



State and Federal Legislative Update

August 2023

August 14, 2023

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OVERVIEW

- Providing an update on State Bills from TPA (TPA will also briefly include a Federal and Grants Update)
- On State Bills, we are seeking:
 - Council Action on the Bills with Recommended Action (AB 531, SB 326, SB 532)
 - Feedback on the Monitoring List

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**State and Federal Legislative
and Funding Update**

August 14, 2023

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State Legislative Overview

The City of Palo Alto has formally engaged with 14 measures, ranging from housing and land use, to homeless prevention, to energy and utilities, and climate resiliency.

Townsend Public Affairs has actively engaged with 47 measures on behalf of the City of Palo Alto.

August marks another massive hurdle for Legislation in the Second House.

Legislature adjourns **September 14**. Governor has until **October 14** to sign/veto legislation.

Priority Bills with City Positions

Energy and Utilities

SB 572 (Stern): Natural Gas Prices Report.

Requires the California Public Utilities Commission (CPUC) to submit a report to the Legislature, by February 1, 2024, on the status, outcomes, and recommendations of the agency's investigation into natural gas prices during winter 2022-23.

City Position: Support

Priority Bills with City Positions

Equality and Inclusion

ACA 5 (Low): Marriage Equality

Repeals a provision in the California Constitution that limits marriage to a “man and a woman,” and replaces it with provisions that make the right to marry a fundamental right.

City Position: **Support**

Priority Bills with City Positions

Homelessness and Behavioral Health Services

AB 1469 (Kalra): Santa Clara Valley Water District.

Authorizes the Santa Clara Valley Water District to assist unsheltered people living along streams, in riparian corridors, or otherwise within the district's jurisdiction, in consultation with a city or the County of Santa Clara, to provide solutions or improve outcomes for the unsheltered individuals.

City Position: Support

SB 43 (Eggman): Behavioral health.

Updates the definition of "gravely disabled" to include a new focus on preventing serious physical and mental harm stemming from a person's inability to provide for their needs for nourishment, personal or medical care, find appropriate shelter, or attend to self-protection or personal safety, due to their mental or substance use disorder.

City Position: Support

SB 363 (Eggman): Facilities for inpatient and residential mental health and substance use disorder: database.

Establishes a real-time, internet-based dashboard to collect, aggregate and display the availability of beds in a range of psychiatric and substance abuse facilities.

City Position: Support

Priority Bills with City Positions

Housing and Land Use

AB 12 (Haney): Tenancy: security deposits.

Prohibits tenants from having to pay more than one month's rent as a security deposit for furnished or unfurnished rental property.

City Position: **Support**

AB 1505 (Rodriguez): Seismic retrofitting: soft story multifamily housing.

Appropriates \$250,000,000 for the purpose of implementing the Seismic Retrofitting Program for Soft Story Multifamily Housing. This funding was originally incorporated into the 2022 State Budget Cycle; however, the funding was omitted from the Preliminary Budget submitted to the Legislature in January 2023. AB 1505 aims to replace that funding on an urgency basis. **City Position:** **Support**

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

Extends the sunset for SB 35 provisions (Wiener, Statutes of 2017) from 2026 to 2036, relaxes specified construction labor requirements, and removes the exclusion of the coastal zone.

City Position: **Oppose** via Recorded Council Majority

Priority Bills with City Positions

Internet and Technology

AB 1637 (Irwin): Local Government: Internet Websites and Email Addresses

Requires cities and counties that maintain a public internet website and use public email addresses for employees to utilize a “.gov” or a “.ca.gov” domain name for their websites and email addresses by January 1, 2029. Provides no reimbursement for associated costs from the State.

City Position: Oppose

Priority Bills with City Positions

Governance, Transparency, and Labor Relations

AB 1484 (Zbur): Temporary Public Employees.

Requires temporary employees of cities and counties to join existing bargaining units accessible to permanent employees. Imposes requirements on employers with temporary employees hired to do the same or similar work performed by permanent employees. Requires complaints alleging a violation of its provisions to be processed as unfair practice charges under the Meyers-Milias-Brown Act.

City Position: Oppose

SB 719 (Becker): Law Enforcement Agencies. Radio Communications

Requires law enforcement agencies to ensure any non-confidential radio communications are accessible to the public in real time, no later than 2024.

City Position: Support

Priority Bills with City Positions

Public Safety

AB 1598 (Berman): Gun Violence. Firearm Safety Education.

Requires DOJ to prepare a firearm-safety-certificate study guide, separate from the current instruction manual, explaining information covered on the firearm safety certificate test, and to develop a new pamphlet on the risk and benefits of firearm ownership.

City Position: Support

SB 2 (Portantino): Firearms.

Creates a new issuing process for concealed carry weapons (CCW) licenses following the U.S. Supreme Court ruling in *New York Rifle and Pistol Association v. Bruen* from June of 2022.

City Position: Support

Priority Bills with City Positions

Revenue, Taxation, and Economic Development

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

Proposes amendments to the California Constitution to allow a city, county, or special district, with 55% voter approval, to incur bonded indebtedness or impose specified special taxes to fund projects for affordable housing, permanent supportive housing, or public infrastructure.

City Position: Support

Recommended Legislative Positions

AB 531 (Irwin) and SB 326 (Eggman): Behavioral Health Infrastructure and Policy Reforms.

Both measures represent a comprehensive package to reform the State's behavioral health care continuum.

- **AB 531** enacts the Behavioral Health Infrastructure Bond Act of 2023, which places a \$4.68 billion GO Bond authorization before voters at the March 2024 statewide primary election to fund behavioral health infrastructure like residential care facilities.
- **SB 326** recasts the Mental Health Services Act (MHSA) by, among other things, renaming it the Behavioral Health Services Act (BHSA), expanding it to include treatment of substance use disorders, changing the county planning process, and expanding services for which counties and the state can use funds.
 - City Impact: Both measures are likely to provide funding and policy reform to increase the efficiency with which behavioral health care dollars are used. This is likely to have a positive impact on City and regional homeless needs.
 - **Recommended Position: Support**

Recommended Legislative Positions

SB 532 (Wiener): San Francisco Bay area toll bridges: tolls: transit operating expenses.

Requires the Bay Area Toll Authority (BATA) to increase by \$1.50 the toll for each of the seven state-owned toll bridges in the San Francisco Bay Area and continuously appropriates toll revenues to the Metropolitan Transportation Commission (MTC), including revenues from the toll increase for allocation to transit operators in the region that are experiencing a financial shortfall.

- City Impact: This measure would generate needed operations funding; however, funding would be disproportionately directed to MUNI and BART services located in San Francisco. Accessibility to transit for low-income riders is a concern related to this bill.
- **Recommended Position:** **Seek input from Council** (starting place draft resolution available in packet)

Looking Forward: State Advocacy

Upcoming Bond Proposals: Climate, Behavioral Health, and Housing. Work to identify strategies for priority funding.

Ongoing advocacy through the end of the 2023 legislative session and beyond.

Ongoing advocacy on Project Homekey Implementation.

TPA to provide implementation guidance on various statutes following the end of Session.

Meetings with Council Ad Hoc and Staff to identify policy priorities, potential sponsored legislation, and ideas for 2024.

Work with City staff to streamline legislative engagement – i.e., legislative platform development and/or a Legislative Subcommittee.

Preparation for State Advocacy Trips in 2024.

Federal Advocacy Updates

Congressionally Directed Funding Request



Submitted request for the rehabilitation of Buena Vista Mobile Home Park in tandem with Santa Clara County Housing Authority.




Congresswoman Eshoo selected the project and successfully inserted it into the THUD Appropriations Bill in the amount of \$850,000.

Federal Advocacy Updates


Federal Aviation Administration (FAA) Authorization Legislation



House Passed legislation, pending consideration in Senate.



New amendment proposed by Congresswoman Eshoo requires FAA to solicit local feedback regarding aircraft noise.



TPA working with staff to craft comment letter articulating airplane noise concerns as part of the agency's Noise Policy Review comment period.

Looking Forward: Federal Advocacy

Ongoing advocacy for Congressional Funding Request inclusion in final appropriations agreement.

Continue to work with City staff on the crafting of the FAA Noise Policy review comment letter and advocate for local input policies in FAA reauthorization legislation.

TPA to monitor updates from the Federal Energy Regulatory Commission (FERC) and their investigation into high natural gas prices during the winter of 2022 and provide opportunities for the City to engage in public comment processes.

Work with City staff to identify funding priorities and federal grant programs that match with eligible projects.

Prepare for Federal Advocacy Trips in 2024.

Grant Funding Updates

Townsend Public Affairs (TPA) currently provides grant writing support to city staff. Since coming onboard, TPA grant writers have provided consultation, review, editing, narrative drafting, grant assembly, submission and advocacy for the following projects.

Grant Program	Project	TPA Action	Requested Amount
Patrick Leahy Bulletproof Vest Partnership Program	This program would reimburse the City of Palo Alto's Police Department for the purchase of bullet proof vests for peace officer personnel protection.	TPA provided direct consultation, narrative drafting, technical assistance, and submitted the application on behalf of the City.	\$30,000
Organized Retail Theft Prevention Grant Program	This program would support the City law enforcement support local law enforcement in preventing and responding to organized retail theft and motor vehicle or motor vehicle accessory theft.	TPA provided direct consultation, narrative drafting, technical assistance, and submitted the application on behalf of the City.	\$5,103,283
FY 2024 State Homeland Security Grant Program (HSGP)	This program would support the City's law enforcement in improving homeland security detection and response capabilities.	TPA provided direct consultation, narrative drafting, technical assistance, and submitted the application on behalf of the City.	\$15,000
Connect and Protect: Law Enforcement Behavioral Health Response Program	This program would support the City's law enforcement personnel through cross-system mental health supportive services.	TPA provided direct consultation and technical assistance on the grant submittal and advocacy process.	\$500,000

Grant Funding Updates

TPA and city staff are currently working on several grant applications for transportation infrastructure, community resilience, recreation infrastructure, emergency preparedness and more.

Grant Program	Project	TPA Action	Due Date	Approx. Request Amount
The Mega Grant Program	The Mega Program (the National Infrastructure Project Assistance program) supports large, complex projects that are difficult to fund by other means and likely to generate national or regional economic, mobility, or safety benefits. Palo Alto is seeking funding for grade separation projects within the City.	TPA is actively working with City transportation department staff to formulate a competitive project and scope to submit prior to the grant deadline. Funds would be used for the Meadow and Charleston Road grade separation project.	August 21, 2023	\$56,700,000
Strategic Growth Council Community Resilience Center Grant	This program supports the planning of neighborhood-serving 'community resilience centers' that can protect people from extreme heat and other climate-driven extreme weather and build community preparedness. City staff are in the process of identifying a location to obtain planning funds for a grant to develop a community resilience center.	TPA is actively working with City staff to determine a competitive project location and need that would serve vulnerable residents in times of extreme climate events.	September 18, 2023	\$500,000
Reconnecting Communities Pilot Program	This program seeks to reconnect communities by removing, retrofitting, or mitigating transportation facilities, like highways or rail lines, that create barriers to community connectivity, including to mobility, access, or economic development.	TPA is actively working with City transportation department staff to determine feasibility for the rehabilitation of the Newell Road Bridge.	September 20, 2023	\$1,000,000 - \$2,000,000

Looking Forward: Grant Funding

Continue to work with City staff in identifying priority projects with matching programs and advise, draft, and submit comprehensive applications on the City's behalf.

Continue post grant submittal advocacy for submitted applications and to schedule debrief calls between the City and agency staff once award announcements are released.

Provide strategic support and augment staff capacity by attending grant webinars and briefings hosted by state and federal agencies and report back to City staff on priority project eligibility and competitiveness.

Continue to work with City Staff to streamline internal systems for tracking pending and successful grant applications and address required administration.

Questions?



Niccolo De Luca

Vice President

NDeLuca@TownsendPA.com



Ben Goldeen

Federal Advocacy Manager

BGoldeen@TownsendPA.com



Carly Shelby

Associate

CShelby@TownsendPA.com



Alex Gibbs

Grants Manager

AGibbs@TownsendPA.com

RECOMMENDATION

- Bills with Recommended Action (Including Confirmation to Oppose SB 423):
 - AB 531 (Irwin) – recommended support
 - SB 326 (Eggman) – recommended support
 - SB 532 (Wiener) – recommended for Council discussion
- Confirm the Monitor List or any changes to it or other bills the Council would like to discuss and opine on