1994-95	1995-96	1995-96	1996-97	1996-97	1997-98	1997-98
	1987-88	Prop Tax	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue	Net Revenue
	A.V.	Share	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer	Transfer
128,843	2,317,733	1,101,595	0	49,847	0	119,724	0	189,600	0	259,476	0	57,272	289,045	520,818	752,591	984,365	1,216,138						
0	698,763	20,029	0	(15,844)	0	33,029	0	81,182	0	128,544	0	175,038	399,229	469,105	538,981	608,858	678,734						
0	560,631	0	0	0	0	0	0	0	0	0	0	0	220,573	265,055	308,379	350,430	391,079						
0	1,588,420	851,063	0	0	0	0	0	0	0	0	0	0	101,989	260,831	419,673	578,515	737,357						
0	809,731	0	(19,254)	0	51,697	0	121,645	0	190,491	0	258,124	324,423	389,254	452,472	513,913	573,402							
0	1,684,037	1,317,083	0	0	0	0	0	0	0	0	0	0	0	0	30,147	198,550	366,954						
0	927,576	252,190	0	0	0	0	26,083	0	118,840	0	211,598	304,356	397,113	489,671	582,628	675,386							
0	717,746	459,260	0	0	0	0	0	0	0	0	0	0	0	43,162	114,937	186,711	258,486						
0	2,428,418	2,277,886	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	150,532					
43,124	\$59,306,607	\$17,267,078	\$45,864	\$2,577,828	\$5,437,402	\$8,781,123	\$12,170,141	\$16,239,407	\$20,820,333	\$25,550,808	\$30,436,603	\$35,615,789											
117,196																							
\$289,164	779,149	622,289	0	0	0	0	0	0	0	0	0	0	0	0	1,030	78,945	156,860						
	222,827	170,450	0	0	0	0	0	0	0	0	0	0	0	0	7,812	30,094	52,377						
	10,759,641	4,263,887	0	0	0	0	0	39,969	1,115,934	2,191,898	3,267,862	4,343,826	5,419,790	6,495,754									
	2,357,652	2,251,096	0	0	0	0	0	0	0	0	0	0	0	0	0	0	106,556						
	2,142,321	2,068,262	0	0	0	0	0	0	0	0	0	0	0	0	0	0	74,059						
	\$15,259,614	\$8,583,245	\$0	\$0	\$0	\$0	\$0	\$39,969	\$1,115,934	\$2,191,898	\$3,267,862	\$4,343,826	\$5,419,790	\$6,495,754									
925,597	640,090	0	0	0	0	0	0	0	0	0	0	0	7,828	100,388	192,947	285,507							
1,012,867	73,730	27,557	0	230,130	0	331,417	432,704	533,990	635,277	736,564	837,850	939,137											
732,150	269,815	0	0	0	0	23,045	96,260	169,475	242,690	315,905	389,120	462,335											
465,635	403,055	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					
2,518,383	1,117,665	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					
2,326,207	354,713	(61,277)	0	269,004	0	494,211	718,676	942,324	1,165,077	1,386,842	1,607,521	1,827,007											
1,804,936	194,485	(44,824)	0	292,759	0	467,828	642,356	816,288	989,562	1,162,115	1,333,873	1,504,759											
\$9,785,775	\$3,053,553	(\$78,544)		\$791,893		\$1,316,501	\$2,031,522	\$2,855,442	\$3,685,637	\$4,598,854	\$5,526,209	\$6,482,043											

	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98
Net Revenue										
Transfer										
0	0	0	0	20,505	51,811	83,117	114,423	145,730	177,036	208,342
0	0	0	224,844	601,148	977,452	1,353,756	1,730,061	2,106,365	2,482,669	0
23,496	107,078	190,057	272,377	353,971	434,768	514,685	593,636	671,525	748,245	0
\$23,496	\$107,078	\$190,057	\$517,726	\$1,006,930	\$1,495,337	\$1,982,864	\$2,469,427	\$2,954,926	\$3,439,256	0
2,532,231	1,465,000									0
1,573,107	645,599								10,952	0
1,217,694	883,411			(5,950)					462,080	0
907,482	459,500			119,340					0	0
\$2,790,801	\$1,529,009			0					0	0
	San Mateo County						0.1% of the	1987-88	1987-88	0
1,182,391	1,072,654						1987-88	Prop Tax	\$473,032	
113,532	15,908						A.V.	Share		
1,774,739	0								288,212	109,737
412,649	280,074								0	83,594
427,920	179,443								53,253	1,637,662
622,330	310,943								0	132,575
\$4,533,561	\$1,859,022			\$113,39					\$4,971,892	248,477
	Total								\$1,391,186	311,387
									\$341,465	\$2,523,432
	Santa Clara County									
	Cupertino									
2,972,244	603,461									2,368,783
744,730	309,838									434,892
252,364	22,456									229,908
1,890,329	644,439									1,245,890
\$5,859,667	\$1,580,194			\$2,78						\$4,279,473
	Total									
	Santa Cruz County									
	Capitola									
447,192	305,298									141,894
565,946	341,355									224,591
\$1,013,138	\$646,653			0						\$366,485
	Total									

0	0	54,339	307,562	560,785	814,008
0	140,955	298,266	455,576	612,887	770,198
0	0	0	0	90,745	212,514
0	0	84,989	175,737	266,486	357,234
\$0	\$140,955	\$298,266	\$455,576	\$703,631	\$982,712
0	0	0	0	0	0
21,586	32,147	42,629	53,023	63,322	73,517
632,520	802,256	971,218	1,139,329	1,306,504	1,472,650
0	0	0	8,781	50,046	91,311
0	34,517	77,309	120,101	162,893	205,685
0	222	62,455	124,688	186,921	249,154
\$654,105	\$869,141	\$1,153,611	\$1,445,922	\$1,769,686	\$2,092,316
585,436	882,661	1,179,885	1,477,109	1,774,334	2,071,558
0	62,527	137,000	211,473	285,946	360,419
78,490	103,726	128,962	154,199	179,435	204,672
111,693	300,726	489,758	678,791	867,824	1,056,857
\$775,618	\$1,349,639	\$1,935,606	\$2,521,573	\$3,107,539	\$3,693,506
0	0	0	7,736	52,456	97,175
0	0	0	54,807	111,402	167,996
\$0	\$0	\$0	\$62,544	\$163,858	\$265,171

	0.1% of the 1987-88 A.V.	1987-88 Prop Tax Share	1988-89 Net Revenue Transfer	1989-90 Net Revenue Transfer	1990-91 Net Revenue Transfer	1991-92 Net Revenue Transfer	1992-93 Net Revenue Transfer	1993-94 Net Revenue Transfer	1994-95 Net Revenue Transfer	1995-96 Net Revenue Transfer	1996-97 Net Revenue Transfer	1997-98 Net Revenue Transfer
Ventura County												
Camarillo*	2,567,026	61,343	86,773	332,617	577,375	820,938	1,063,189	1,303,993	1,543,207	1,780,674	2,016,215	2,249,642
Moorpark	882,948	578,288	0	0	0	0	0	0	39,776	128,070	216,365	304,660
Simi Valley*	3,793,534	326,212	(169,197)	187,924	542,820	895,271	1,245,031	1,591,831	1,935,378	2,275,342	2,611,369	2,943,062
Thousand Oaks*	5,545,777	1,114,880	(223,715)	(246,087)	278,158	805,666	1,330,467	1,852,290	2,370,839	2,885,784	3,396,765	3,903,388
Total	\$12,789,285	\$2,080,723	(\$306,139)	\$274,454	\$1,398,353	\$2,521,875	\$3,638,687	\$4,748,114	\$5,889,200	\$7,069,870	\$8,240,715	\$9,400,752
State Total	\$128,582,633	\$44,288,382	(\$180,296)	\$3,853,721	\$9,186,041	\$15,432,746	\$23,418,693	\$32,343,905	\$42,326,416	\$53,012,806	\$64,006,297	\$75,616,105

* indicates that the city will lose its No Property Tax VLF subvention



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AB-117 Tax Equity Allocation formula: County of Santa Clara. (2005-2006)

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Assembly Bill No. 117

CHAPTER 342

An act to amend Section 98 of, and to repeal Section 98.04 of, the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 20, 2006. Filed with Secretary of State September 20, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 117, Cohn. Tax Equity Allocation formula: County of Santa Clara.

Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. Existing property tax law also reduces the amounts of ad valorem property tax revenue that would otherwise be annually allocated to the county, cities, and special districts pursuant to these general allocation requirements by requiring, for purposes of determining property tax revenue allocations in each county for the 1992-93 and 1993-94 fiscal years, that the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. It requires that the revenues not allocated to the county, cities, and special districts as a result of these reductions be transferred to the Educational Revenue Augmentation Fund (ERAF) in that county for allocation to school districts, community college districts, and the county office of education.

Existing property tax law requires the auditor of each county with qualifying cities, as defined, to make certain property tax revenue allocations to those cities in accordance with a specified Tax Equity Allocation (TEA) formula established in a specified statute and to make corresponding reductions in the amount of property tax revenue that is allocated to the county. Existing law reduces the amount required to be allocated under the TEA formula to qualifying cities in the County of Santa Clara by an amount that is determined by reference to other local taxes, as specified. Existing law also specifies that the amount of revenue allocated under these provisions to a qualifying city in the County of Santa Clara shall not exceed 55% of the amount that otherwise would be allocated to each of these cities under the TEA formula.

This bill would, for the 2006-07 fiscal year and for each fiscal year thereafter, repeal these required reductions and limitations for a qualifying city in the County of Santa Clara and thereby require that these cities be allocated the TEA formula amount determined under the specified statute. This bill would also require the auditor of Santa Clara County, for those same fiscal years, to reduce the amount of property tax revenue allocated to qualified cities in that county by the ERAF reimbursement amount, as defined, and to commensurately increase the

amount of property tax revenue allocated to the county ERAF, as specified. This bill would make legislative findings regarding the necessity of a special statute.

By increasing the amount of ad valorem property tax revenue allocated from the county to qualifying cities in the County of Santa Clara, this bill would change the pro rata shares in which ad valorem property tax revenues are allocated among local agencies in a county, within the meaning of paragraph (3) of subdivision (a) of Section 25.5 of Article XIII of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

By imposing new duties in the allocation of ad valorem property tax revenues in the County of Santa Clara, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 98 of the Revenue and Taxation Code is amended to read:

98. (a) In each county, other than the County of Ventura, having within its boundaries a qualifying city, the computations made pursuant to Section 96.1 or its predecessor section, for the 1989–90 fiscal year and each fiscal year thereafter, shall be modified as follows:

With respect to tax rate areas within the boundaries of a qualifying city, there shall be excluded from the aggregate amount of "property tax revenue allocated pursuant to this chapter to local agencies, other than for a qualifying city, in the prior fiscal year," an amount equal to the sum of the amounts calculated pursuant to the TEA formula.

(b) (1) Except as otherwise provided in this section, each qualifying city shall, for the 1989–90 fiscal year and each fiscal year thereafter, be allocated by the auditor an amount determined pursuant to the TEA formula.

(2) For each qualifying city, the auditor shall, for the 1989–90 fiscal year and each fiscal year thereafter, allocate the amount determined pursuant to the TEA formula to all tax rate areas within that city in proportion to each tax rate area's share of the total assessed value in the city for the applicable fiscal year, and the amount so determined shall be subtracted from the county's proportionate share of property tax revenue for that fiscal year within those tax rate areas.

(3) After making the allocations pursuant to paragraphs (1) and (2), but before making the calculations pursuant to Section 96.5 or its predecessor section, the auditor shall, for all tax rate areas in the qualifying city, calculate the proportionate share of property tax revenue allocated pursuant to this section and Section 96.1, or their predecessor sections, in the 1989–90 fiscal year and each fiscal year thereafter to each jurisdiction in the tax rate area.

(4) In lieu of making the allocations of annual tax increment pursuant to subdivision (e) of Section 96.5 or its predecessor section, the auditor shall, for the 1989–90 fiscal year and each fiscal year thereafter, allocate the amount of property tax revenue determined pursuant to subdivision (d) of Section 96.5 or its predecessor section to jurisdictions in the tax rate area using the proportionate shares derived pursuant to paragraph (3).

(5) For purposes of the calculations made pursuant to Section 96.1 or its predecessor section, in the 1990–91 fiscal year and each fiscal year thereafter, the amounts that would have been allocated to qualifying cities pursuant to this subdivision shall be deemed to be the "amount of property tax revenue allocated in the prior fiscal year."

(c) "TEA formula" means the Tax Equity Allocation formula, and shall be calculated by the auditor for each qualifying city as follows:

(1) For the 1988–89 fiscal year and each fiscal year thereafter, the auditor shall determine the total amount of property tax revenue to be allocated to all jurisdictions in all tax rate areas within the qualifying city, before the allocation and payment of funds in that fiscal year to a community redevelopment agency within the qualifying city, as provided in subdivision (b) of Section 33670 of the Health and Safety Code.

(2) The auditor shall determine the total amount of funds allocated in each fiscal year to a community redevelopment agency in accordance with subdivision (b) of Section 33670 of the Health and Safety Code.

(3) The auditor shall determine the total amount of funds paid in each fiscal year by a community redevelopment agency within the city to jurisdictions other than the city pursuant to subdivision (b) of Section 33401 and Section 33676 of the Health and Safety Code, and the cost to the redevelopment agency of any land or facilities transferred and any amounts paid to jurisdictions other than the city to assist in the construction or reconstruction of facilities pursuant to an agreement entered into under Section 33401 or 33445.5 of the Health and Safety Code.

(4) The auditor shall subtract the amount determined in paragraph (3) from the amount determined in paragraph (2).

(5) The auditor shall subtract the amount determined in paragraph (4) from the amount determined in paragraph (1).

(6) The amount computed in paragraph (5) shall be multiplied by the following percentages in order to determine the TEA formula amount to be distributed to the qualifying city in each fiscal year:

(A) For the first fiscal year in which the qualifying city receives a distribution pursuant to this section, 1 percent of the amount determined in paragraph (5).

(B) For the second fiscal year in which the qualifying city receives a distribution pursuant to this section, 2 percent of the amount determined in paragraph (5).

(C) For the third fiscal year in which the qualifying city receives a distribution pursuant to this section, 3 percent of the amount determined in paragraph (5).

(D) For the fourth fiscal year in which the qualifying city receives a distribution pursuant to this section, 4 percent of the amount determined in paragraph (5).

(E) For the fifth fiscal year in which the qualifying city receives a distribution pursuant to this section, 5 percent of the amount determined in paragraph (5).

(F) For the sixth fiscal year in which the qualifying city receives a distribution pursuant to this section, 6 percent of the amount determined in paragraph (5).

(G) For the seventh fiscal year and each fiscal year thereafter in which the city receives a distribution pursuant to this section, 7 percent of the amount determined in paragraph (5).

(d) "Qualifying city" means any city, except a qualifying city as defined in Section 98.1, that incorporated prior to June 5, 1987, and had an amount of property tax revenue allocated to it pursuant to subdivision (a) of Section 96.1 or its predecessor section in the 1988–89 fiscal year that is less than 7 percent of the amount of property tax revenue computed as follows:

(1) The auditor shall determine the total amount of property tax revenue allocated to the city in the 1988–89 fiscal year.

(2) The auditor shall subtract the amount in the 1988–89 fiscal year determined in paragraph (3) of subdivision (c) from the amount determined in paragraph (2) of subdivision (c).

(3) The auditor shall subtract the amount determined in paragraph (2) from the amount of property tax revenue determined in paragraph (1) of subdivision (c).

(4) The auditor shall divide the amount of property tax revenue determined in paragraph (1) of this subdivision by the amount of property tax revenue determined in paragraph (3) of this subdivision.

(5) If the quotient determined in paragraph (4) of this subdivision is less than 0.07, the city is a qualifying city. If the quotient determined in that paragraph is equal to or greater than 0.07, the city is not a qualifying city.

(e) The auditor may assess each qualifying city its proportional share of the actual costs of making the calculations required by this section, and may deduct that assessment from the amount allocated pursuant to subdivision (b). For purposes of this subdivision, a qualifying city's proportional share of the auditor's actual costs shall not exceed the proportion it receives of the total amounts excluded in the county pursuant to subdivision (a).

(f) Notwithstanding subdivision (b), in any fiscal year in which a qualifying city is to receive a distribution pursuant to this section, the auditor shall reduce the actual amount distributed to the qualifying city by the sum of the following:

(1) The amount of property tax revenue that was exchanged between the county and the qualifying city as a result of negotiation pursuant to Section 99.03.

(2) (A) The amount of revenue not collected by the qualifying city in the first fiscal year following the city's reduction after January 1, 1988, of the tax rate or tax base of any locally imposed tax, except any tax that was imposed after January 1, 1988. In the case of a tax that existed before January 1, 1988, this clause shall apply only with respect to an amount attributable to a reduction of the rate or base to a level lower than the rate or base applicable on January 1, 1988. The amount so computed by the auditor shall constitute a reduction in the amount of property tax revenue distributed to the qualifying city pursuant to this section in each succeeding fiscal year. That amount shall be aggregated with any additional amount computed pursuant to this clause as the result of the city's reduction in any subsequent year of the tax rate or tax base of the same or any other locally imposed general or special tax.

(B) No reduction may be made pursuant to subparagraph (A) in the case in which a local tax is reduced or eliminated as a result of either a court decision or the approval or rejection of a ballot measure by the voters.

(3) The amount of property tax revenue received pursuant to this chapter in excess of the amount allocated for the 1986–87 fiscal year by all special districts that are governed by the city council of the qualifying city or whose governing body is the same as the city council of the qualifying city with respect to all tax rate areas within the boundaries of the qualifying city.

Notwithstanding this paragraph:

(A) Commencing with the 1994–95 fiscal year, the auditor shall not reduce the amount distributed to a qualifying city under this section by reason of that city becoming the successor agency to a special district, that is dissolved, merged with that city, or becomes a subsidiary district of that city, on or after July 1, 1994.

(B) Commencing with the 1997–98 fiscal year, the auditor shall not reduce the amount distributed to a qualifying city under this section by reason of that city withdrawing from a county free library system pursuant to Section 19116 of the Education Code.

(4) Any amount of property tax revenues that has been exchanged pursuant to Section 56842 of the Government Code between the City of Rancho Mirage and a community services district, the formation of which was initiated on or after March 6, 1997, pursuant to Chapter 4 (commencing with Section 56800) of Part 3 of Division 3 of Title 5 of the Government Code.

(g) Notwithstanding any other provision of this section, in no event may the auditor reduce the amount of ad valorem property tax revenue otherwise allocated to a qualifying city pursuant to this section on the basis of any additional ad valorem property tax revenues received by that city pursuant to a services for revenue agreement. For purposes of this subdivision, a "services for revenue agreement" means any agreement between a qualifying city and the county in which it is located, entered into by joint resolution of that city and that county, under which additional service responsibilities are exchanged in consideration for additional property tax revenues.

(h) In any fiscal year in which a qualifying city is to receive a distribution pursuant to this section, the auditor shall increase the actual amount distributed to the qualifying city by the amount of property tax revenue allocated to the qualifying city pursuant to Section 19116 of the Education Code.

(i) If the auditor determines that the amount to be distributed to a qualifying city pursuant to subdivision (b), as modified by subdivisions (e), (f), and (g) would result in a qualifying city having proceeds of taxes in excess of its appropriation limit, the auditor shall reduce the amount, on a dollar-for-dollar basis, by the amount that exceeds the city's appropriations limit.

(j) The amount not distributed to the tax rate areas of a qualifying city as a result of this section shall be distributed by the auditor to the county.

(k) Notwithstanding any other provision of this section, no qualifying city shall be distributed an amount pursuant to this section that is less than the amount the city would have been allocated without the application of the TEA formula.

(l) Notwithstanding any other provision of this section, the auditor shall not distribute any amount determined pursuant to this section to any qualifying city that has in the prior fiscal year used any revenues or issued bonds for the construction, acquisition, or development, of any facility which is defined in Section 103(b)(4), 103(b)(5), or 103(b)(6) of the Internal Revenue Code of 1954 prior to the enactment of the Tax Reform Act of 1986 (P.L. 99-514) and is no longer eligible for tax-exempt financing.

(m) (1) The amendments made to this section, and the repeal of Section 98.04, by the act that added this subdivision shall apply for the 2006–07 fiscal year and each fiscal year thereafter.

(2) For the 2006–07 fiscal year and for each fiscal year thereafter, all of the following apply:

(A) The auditor of the County of Santa Clara shall do both of the following:

(i) Reduce the total amount of ad valorem property tax revenue otherwise required to be allocated to qualifying cities in that county by the ERAF reimbursement amount. This reduction for each qualifying city in the county for each fiscal year shall be the percentage share, of the total reduction required by this clause for all qualifying cities in the county for the 2006–07 fiscal year, that is equal to the proportion that the total amount of additional ad valorem property tax revenue that is required to be allocated to the qualifying city as a result of the act that added this subdivision bears to the total amount of additional ad valorem property tax revenue that is required to be allocated to all qualifying cities in the county as a result of the act that added this subdivision.

(ii) Increase the total amount of ad valorem property tax revenue otherwise required to be allocated to the county Educational Revenue Augmentation Fund by the ERAF reimbursement amount.

(B) For purposes of this subdivision, "ERAF reimbursement amount" means an amount equal to the difference between the following two amounts:

(i) The portion of the annual tax increment that would have been allocated from the county to the county Educational Revenue Augmentation Fund for the applicable fiscal year if the act that added this subdivision had not been enacted.

(ii) The portion of the annual tax increment that is allocated from the county to the county Educational Revenue Augmentation Fund for the applicable fiscal year.

SEC. 2. Section 98.04 of the Revenue and Taxation Code is repealed.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique fiscal pressures being experienced by qualifying cities, as defined in Section 98 of the Revenue and Taxation Code, in the County of Santa Clara.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide qualifying cities in the County of Santa Clara with the revenues needed to provide vital services that protect the public peace, health, and safety as soon as possible, it is necessary that this act take effect immediately.

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CONCURRENCE IN SENATE AMENDMENTS
AB 117 (Cohn)
As Amended August 24, 2006
2/3 vote. Urgency

ASSEMBLY: | | (May 31, 2005) | SENATE: | 39-0 | (August 28, 2006) |

(vote not relevant)

COMMITTEE VOTE: | 7-0 | (August 29, 2006) | RECOMMENDATION: | Concur |

(Local Government)

Original Committee Reference: HEALTH

SUMMARY : Repeals the 55% cap in Santa Clara County on tax equity allocation (TEA) funding for the county's four no/low-property-tax cities starting in the 2006-07 fiscal year (FY).

The Senate amendments delete the Assembly version of this bill, and instead, repeal the 55% limit in Santa Clara County on TEA funding for the county's four no/low-property-tax cities.

AS PASSED BY THE ASSEMBLY , this bill required the Department of Health Services to prepare a plan related to improving efficiencies in the Medi-Cal treatment authorization request process.

FISCAL EFFECT : According to the Senate Appropriations Committee, minor state-reimbursable costs for the county auditor to recalculate property tax.

COMMENTS : About 30 cities that never levied a property tax before Proposition 13 are called no property-tax cities, and about 60 cities that levied only low property tax rates are known as low property-tax cities. Counties must shift some of their own property tax revenues to these no/low cities. The payments to the no/low cities are called tax equity allocations, or TEA [AB 1197 (Willie Brown), 1988].

In most counties, TEA payments to the no/low cities are equal to 7%

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of the property tax revenues generated within their city limits. However, an exception requires Santa Clara County to allocate no more than 55% of the TEA funding that the four no/low cities in the county would otherwise be qualified to receive [AB 1175, Willie Brown, 1989]. The 55% limit was the product of an agreement, reached through intense negotiations, between Santa Clara County and the cities of Cupertino, Los Altos Hills, Monte Sereno, and Saratoga.

These four cities contend that the limit on their TEA funding has kept them from adequately funding city services. The cities have been talking with Santa Clara County officials about eliminating the 55% TEA cap, which currently saves the county \$4.2 million in property tax revenues. Eliminating the 55% limit would allow the four cities to receive the full 7% of the property tax revenues generated within their city limits. In exchange, the cities would provide additional services that reduce the county's costs. The Santa Clara County Board of Supervisors approved the cities' proposals.

Absent the 55% TEA cap, Santa Clara County's educational revenue augmentation fund (ERAF) would receive approximately \$600,000 more in property tax revenues from the four no/low cities but about \$2 million less from Santa Clara County, resulting in a net loss to ERAF of approximately \$1.4 million in FY 2006-07. This amount would be compounded in future years by the property tax growth rate. To prevent the state General Fund from having to backfill ERAF, this bill requires the four no/low cities in Santa Clara County to absorb the full ERAF impact. The amount of property tax allocated to the four cities would be reduced by an amount equal to the difference between the county portion of annual tax increment that is allocated to ERAF and the county portion of annual tax increment that would have been allocated to ERAF absent this bill.

Legislative reallocation of scarce property tax dollars frequently leads to bitter local controversies. By repealing Santa Clara County's unique 55% limit on TEA funding, this bill eliminates a long-standing source of contention between the County and its four no/low cities.

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Analysis Prepared by : Anya Lawler / L. GOV. / (916) 319-3958

FN: 0017611

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CITY OF CUPERTINO

Agenda Item

22-11200

Agenda Date: 7/18/2022
Agenda #: 7.

Subject: Discuss Expanding the Membership of the LRC

Discuss Expanding the Membership of the LRC



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LEGISLATIVE REVIEW COMMITTEE

Staff Report: July 18, 2022

Subject

Discuss Expanding the Membership of the LRC

Recommended Action

Discuss Expanding the Membership of the LRC

Background

When the Legislative Review Committee (LRC) was first formed it was comprised of the City Manager, the Director of Administrative Services, the Mayor, and one other councilmember. Over the years, the membership has changed in various ways. For example, while the Mayor is typically one of the two councilmembers on the LRC, this has not always been the case. Also, the staff on the LRC have fluctuated with the membership of staff dropping to just the City Manager and then to having no staff as members in recent years. Currently, the Committee has two councilmembers making up the entirety of its membership.

At the LRC meeting on May 14, 2019, the Committee requested that staff review the possibility of adding additional members to the LRC. The LRC discussed adding members to the LRC on June 25, 2019, and ultimately decided not to add Councilmembers, committee members or non-voting members to the committee at that time. More information can be found in the staff report in Attachment A.

Discussion

At the June 27, 2022 LRC meeting, one LRC member mentioned possibly adding commissioners as members for the LRC. It is possible to have Cupertino commissions appoint a representative to serve on the LRC. However, it is important to note that topics of legislation are broad and may not always fit within the expertise of a given commission. Since there are ten Cupertino commissions, it is not advisable to have a representative from each one serve on the LRC as the large membership could make it

difficult for the group to be responsive to legislative activity. Since it is not advisable to have a member from each of the ten commissions serve on the LRC, there will need to be clear determination on which commissions are chosen to have a representative added to the membership.

If a change in membership is recommended, staff will prepare an item for Council and a resolution to that effect.

Sustainability Impact

None anticipated.

Fiscal Impact

None anticipated.

Prepared by: Astrid Robles, Acting Assistant to the City Manager

Approved for Submission by: Dianne Thompson, Acting City Manager

Attachments:

A – Staff Report from May 24, 2019 LRC Meeting



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LEGISLATIVE REVIEW COMMITTEE STAFF REPORT

Staff Meeting: May 24, 2019

Subject

Adding members to the Legislative Review Committee

Recommended Action

Provide recommendations regarding Legislative Review Committee membership.

Background

When the Legislative Review Committee (LRC) was first formed it was comprised of the City Manager, the Director of Administrative Services, the Mayor, and one other councilmember. Over the years, the membership has changed in various ways. For example, while the Mayor is typically one of the two councilmembers on the LRC, this has not always been the case. Also, the staff on the LRC have fluctuated with the membership of staff dropping to just the City Manager and then to having no staff as members in recent years. Currently, the Committee has two councilmembers making up the entirety of its membership.

Discussion

At the LRC meeting on May 14, 2019, the Committee requested that staff review the possibility of adding additional members to the LRC. There are no legal concerns with adding additional members to the LRC, however, they may be subject to the Political Reform Act's conflict of interest provisions and Form 700 filing rules. Staff surveyed 12 cities in Santa Clara County (Campbell, Mountain View, Gilroy, Saratoga, Palo Alto, Los Altos, Los Altos Hills, Morgan Hill, Milpitas, Santa Clara, San Jose, and Sunnyvale) to determine if they had committees similar to Cupertino's Legislative Review Committee. Of those cities, only Campbell, San Jose, and Palo Alto have a committee responsible for legislative affairs.

Committees Responsible for Legislative Affairs in Other Cities						
City	Committee	Chair	Posted minutes	Recorded	Membership	Members from Public or Commissions?
Campbell	Legislative Subcommittee	No	No	None	Two councilmembers	No
Palo Alto	Policy and Services Committee	Yes	Yes, summary and action	Video	Three councilmembers	No
San Jose	Rules Committee	Yes	No	Video	Five councilmembers	No

In these other cities, only councilmembers make up the membership of their committees regarding legislative affairs. There could be various reasons for this membership composition. First, committees are generally set up as formal subcommittees of Council. This would indicate that their membership is comprised of a subset of Council that is less than a quorum. It is also important for a committee responding to legislation to remain nimble and able to meet on short notice to be responsive to time sensitive legislative issues. If membership is large, it could be difficult to ensure a quorum on short notice. Adding members of the public would also give unelected members decision power regarding official legislative positions for the City.

While these other cities do not include members outside of councilmembers, they may be added. Currently, the only Cupertino committee that recruits members of the public is the Audit Committee. Their membership consists of two councilmembers along with a minimum of two and a maximum of three at large members who are not officials or employees of the City. It is important to note that the Audit Committee is an advisory body and does not have decision authority. The Audit Committee also has qualifications for the at large members, indicating that priority should be given to individuals who have substantial accounting, audit, or investment experience, preferably in connection with a governmental agency. If members of the public are added to the LRC, staff recommends developing qualifications to guide the selection of these individuals.

It is also possible to have Cupertino commissions appoint a representative to serve on the LRC. However, it is important to note that topics of legislation are broad and may not always fit within the expertise of a given commission. Since there are ten Cupertino

commissions, it is not advisable to have a representative from each one serve on the LRC as the large membership could make it difficult for the group to be responsive to legislative activity. Since it is not advisable to have a member from each of the ten commissions serve on the LRC, there will need to be clear determination on which commissions are chosen to have a representative added to the membership.

Next Steps

If a change in membership is recommended, staff will prepare an item for Council and a resolution to that effect. If members of the public are added to the LRC, a recruitment process will need to take place, similar to the Audit Committee process. The annual recruitment for commissions and committees for members of the public begins in October, with appointments made in January.

Fiscal Impact

None anticipated.

Prepared by: Katy Nomura, Assistant to the City Manager

Approved for Submission by: Timm Borden, Interim City Manager