



**MCCMC LEGISLATIVE COMMITTEE MEETING**  
**MONDAY, FEBRUARY 27, 8:00 AM**  
**TELECONFERENCE: <https://cityofsanrafael-org.zoom.us/j/86195747618>**  
**CALL-IN NUMBER: +1 669 444 9171**  
**MEETING ID: 861 9574 7618**

**AGENDA**

**A. WELCOME/INTRODUCTIONS**

**B. REPORTS**

- Nancy Hall Bennet – Report from the League of California Cities
- Melissa Apuya, District Director - Report from Assemblymember Damon Connolly’s Office
- Summer Cassel, District Representative – Report from Senator Mike McGuire’s Office

**C. UPDATES**

- Budget and Legislative Update – Emanuels Jones & Associates  
*CBRT Ballot Initiative (Taxpayer Protection and Government Accountability Act)*

*Updates to Bills on Committee Watch List*

- AB 96 (Kalra) Public employment: local public transit agencies: autonomous transit vehicle technology.  
*Cal Cities Position: Watch*  
*Status: Re-referred to Com. on P.E. & R. pursuant to Assembly Rule 96.*
- AB 99 (Connolly) State highways: vegetation management: herbicides and pesticides.  
*Cal Cities Position: Watch*  
*Status: Referred to Com. on TRANS.*

**D. COMMITTEE BUSINESS**

**1. Action Items**

- ACA 1 (Aguiar-Curry) Local government financing: affordable housing and public infrastructure: voter approval.  
*Cal Cities Position: Watch*



- Status: From printer. May be heard in committee January 5.*

  - AB 434 (Grayson) Housing element: notice of violation.  
*Cal Cities Position: Watch*  
*Status: Referred to Coms. on H. & C.D. and L. GOV.*
  - AB 478 (Connolly) Wildfires: insurance.  
*Cal Cities Position: Watch*  
*Status: Referred to Com. on INS.*
  - AB 821 (Grayson) Planning and zoning: development project application.  
*Cal Cities Position: Watch*  
*Status: From printer. May be heard in committee March 16.*
  - AB 894 (Friedman) Parking requirements: shared parking.  
*Cal Cities Position: Watch*  
*Status: From printer. May be heard in committee March 17.*
  - SB 329 (Dodd) Cities: city council members: compensation.  
*Cal Cities Position: Watch*  
*Status: Referred to Com. on GOV. & F.*
  - SB 396 (Wahab) Local government: excavations: notice.  
*Cal Cities Position: Watch*  
*Status: From printer. May be acted upon on or after March 12.*
  - SB 411 (Portantino) Open meetings: teleconferences: bodies with appointed membership.  
*Cal Cities Position: Watch*  
*Status: From printer. May be acted upon on or after March 12.*
  - SB 423 (Wiener) Land use: streamlined housing approvals: multifamily housing developments  
*Cal Cities Position: Watch*  
*Status: From printer. May be acted upon on or after March 16.*

## **E. CHAIRS REPORT**

1. General Chair Committee Update

## **F. CALENDAR**

Upcoming MCCMC Legislative Committee Meetings:

- March 27, 2023
- April 24, 2023

## **G. ADJOURN**



***MCCMC LEGISLATIVE COMMITTEE SCOPE OF ADVOCACY:***

**Fiscal Protection:** Protect city revenues from the State.

**Local Control:** Support legislation that enhances local control of resources to provide services while supporting regional cooperation. Oppose unfunded mandates, preemption of local authority, and control of land use.

**Transportation Investment:** Promote a stable transportation finance structure for state and local government. Support multimodal transportation that enhances livable communities.

**Housing and Land Use:** Protect local government land use authority. Oppose punitive housing legislation and legislation that restricts or reduces local discretion on land use decisions.

*Other legislation can be recommended to MCCMC at a regular meeting.*



## BILLS AND STATUS

### *UPDATE TO BILLS ON COMMITTEE LIST*

#### **[AB 96 \(Kalra\) Public employment: local public transit agencies: autonomous transit vehicle technology.](#)**

Would require a public transit employer to provide written notice to the exclusive employee representative of the workforce affected by autonomous transit vehicle technology of its determination to begin, or its substantive progress toward initiating, any procurement process or a plan to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of the workforce to which the autonomous transit vehicle technology applies not less than 12 months before commencing the process, plan, or deployment. The bill would require a public transit employer, upon a written request of the exclusive employee representative, to provide specified information to the exclusive employee representative, including the potential gaps in skills that may result from the new service. The bill would require the public transit employer, following the written request for information by the exclusive employee representative, and within 30 days of receiving the specified information, to commence collective bargaining on specified subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.

#### DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

Link to Cal Cities Bill Summary/Status:

<https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=Ne8lSu4INC6yipmV%2bOAn0uLDuGBs%2fFCZDMAKta4ninOYpgJBSVynp%2bzAgz6FXs%2bl>

Cal Cities Position: Watch

Status: 01/09/2023 - Read first time. To print - May be heard in committee February 9.

#### **[AB 99 \(Connolly\) State highways: vegetation management: herbicides and pesticides.](#)**

Current law prohibits each state agency that has responsibility for roadside vegetation control operations on, or along, a roadway, including a state highway, from conducting a roadside vegetation control operation on a portion of the roadway for which a property owner has made a request for information related to the roadside vegetation control operation until certain conditions are satisfied, as specified. This bill would require the Department of Transportation to develop and adopt a statewide policy to discontinue roadside spraying of herbicides and synthetic pesticides in each county where the county board of supervisors has adopted a resolution that opposes the spraying of herbicides and synthetic pesticides in the county, except where no alternative vegetation management practice is feasible or during a state of emergency relating to wildfire if the spraying is solely for purposes of preventing, combating, or mitigating the risk of wildfire.

#### DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

Link to Cal Cities Bill Summary/Status:

<https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=5EQPCBiogOFMahl%2f7xJ3j3PLZCV%2fv%2fsnkqXPN%2btbbsiopIGHQII98L8q%2b0qGVVki>



Cal Cities Position: Watch

Status: 1/10/2023 From printer. May be heard in committee February 9.

### ***NEW BILLS ON COMMITTEE LIST***

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

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. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.

#### **DIGEST KEY**

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

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=aca%201&t=bill>

Cal Cities Position: Watch

Status: From printer. May be heard in committee January 5.

#### **AB 434 (Grayson) Housing element: notice of violation.**

The Planning and Zoning Law, for housing development projects that submit a preliminary application prior to January 1, 2030, prohibits a city or county from conducting more than 5 hearings, as defined, held pursuant to these provisions, or any other law, ordinance, or regulation requiring a public hearing, if the proposed housing development project complies with the applicable, objective general plan and zoning standards in effect at the time an application is deemed complete, as defined. Current law requires the Department of Housing and Community Development to notify a city, county, or city and county, and authorizes the department to notify the Attorney General, that a city, county, or city and county is in violation of state law if the department finds that the housing element or an amendment to that element, or any specified action or failure to act, does not substantially comply with the law as it pertains to housing elements or that any local government has taken an action in violation of certain housing laws. This bill would additionally authorize the department to notify a city, county, city and county, or the Attorney General when the planning agency of a city, county, or city and county fails to comply with the above-described provision that prohibits holding more than 5 hearings for specified variances.

#### **DIGEST KEY**

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no



Link to Cal Cities Bill Summary/Status:

<https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=ab%20434&t=bill>

Cal Cities Position: Watch

Status: Referred to Coms. on H. & C.D. and L. GOV.

### **AB 478 (Connolly) Wildfires: insurance.**

The Insurance Rate Reduction and Reform Act of 1988, an initiative measure enacted by Proposition 103, as approved by the voters at the November 8, 1988, statewide general election, prohibits specified insurance rates from being approved or remaining in effect that are excessive, inadequate, unfairly discriminatory, or otherwise in violation of the act. In considering whether a rate is excessive, inadequate or unfairly discriminatory, current law requires the Insurance Commissioner to consider whether the rate mathematically reflects the insurance company's investment income. Current law authorizes the provisions of Proposition 103 to be amended by a statute that furthers the purposes of the act and is enacted by the Legislature with a 2/3 vote. For insureds 65 years of age or older, this bill would limit an increase in their yearly premium for a policy of residential property insurance by no more than 25 percent for insured property located in a high or very high fire hazard severity zone, as identified by the State Fire Marshal, as specified, and allow only one premium increase in a 5-year period.

#### DIGEST KEY

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

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=ab%20478&t=bill>

Cal Cities Position: Watch

Status: Referred to Com. on INS.

### **AB 821 (Grayson) Planning and zoning: development project application.**

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 of certain land outside its boundaries. Current law requires that county or city zoning ordinances be consistent with the general plan of the county or city by January 1, 1974. Current law requires a zoning ordinance to be amended within a reasonable time so that it is consistent with the general plan in the event that the ordinance becomes inconsistent with the plan by reason of amendment to the plan. This bill, among other things, would provide that, in the event that a city or county fails to amend an inconsistent zoning ordinance within 90 days after receiving written notice of the inconsistency, a proposed development project shall not be deemed inconsistent with that zoning ordinance and related zoning standard or criteria and shall not be required to be rezoned, if there is substantial evidence that would allow a reasonable person to conclude that the proposed development project is consistent with objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan.

#### DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=ab%20821&t=bill>



Cal Cities Position: Watch

Status: From printer. May be heard in committee March 16.

**AB 894 (Friedman) Parking requirements: shared parking.**

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 also authorizes the legislative body of a city or a county to adopt ordinances establishing requirements for parking. This bill would require a public agency, as defined, to allow existing land uses with underutilized parking, as defined, to share the underutilized parking with the public, a private entity, a public agency, or other users. The bill would require a public agency to allow shared parking to be counted toward meeting automobile parking requirements for a new or existing development or use, including underutilized parking spaces, when the parking spaces meet specified conditions regarding the distance of the spaces from the applicable site. The bill would require a public agency to accept a parking analysis using peer-reviewed methodologies developed by a professional planning association, as specified, when determining the number of shared parking spaces that can be reasonably shared between different uses.

**DIGEST KEY**

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=ab%20894&t=bill>

Cal Cities Position: Watch

Status: From printer. May be heard in committee March 17.

**SB 329 (Dodd) Cities: city council members: compensation.**

Current law authorizes a city council to enact an ordinance to provide each member of the city council a salary based upon the population of the city, as specified. Current law authorizes that amount to be increased by the city council by an amount that does not exceed 5% for each calendar year from the operative date of the last adjustment of the salary that is in effect when the increase is enacted, and prohibits an ordinance from being enacted or amended to provide automatic future increases in salary. This bill, instead, would authorize a city council to adjust, by ordinance, the amount of the salary of city council members based upon population in an amount that does not exceed inflation since January 1, 1984, based upon the California Consumer Price Index.

**DIGEST KEY**

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=sb%20329&t=bill>

Cal Cities Position: Watch

Status: Referred to Com. on GOV. & F.



### **SB 396 (Wahab) Local government: excavations: notice.**

Current law imposes various duties on local agencies relating to construction and property within its jurisdiction, including by requiring local agencies with jurisdiction to approve excavations to allow microtrenching, as defined, for the installation of underground fiber if the installation in the microtrench is limited to fiber, except as provided. Current law requires, during the project planning phase of certain department-led construction projects, the Department of Transportation to notify companies and organizations working on broadband deployment of the project on its internet website to encourage collaborative broadband installations. This bill would require, prior to commencing any local agency-led excavation projects, as defined, a city, county, or city and county to notify interested parties of the project on its internet website to encourage collaborative installations of important utilities and infrastructure, including, but not limited to, fiber optic cable, undergrounding utilities, or other important services.

#### DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=sb%20396&t=bill>

Cal Cities Position: Watch

Status: From printer. May be acted upon on or after March 12.

### **SB 411 (Portantino) Open meetings: teleconferences: bodies with appointed membership.**

Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a legislative body to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would alternatively define "legislative body" for this purpose to mean a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the Ralph M. Brown Act.

#### DIGEST KEY

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

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=sb%20411&t=bill>

Cal Cities Position: Watch

Status: From printer. May be acted upon on or after March 12.





## **SB 423 (Wiener) Land use: streamlined housing approvals: multifamily housing developments**

Existing law, the Planning and Zoning Law, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards, including, among others, that the development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower or moderate-income housing units required, as specified, remain available at affordable housing costs, as defined, or rent to persons and families of lower or moderate-income for no less than specified periods of time. Existing law repeals these provisions on January 1, 2026. This bill would authorize the Department of General Services to act in the place of a locality or local government, at the discretion of that department, for purposes of the ministerial, streamlined review for development on property owned by or leased to the state. The bill would delete the January 1, 2026, repeal date, thereby making these provisions operative indefinitely. This bill contains other related provisions and other existing laws.

### DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

Link to Cal Cities Bill Summary/Status: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=23&s=sb%20423&t=bill>

Cal Cities Position: Watch

Status: From printer. May be acted upon on or after March 16.