



STATE LEGISLATION COMMITTEE

Wednesday, June 9, 2021

11:00am – 1:00pm

Join online at:

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=ee7bae5111a4eddd70b2135730b0c3ba8>

Meeting ID: 187 632 7026 / Meeting Password: 3Jwe48XyhQD

Join by Phone at 415-655-0001

(Public Comment Instructions available on page 6)

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Jen Snyder
Supervisor Connie Chan -- Ian Fregosi
Assessor's Office -- Holly Lung
City Attorney's Office -- Mary Jane Winslow
Controller's Office -- Dan Kaplan
Treasurer's Office -- Eric Manke

AGENDA

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting of May 12, 2021.

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item). The City's state lobbyist will present to the Committee an update on State legislative matters.

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

Unfinished Business

Treasurer & Tax Collector

Presenter: Michelle Lau

1. SB 586 (Bradford) Criminal fees.

Recommended Position: Support

This bill is a criminal justice reform bill that would end the assessment and collection of 26 administrative fees charged to people in the criminal legal system. SB 586 builds on Assembly Bill 1869, The Families Over Fees Act, which abolished 23 administrative fees in the criminal system.

Continued from the March 10, 2021 Meeting

Continued from the April 14, 2021 Meeting

Department on the Status of Women

Presenter: Elizabeth Newman

2. SB 331 (Leyva) Settlement and nondisparagement agreements.

Recommended Position: Support

This bill would expand protections against discrimination and harassment cover-ups by prohibiting non-disclosure and non-disparagement agreements that limit workers' ability to speak out about harassment and discrimination in the workplace, whether due to race, sexual orientation, religion, age or any other characteristic.

Continued from the April 14, 2021 Meeting

New Business

San Francisco Municipal Transportation Agency & Planning Department

Presenter: Jadie Wasilco & Sheila Nickolopoulos

3. AB 1401 (Friedman) Residential and commercial development: parking requirements.

Recommended Position: Support

This bill would prohibit local governments from enforcing minimum automobile parking requirements for residential, commercial, or other developments located within one-half mile walking distance of public transit.

Department of the Environment

Presenter: Katie Chansler

4. AB 125 (Robert Rivas) Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022.

Recommended Position: Support

These bills propose the Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2021 (EER Bond) which would authorize \$3.302 billion in general obligation bonds.

5. AB 962 (Kamlager) California Beverage Container Recycling and Litter Reduction Act: reusable beverage containers.

Recommended Position: Support

This bill defines "reusable beverage container" as a beverage container that has been used to contain a beverage, for which the applicable redemption payment has been paid, and that is returned whole and intact to a recycler or other certified entity designated by CalRecycle and capable of reuse as a beverage container.

6. SB 45 (Portantino) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.

Recommended Position: Support

This bill enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which authorizes the sale of \$5.595 billion in general obligation bonds, upon approval by voters at the November 2021 statewide general election.

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

VI. ADJOURNMENT

Disability Access

Room 201 of City Hall is located at 1 Dr. Carlton B. Goodlett Place and is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible Muni lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness, as well as Muni Metro stations at Van Ness and Civic Center. For more information about Muni accessible services, call 923-6142. There is accessible parking at the Civic Center Plaza garage.

Know Your Rights Under the Sunshine Ordinance

The government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Donna Hall at Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at 415-554-7724, by fax at 415-554-7854, or email the Sunshine Ordinance Taskforce Administrator at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Task Force, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at www.sfgov.org/sunshine.htm.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Sec. 2.100 -2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone 415-581-2300, fax 415-581-2317, Internet website: www.sfgov.org/ethics.

Cell Phones and Pagers

The ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

Public Comment will be taken on each item on the agenda before or during consideration of that item.

Document Review

Documents that may have been provided to members of the State Legislation Committee in connection with the items on the agenda include proposed state legislation, consultant reports, correspondence and reports from City departments, and public correspondence. These may be inspected by contacting Edward McCaffrey, Manager, State and Federal Affairs, Mayor's Office at: (415) 554-6588.

Health Considerations

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

June 9, 2021 State Legislation Committee

View the meeting:

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PUBLIC COMMENT CALL-IN: 415-655-0001 Access code: 187 632 7026

After entering the access code, press # twice to listen to the meeting *(There is no delay when listening to the meeting using this number.)*

Information Regarding Providing Public Comment

- Each individual may comment 1 time per agenda item.
- Each individual may speak for up to 2 minutes; after which time the line is automatically silenced.
- To make public comment on a specific agenda item, dial in using the information above when the item is called.
- Dial *3 to be added to the public comment queue for this item.
- When it is your time to speak, you will hear “Your line has been unmuted.”
- Ensure you are in a quiet location.
- Before you speak, mute the sound of any equipment around you including televisions, radios, and computers. It is especially important that you **mute your computer** so there is no echo sound when you speak.
- When the Commission Secretary states, “Next Caller,” you are encouraged to state your name clearly. As soon as you speak, your 2 minute allotment will begin.
- After you speak, you will go back to listening mode. You may stay on the line to provide public comment on another item.



**STATE LEGISLATION COMMITTEE
DRAFT MINUTES
Wednesday, May 12, 2021
11:00am – 1:00pm**

**Held Via Videoconference
(remote public access provided via teleconference)**

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Jen Snyder
Supervisor Connie Chan -- Ian Fregosi
Assessor's Office -- Holly Lung
City Attorney's Office -- Mary Jane Winslow
Controller's Office -- Dan Kaplan
Treasurer's Office -- Eric Manke

Meeting commenced at 11:05am

AGENDA

I. ROLL CALL

Present: Edward McCaffrey, Jen Snyder, Ian Fregosi, Holly Lung, Dan Kaplan, and Eric Manke

Absent: Mary Jane Winslow

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting of April 14, 2021.

No public comment.

Motion to Approve: Edward McCaffrey

Seconded by: Eric Manke

Approved: 6-0

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item).

The City's state lobbyist will present to the Committee an update on State legislative matters.

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

Consent Agenda

All items listed below were approved with the following vote:

No public comment.

Motion to Approve Positions: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 6-0

1. AB 221 (Santiago) Emergency food assistance.

Submitted by Human Services Agency

Recommended Position: Support

This bill would provide an emergency food assistance benefit to certain eligible low-income California residents, regardless of their immigration status, in the form of a one-time use, prepaid card preloaded with \$600 for use at retailers that sell groceries.

2. AB 417 (McCarty) Rising Scholars Network: justice-involved students.

Submitted by Reentry Council

Recommended Position: Support

This bill would authorize the California Community Colleges Chancellor's Office to establish a program, named the Rising Scholars Network, to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for formerly and currently incarcerated individuals.

3. AB 424 (Stone) Private Student Loan Collections Reform Act: collection actions.

Submitted by the Office of the Treasurer and Tax Collector

Recommended Position: Support

This bill would protect private student loan borrowers from unsubstantiated lawsuits and collection on illegitimate debts. The bill requires private student loan lenders and debt collectors to comply with common sense evidentiary standards when bringing debt collection lawsuits against borrowers.

4. AB 695 (Arambula) Elder and dependent adults.

Submitted by Human Services Agency

Recommended Position: Support

This bill, along with a concomitant budget proposal, would greatly enhance Adult Protective Services (APS) programs to meet the growing needs of California's aging population.

5. AB 1527 (Ting) Seton Medical Center: seismic safety.
Submitted by the Department of Public Health
Recommended Position: Support
This bill would allow the Office of Statewide Health Planning and Development to grant Seton Medical Center in Daly City a waiver of up to one year to comply with seismic retrofit requirements.

6. SB 240 (Eggman) Income tax: credits: food banks.
Submitted by Department of the Environment
Recommended Position: Support
This bill would allow for the Personal Income Tax Law and the Corporation Tax Law to apply a tax credit for qualified taxpayers in an amount equal to 15% of the qualified value of fresh fruits or vegetables and specified raw agricultural products or processed foods donated to a food bank.

7. SB 354 (Skinner) Foster youth: relative placement.
Submitted by Human Services Agency
Recommended Position: Support as amended
This bill would ensure that any existing relationship between a prospective relative or non-relative extended family member (NREFM) caregiver and a child is considered in decisions regarding home approval and placement.

8. SB 551 (Stern) California Electric Vehicle Authority.
Submitted by Department of the Environment
Recommended Position: Support
This bill would establish a California Electric Vehicle Authority within the Governor's office to serve as the state coordinator to accelerate transportation electrification and zero-emissions goods movement and remove barriers and friction among state and regional agencies, utilities, and local governments.

New Business

Film SF / Office of Economic and Workforce Development

Presenter: Susannah Robbins and Lisa Pagan

9. SB 255 (Portantino) Health insurance: employer associations: large group health insurance.
Recommended Position: Support
This bill would authorize an association of employers to offer a large group health care service plan contract or large group health insurance policy consistent with the federal Employee Retirement Income Security Act of 1974 (ERISA) if certain requirements are met.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Ian Fregosi
Approved: 6-0

Office of the Treasurer and Tax Collector

Presenter: Eric Manke and Amanda Fried

- 10. SB 555 (McGuire) Local agencies: transient occupancy taxes: short-term rental facilitator: collection.**

Recommended Position: Oppose unless amended

This legislation establishes a system by which local governments may require short-term rental platforms to collect local charges and contract with the California Department of Tax and Fee Administration (CDTFA) to collect those charges from the short-term rental platforms and remit them to the local governments.

No public comment.
Motion to Oppose unless amended: Eric Manke
Seconded by: Dan Kaplan
Approved: 5-1, Mayor's Office dissenting

Department of Public Health

Presenter: Max Gara

- 11. AB 1358 (Bonta) Support**

Recommended Position: Demographics: ancestry and ethnic origin.

This bill would require the California Department of Public Health to establish standards for the collection and disclosure of demographic information, including race/ethnicity, employment and language, by local health departments and health care providers, including vaccination sites.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Eric Manke
Approved: 6-0

- 12. SB 65 (Skinner) Maternal care and services.**

Recommended Position: Support

This bill would enact a comprehensive set of strategies, ranging from Medi-Cal coverage expansion to maternal care workforce improvements, to reduce pregnancy and postpartum death rates and infant mortality, especially for families of color.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Dan Kaplan
Approved: 6-0

Planning Department and Mayor's Office of Housing and Community Development

Presenter: Sheila Nickolopoulos

13. SB 5 (Atkins) Affordable Housing Bond Act of 2022.

Recommended Position: Support

This bill would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of \$6.5 billion.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Holly Lung
Approved: 6-0

14. SB 490 (Caballero) Housing acquisition and rehabilitation: technical assistance.

Recommended Position: Support

This bill would create the Housing Acquisition and Rehabilitation Technical Assistance Program (HARTAP) at the State Department of Housing and Community Development (HCD) for the purpose of providing technical assistance to nonprofits, community land trusts, public housing authorities, housing cooperatives, resident associations, and local governments.

No public comment.
Motion to Continue to the Call of the Chair: Edward McCaffrey
Seconded by: Eric Manke
Approved: 6-0

15. SCA 2 (Allen) Public housing projects.

Recommended Position: Support

This bill would repeal Article 34, which prohibits the development, construction, or acquisition of a low-rent housing project, in any manner by any state public body until a majority of the qualified electors of the locality in which the the low-rent housing project is proposed approve the project by voting in favor at an election.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Ian Fregosi
Approved: 6-0

Planning Department

Presenter: Sheila Nickolopoulos

- 16.** AB 561 (Ting) Help Homeowners Add New Housing Program:
accessory dwelling unit financing.

Recommended Position: Support

This bill would authorize the Treasurer, within six months of the effective date, to develop and administer the Help Homeowners Add New Housing Program, which would assist homeowners in qualifying for loans to construct Accessory Dwelling Units.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 6-0

- 17.** SB 9 (Atkins) Housing development: approvals.

Recommended Position: Support

This bill would require a proposed housing development containing no more than two residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing if the proposed development meets certain requirements.

No public comment.

Motion to Continue to the June Meeting: Ian Fregosi

Seconded by: Jen Snyder

Approved: 4-2 (Mayor's Office and Assessor-Recorder's Office dissenting)

- 18.** SB 10 (Wiener) Planning and zoning: housing development: density.

Recommended Position: Support

This bill would authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is in a transit-rich area, a jobs-rich area, or an urban infill site.

No public comment.

Motion to Continue to the June Meeting: Ian Fregosi

Seconded by: Jen Snyder

Approved: 6-0

Department of the Environment

Presenter: Katie Chansler

- 19. AB 478 (Ting) Solid waste: thermoform plastic containers:**
postconsumer recycled plastic.

Recommended Position: Support

This bill sets minimum postconsumer recycled content standards for thermoform plastic containers (mostly take out clamshells and trays) to create a circular economy that will produce, collect, and post-consumer plastic thermoformed containers.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Eric Manke

Approved: 6-0

- 20. AB 1371 (Friedman) Recycling: plastic: packaging and carryout bags.**

Recommended Position: Support

This bill will reduce the amount of plastic packaging by prohibiting e-commerce retailers from using single-use plastic packaging such as shipping envelopes, cushioning, void fill or polystyrene peanuts for shipping products and will increase recycling opportunities for consumers by requiring retailers to collect and recycle materials.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Jen Snyder

Approved: 6-0

- 21. SB 54 (Allen) Solid waste: packaging and products.**

Recommended Position: Support

This bill will prohibit producers of single-use, disposable packaging or foodware producers from offering for sale, selling, distributing, or importing in or into the state those products manufactured after January 1, 2032, unless it is recyclable or compostable.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 6-0

- 22. SB 345 (Becker) Energy programs and projects: nonenergy benefits.**

Recommended Position: Support

This bill will establish common definitions of nonenergy benefits and try to determine consistent values and methodologies for use in assigning priority access to authorized funds by distributed energy resource programs, including energy efficiency.

No public comment.
Motion to Support: Eric Manke
Seconded by: Edward McCaffrey
Approved: 6-0

**23. SB 726 (Gonzalez) Alternative fuel and vehicle technologies:
Sustainable Transportation Strategy.**

Recommended Position: Support

This bill would require the state board and the State Energy Resources Conservation and Development Commission, in coordination with specified state agencies, to jointly develop a comprehensive transportation sustainability strategy, to be adopted by state agencies identified in the strategy.

No public comment.
Motion to Support: Dan Kaplan
Seconded by: Ian Fregosi
Approved: 6-0

Reentry Council

Presenter: Victoria Westbrook

24. AB 717 (Stone) Prisoners: identification cards.

Recommended Position: Support

This bill would require the California Department of Corrections and Rehabilitation to provide a California Identification card or driver's license to every person released from state prison.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Eric Manke
Approved: 6-0

25. AB 990 (Santiago) Prisons: inmate visitation.

Recommended Position: Support

This bill would increase access to visits and calls in California prisons.

No public comment.
Motion to Support: Eric Manke
Seconded by: Holly Lung
Approved: 6-0

26. AB 1007 (Cabrillo) Forced or Involuntary Sterilization Compensation Program.

Recommended Position: Support

This bill would establish the Forced or Involuntary Sterilization Compensation Program to provide compensation to women forcibly sterilized under California's eugenic laws, as well as those sterilized without medical necessity or informed consent while incarcerated in state prison, county jail or a state or local mental health facility.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Holly Lung

Approved: 6-0

27. SB 262 (Hertzberg) Bail.

Recommended Position: Support

This bill would require zero-dollar bail for most misdemeanor and felony offenses; require the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for the exempt offenses; and require the return of money or property paid to obtain bail, as specified.

No public comment.

Motion to Support: Ian Fregosi

Seconded by: Dan Kaplan

Approved: 6-0

28. SB 271 (Wiener) County sheriffs: eligibility requirements.

Recommended Position: Support

This bill would restore California's long-standing eligibility criteria for candidates seeking the office of Sheriff.

No public comment.

Motion to Support: Jen Snyder

Seconded by: Ian Fregosi

Approved: 6-0

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

No Public Comment.

VI. ADJOURNMENT

Meeting Concluded at 12:58pm.

Date Submitted	6/3/2021
Submitting Department	Office of the Treasurer and Tax Collector
Contact Name	Amanda Fried
Contact Email	amanda.fried@sfgov.org
Contact Phone	415-554-0889
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 586
Sen. Bradford, District 35, Democrat
Criminal Fees

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Senate Bill 586 is a criminal justice reform bill that would end the assessment and collection of 26 administrative fees charged to people in the criminal legal system. SB 586 builds on Assembly Bill 1869, The Families Over Fees Act, which abolished 23 administrative fees in the criminal system, was based on the successful first-in-the-nation San Francisco fee elimination that preceded this bill, and was signed into law by the Governor in the last legislative session.

SB 586 will dramatically reduce the suffering caused by court-ordered debt and enhance the economic security of system-involved populations, ushering in an era of more just criminal justice policy that does not rely on stripping wealth from communities of color and low-income communities.

Background/Analysis

Each year, California places hundreds of thousands of people in the criminal legal system. Currently, California law permits counties, the courts and the state to charge people administrative fees for diversion programs, drug and alcohol testing, civil assessments, record sealing, and to cover other costs. These fees can quickly add up to thousands of dollars for a single person and pose significant barriers to reentry. Unpaid fees can be enforced via wage

garnishment, bank levy, and tax refund intercept.

Last session, the Governor signed Assembly Bill 1869, which abolishes 23 administrative fees in the criminal system effective July 1, 2021.

This law was based on a 2018 San Francisco ordinance that made our city the first county in the nation to stop charging these fees to people who are exiting jail and the criminal justice system. The ordinance was unanimously approved by the Board of Supervisors, and had the support of leaders across our city, including our Mayor, Public Defender, District Attorney, Chief of Probation, and Sheriff.

The San Francisco Financial Justice Project cofounded Debt Free Justice California, a coalition of sixty organizations across our state. Debt Free Justice California is the sponsor of SB 586, known as the Finish The Fees for Families Act.

Challenge

The San Francisco Financial Justice Project and Debt Free Justice California have conducted significant research on fines and fees in California, including a review of state law, county policies and practices, state and local data, and the experiences of individuals in the criminal justice system. We have concluded that these fees are high pain for people, and low gain for government.

High Pain: These fees are burdensome and create financial hardship and limit employment prospects for individuals seeking to reenter their communities. The fees

disproportionately harm low-income people and people of color.

Low Gain: Counties, the courts, and the state are authorized to charge administrative fees to pay for costs associated with the justice system. Yet collection rates are often low. For example, in Alameda County, the rate of collection on probation supervision fees was just four percent. Similarly, in San Francisco, the Office of the Treasurer and Tax Collector found that more than 80 percent of our local criminal justice fees went unpaid. Because of the high costs and low returns associated with trying to collect fees from low-income people, most of the fee revenue pays for collection activities. Furthermore, a benefit-cost analysis by researchers at U.C. Berkeley found that fee debt can cause families to spend less on positive social goods, such as education and preventative healthcare, which imposes long term costs on families, communities, and society by prolonging and exacerbating poverty.

Solution/Recommended Proposal

SB 586 would build on AB 1869 and end the assessment and collection of 26 administrative fees that are imposed against people in the criminal legal system. Specifically, this bill would:

- Repeal the authority to collect many criminal administrative fees and waive outstanding debt from these fees
- Delete the authority of the court to order the defendant to pay the costs of the public defender.
- Repeal the authority of the court to impose a civil assessment of up to \$300 against a defendant who fails to pay all or any portion of a fine ordered by the court.
- 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 the statutory provisions noted above.

Departments Impacted & Why

The Adult Probation Department reports that the elimination of the fee associated with the Batterer's Intervention Program (Cal. Pen. Code § 1203.097) would require general backfill funding of \$120,000 annually.

Fiscal Impact

Of the 26 fees that would be eliminated by this legislation, it is estimated that 9 fees come to the city and county and may result in a total estimated loss of approximately \$120,000 to \$180,000.

The majority of the 26 fees are collected by local courts and any revenues collected are passed on to the state or cover collections costs at the court.

Based on an analysis of historical revenue from fees that are collected by the Court and passed on to the City and County, it is estimated that the elimination of these fees specifically would result in a loss of zero to \$60,000 in revenue annually.

When these losses are paired with the estimated \$120,000 loss to APD from the Batterers Intervention Program fee, the total estimated losses are \$120,000 to \$180,000.

Support / Opposition

Supported by:

All of Us or None (co-sponsor)
American Civil Liberties Union (co-sponsor)
Anti-Recidivism Coalition (co-sponsor)
East Bay Community Law Center (co-sponsor)
Homeboy Industries (co-sponsor)
Insight Center for Community Economic Development (co-sponsor)
Lawyers' Committee for Civil Rights (co-sponsor)
Legal Services for Prisoners with Children (co-sponsor)
PolicyLink (co-sponsor)
San Francisco Financial Justice Project (co-sponsor)
San Francisco Public Defender (co-sponsor)
Western Center on Law and Poverty (co-sponsor)
Youth Justice Coalition (co-sponsor)
Bay Area Legal Aid
Bay Area Regional Health Inequities Initiative
Black Leadership Council
California Attorneys for Criminal Justice
California Public Defenders Association Center for Responsible Lending
Center on Juvenile and Criminal Justice
Community Legal Services in East Palo Alto
Ella Baker Center for Human Rights
Legal Services of Northern California National Association of Social Workers, California Chapter

Neighborhood Legal Services of Los Angeles
County
Prosecutors Alliance of California Public Counsel
Root & Rebound
San Francisco Bay Area Planning and Urban
Research Association
Underground Grit
Underground Scholars Initiative at the University
of California, Irvine
Underground Scholars Initiative, University of
California, Davis
University of California, Irvine School of Law
Consumer Law Clinic

Opposed by:

California District Attorneys Association
Peace Officers Research Association of
California

Date Submitted	April 4, 2021
Submitting Department	Department on the Status of Women
Contact Name	Elizabeth Newman
Contact Email	Elizabeth.newman@sfgov.org
Contact Phone	415-252-3206
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A

SB 331
Sen., Leyva, District 20, Democrat,
Settlement and nondisparagement agreements

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Senate Bill 331, also known as Silenced No More Act, would expand protections against discrimination and harassment cover-ups by prohibiting non-disclosure and non-disparagement agreements (NDA) that limit workers' ability to speak out about harassment and discrimination in the workplace, whether due to race, sexual orientation, religion, age or any other characteristic. SB 331 builds on the 2018 Senate Bills 820 and 1300 that curbed these tactics in cases of sexual harassment and sex discrimination to include any unlawful activity, unless requested by the complainant.

Background/Analysis

Non-disparagement Agreements (NDAs) are written agreements not to criticize an employer or perpetrator publicly. They can be part of employment contracts at the time of hire or part of settlement agreements or severance deals when an employee separates from an employer. At the time of separation, they can also accompany non-disclosure agreements, to bind the parties to secrecy.

Existing law prohibits settlement agreements that prevent the disclosure of factual information related to a claim filed in

a civil action or a complaint filed in an administrative action, in regard to an act of sexual assault, sexual harassment, workplace harassment or discrimination based on sex, failure to prevent an act of workplace harassment or discrimination based on sex, act of retaliation against a person for reporting harassment or discrimination based on sex. Currently, an employer cannot require, in exchange for a raise or bonus, an employee to sign a release of a claim of employment discrimination, harassment, or retaliation for reporting or opposing employment discrimination or harassment or a non-disparagement agreement or other document that purports to deny the employee the right to disclose information about unlawful acts in the workplace.

However, other forms of unlawful harassment and discrimination, including on the basis of race, sexual orientation, disability, or religion, are not covered under existing laws, which leaves victims at risk of being silenced through NDAs.

Challenge

Serial harassers have avoided responsibility for their conduct through using legal tactics such as non-disclosure agreements (NDAs) in settlement agreements and the use of non-disparagement agreements in employment contracts. Secret settlements have drawn attention for their use in high-profile sexual harassment and assault cases, including by former USA Gymnastics team doctor Larry

Nasser and Hollywood producer Harvey Weinstein, which form victims to remain silent.

Although California passed SB 820 and SB 1300 in 2018 to restrict the abuse of NDAs to claims of sexual harassment and sex-based discrimination, the same type of protection is not offered to victims of other types of unlawful activity.

Solution/Recommended Proposal

Senate bill 331 would prohibit provisions in settlement agreements that prevent or restrict workers from speaking out against harassment and discrimination in the workplace. The bill would permit the disclosure of factual information relating to all claims involving discrimination, harassment, or retaliation for reporting or opposing harassment or discrimination pursuant to the Fair Employment and Housing Act, regardless of the protected class on which the claim is based, with an exception for a provision that shields the identity of the claimant and all facts that could lead to the discovery of the claimant's identity.

SB 331 would also prohibit provisions in employment severance agreements to the extent that they have the purpose or effect of denying the separated employee the right to disclose information about unlawful or potentially unlawful acts in the workplace.

Departments Impacted & Why

There are no anticipated further impacts.

Fiscal Impact

There are no anticipated further impacts.

Support/Opposition

Supported by:

California Employment Lawyers Association (sponsor); Earthseed (sponsor); Equal Rights Advocates (sponsor); AI Now Institute; Bayla Ventures; Brandworkers; California Rural Legal Assistance Foundation; California Women's Law Center; The Center for Institutional Courage; Consumer Attorneys of California; Force the Issue; Legal Aid at Work; Lift Our Voices; National Council of Jewish Women-California; National

Employment Law Project; Radical Candor LLC; San Barbara Women's Political Committee; SEIU California; TechEquity Collaborative; The People's Parity Project; The Real Facebook Oversight Board; Vaya Consulting, LLC; Western Center on Law & Poverty; Whistleblower International Network; Women's Foundation California; Work Equity

Opposed by:

Acclamation Insurance Management Services; Allied Managed Care; California Business Properties Association; California Employment Law Council; California Farm Bureau; California Restaurant Association; Civil Justice Association of California; Coalition of Small and Disabled Veteran Business; Housing Contractors of California; Flasher Barricade Association; Official Police Garages Los Angeles; Western Electrical Contractors Association; Western Growers Association

Date Submitted	6/1/2021
Submitting Department	SF Planning & SFMTA
Contact Name	Jadie Wasilco, Sheila Nickolopoulos
Contact Email	Jadie.wasilco@sfmta.com , sheila.nickolopoulos@sfgov.org
Contact Phone	415-646-2714
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 1401
Asm. Friedman, District 43, Democrat
Residential and commercial development: parking requirements.

- Recommended Position**
-
- SPONSOR **SUPPORT**
 SUPPORT if amended **OPPOSE**
 OTHER & Describe

Summary

This bill would prohibit local governments from enforcing minimum automobile parking requirements for residential, commercial, or other developments located within one-half mile walking distance of public transit.

Background/Analysis

Throughout California, most local jurisdictions have established parking minimums for each type of development, whether it is residential, commercial, or some other use. In 2019, California Air Resources Board (CARB) staff reviewed over 200 municipal codes and found that for nonresidential construction, an average of at least one parking space is installed for every 275 square feet of nonresidential building floor space. Accounting for the fact that approximately 60% of reviewed municipal codes already allow developers to reduce parking by an average of 30%, CARB staff estimated that between 1.4 million and 1.7 million new nonresidential parking spaces may be constructed from 2021-2024.

San Francisco is unique in the State, as the City eliminated parking minimums in 2018.

Challenge

Mandatory parking requirements can lead to an oversupply of parking spaces and experts believe that this policy encourages car dependence and discourages mass transit usage, increasing vehicle miles traveled. There is a significant body of academic research that validates these notions.

According to estimates by SF Planning, at the time parking minimums were eliminated, minimum parking rules added between \$20-50,000 to the cost of an apartment in the City. They undermined pedestrian safety, requiring dangerous driveways to be built in some of the most densely populated, walkable areas of the city. Parking minimums also contributed to traffic, encouraging residents to own private cars, instead of taking transit, walking, or biking.

Specifically, one recent study from UC Berkeley found that in San Francisco, "In buildings with no on-site parking, only 38% of households own a car. In buildings with at least one parking space per unit, more than 81% of households own automobiles."

According to the bill's author, "Mandatory parking requirements have led to an oversupply of parking spaces; Los Angeles County alone has 18.6 million parking spaces, or almost two for every resident. Experts believe that this policy encourages car dependence and discourages mass transit usage, increasing

vehicle miles traveled. California needs to reduce vehicle miles traveled by 15% in order to meet its SB 32 climate goals, even in a scenario with full vehicle electrification.

Solution/Recommended Proposal

As California faces a housing crisis, cities are looking for options to make housing more affordable. One way to do that is to reduce the costs associated with requiring a certain number of parking spaces to be built with each new unit of housing. By letting a developer choose how much parking to provide, they have the option to develop units without parking that might be more affordable and more attractive to renters or buyers at different price points.

AB 1401 would prohibit local governments from imposing or enforcing a minimum automobile parking requirement for residential, commercial and other developments if the parcel is located within one-half mile walking distance of either of the following: a) A high-quality transit corridor, as defined; and, b) A major transit stop, as defined.

It also provides that nothing in this bill reduces, eliminates, or precludes the enforcement of any requirement to provide electric vehicle parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to a development eligible for the parking reductions authorized in this bill. The bill would also not preclude a local government from imposing requirements when a project provides parking voluntarily to require spaces for car share vehicles.

Nothing in this bill precludes a developer from providing as much parking as they would like for their development.

Although San Francisco has already eliminated parking minimums, we seek a support position on this bill to encourage advancing this progressive policy that will help increase housing affordability for other local jurisdictions across the State.

Departments Impacted & Why

No department is anticipated to be impacted by this bill, given that San Francisco has already implemented this policy.

Fiscal Impact

N/A

Support / Opposition

Support:

Several housing and equity groups including: California YIMBY (sponsor), San Francisco YIMBY, SPUR, Bay Area Council, Silicon Valley Leadership Group, Housing Action Coalition, Transform, 350 Bay Area Action, and NRDC

Opposition:

Several small cities across California including Albany Neighbors United, California Cities for Local Control, Truckee, Pleasanton, Fountain Valley, Corona

Date Submitted	June 1, 2021
Submitting Department	Environment
Contact Name	Kevin Drew
Contact Email	Kevin.drew@sfgov.org
Contact Phone	415-939-5302
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 125
Asm. Robert Rivas, District 30, Democrat
Equitable Economic Recovery, Healthy Food Access,
Climate Resilient Farms, and Worker Protection Bond Act of
2022

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

1) Proposes the Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2021 (EER Bond) authorizes \$3.302 billion in general obligation bonds. The EER Bond would finance a variety of projects that focus on improving Agriculture resilience and sustainability, protecting the health of farmworkers, expanding health food access and combating hunger, improving regional food economies, supporting Sustainable Groundwater Management Act (SGMA) planning, aid in pest management, reduce food waste and improve state and county fairgrounds.

Background/Analysis

According to the author, the coronavirus pandemic has laid bare the vulnerabilities of California's communities, exacerbating food insecurity and exposing essential frontline workers to disproportionate health risks. The impacts of the pandemic have been many and diverse, and have fallen heavily on people of color, including the farmworker communities who harvest our food and essential workers throughout our food supply

chains. Farmers have lost large percentages of crops due to volatile demand within a rigid supply chain. Shattered food supply chains have resulted in farm products rotting in the fields as millions of Californians go hungry. It is clear that we need to invest in the food and farming systems in California to combat hunger, create and restore jobs, support agricultural businesses, and build resilient communities. This bond will invest \$3.302 billion over five years to accelerate California's economic recovery from the COVID-19 pandemic while combating climate change, improving food security, and protecting our essential farmworkers. It aims to do this by investing in many parts of the food supply chain from field to table.

Challenge

This bond will invest \$3.302 billion over five years to accelerate California's economic recovery from the COVID-19 pandemic while combating climate change, improving food security, and protecting our essential farmworkers. It aims to do this by investing in many parts of the food supply chain from field to table. California needs many more food hubs to aggregate supply from producers, as well as food processing, meat processing and livestock slaughter facilities, cold storage, and distribution facilities – all with an eye towards building sustainable and

resilient local and regional food systems. EER bond addresses farmworker health and safety such as safe and affordable housing, AB 125 Page 7 energy efficiency and renewable energy projects on farmworker homes, and personal protective equipment for wildfires and COVID.

Solution/Recommended Proposal

EER bond invest in infrastructure to combat hunger and improve on farm climate reliance and sustainably. With an estimated 6.4 million food insecure Californians, improves food access for the most vulnerable Californians to combat hunger. Furthermore, the EER bond invest in diverse, organic, and regenerative cropping systems help reduce farmers' economic vulnerabilities by expanding market opportunities. EER bond investments also modernize fairground infrastructure, protect groundwater resources, generate more compost, rebuild soil health and improve on-farm resilience to droughts, floods, and pest outbreaks. Supporters state this bill would direct significant resources to farmers, ranchers, fishers, communities of color, and Tribes who have historically been excluded from many state programs. With this bill, there is a unique opportunity to create an equitable and resilient food and farming system. Increasing access to healthy food; combating hunger in our communities; building resilient and reliable regional food supply chains; supporting small and mid-sized farmers and ranchers; expanding climate-smart farming practices, including organic; and protecting workers in our fields, kitchens, schools, and grocery stores are the investments we need to create a bright future for all Californians. Furthermore, supporters state we cannot afford to delay badly needed investments in our state's food support programs. This bill proposes just such an investment.

Fiscal Impact

When public agencies issue bonds, they borrow money from investors, who provide cash in exchange for the agencies' commitment to repay the principal amount of the bond plus interest. Bonds are usually

either revenue bonds, which repay investors out of revenue generated from the project the agency buys with bond proceeds, or general obligation bonds, which the public agency pays out of general revenues and are guaranteed by its full faith and credit.

Support

American Farmland Trust (Co-Sponsor)
California Climate & Agricultural Network (CALCAN) (Co-Sponsor)
Carbon Cycle Institute (Co-Sponsor)
Californians Against Waste
California Compost Coalition California
FarmLink California Food and Farming
Network California Institute for Rural Studies
California Interfaith Power & Light California
Rural Legal Assistance Foundation

Date Submitted	June 1, 2021
Submitting Department	Environment
Contact Name	Kevin Drew
Contact Email	Kevin.drew@sfgov.org
Contact Phone	415-939-5302
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 962
Former Asm. Kamlager, District 54, Democrat
California Beverage Container Recycling and Litter
Reduction Act: reusable beverage containers.

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

- 1) Defines "reusable beverage container" as a beverage container that has been used to contain a beverage, for which the applicable redemption payment has been paid, and that is returned whole and intact to a recycler or other certified entity designated by CalRecycle and capable of reuse as a beverage container.
- 2) Specifies that for reusable beverage containers, a processor approved by CalRecycle to handle the containers may satisfy the requirement to "cancel" the container by transferring the container to a washer approved by CalRecycle.

Background/Analysis

Entities have looked into participating in the Bottle Bill program using refillable containers, which would give them access to the program's recycling infrastructure. However, statute requires that returned containers be "cancelled" to minimize the potential for fraud. If a container is not cancelled, there is the potential for it to be redeemed multiple times. CalRecycle regulations require that in order for a beverage container to be cancelled, it must be crushed. This

requirement is effective at preventing fraud but makes it impossible for refillable

containers to participate in the program, essentially preventing the reuse of beverage containers. Last November, a pilot program for reusable containers was launched in Sonoma County. The company operating the pilot intends to construct a bottle washing facility in the county, which could employ hundreds of residents. Until then, the program is relying on washing facilities located in Washington and Montana. According to the author, CalRecycle has allowed the pilot project to begin operations as long as the containers are shipped out of state for washing. This requirement is intended to reduce the potential for fraud; however, it also increases transportation costs, and associated air and greenhouse gas emissions, and hinders the development of bottle washing facilities, and their associated jobs, in California.

Challenge

We have become addicted to single use plastic and the volume of plastic waste discarded by each one of us is embarrassing. AB 962 is a small step toward taking advantage of returnable glass technology to reduce our waste stream. This bill will encourage the use of returnable glass bottles, which in turn will reduce the usage of single plastic bottle containers.

CalRecycle's 2020 cost survey of the Bottle Bill demonstrates that the current payment formula fails to cover the cost of recycling for the vast majority of recycling centers (85 percent of those surveyed in 2018).

Solution/Recommended Proposal

This bill establishes a new definition for reusable beverage containers to preserve the existing option for refillable containers to be excluded from the program and clarifies that reusable containers may be cancelled by transferring them to bottle washer certified by CalRecycle. This will enable manufacturers to participate in the program while reducing waste by using reusable containers.

Fiscal Impact

None - funds generated from unredeemed CRV deposits

Support

Californians Against Waste
Plastic Pollution Coalition
CALPIRG
CA Interfaith Power & Light
CA League of Conservation Voters
Glass Packaging Institute
Natural Resources Defense Council
Sierra Nevada Brewing Company
Surfrider Foundation
Upstream

Date Submitted	June 1, 2021
Submitting Department	Environment
Contact Name	Kevin Drew
Contact Email	Kevin.drew@sfgov.org
Contact Phone	415-939-5302
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

SB 45
Sen. Portantino, District 25, Democrat
Wildfire Prevention, Safe Drinking Water, Drought
Preparation, and Flood Protection Bond Act of 2022

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which authorizes the sale of \$5.595 billion in general obligation bonds, upon approval by voters at the November 2021 statewide general election. Bond funds will be used for projects related to wildfire prevention, safe drinking water, drought preparation, and flood protection.

Background/Analysis

According to the author, the coronavirus pandemic has laid bare the vulnerabilities of California's communities, exacerbating food insecurity and exposing essential frontline workers to disproportionate health risks. The impacts of the pandemic have been many and diverse, and have fallen heavily on people of color, including the farmworker communities who harvest our food and essential workers throughout our food supply chains. Farmers have lost large percentages of crops due to volatile demand within a rigid supply chain. Shattered food supply chains have resulted in farm products rotting in the fields as millions of Californians go hungry. It is clear that we need to invest in the food and farming systems in California to combat

hunger, create and restore jobs, support agricultural businesses, and build resilient communities. This bond will invest \$3.302 billion over five years to accelerate California's economic recovery from the COVID-19 pandemic while combating climate change, improving food security, and protecting our essential farmworkers. It aims to do this by investing in many parts of the food supply chain from field to table.

Challenge

This proposal is intended to help reduce the severity, frequency, and impacts of climate-related disasters, including fires, drought, flood, and mudslides. There isn't a current and systematic evaluation of the likely cost to California's residents, agriculture, water supply, water quality, and the health of forests, watersheds, fish and wildlife, our biodiversity, and our economy associated with catastrophic wildfire, drought, floods, severe heat events, intense rain events, sea level rise, and other climate change related events. But those costs are likely to be quite large. California's fourth Climate Assessment, released in August 2018, included a table suggesting that by 2050 the estimated costs of different climate impacts to the state will be in the neighborhood of \$113 billion/year. However, that table did not include cost estimates of a number of key impacts, such as costs associated with increased morbidity,

loss of human life, property damage from wildfire, and ecological values.

Solution/Recommended Proposal

EER bond invest in infrastructure to combat hunger and improve on farm climate reliance and sustainably. With an estimated 6.4 million food insecure Californians, improves food access for the most vulnerable Californians to combat hunger. Furthermore, the EER bond invest in diverse, organic, and regenerative cropping systems help reduce farmers' economic vulnerabilities by expanding market opportunities. EER bond investments also modernize fairground infrastructure, protect groundwater resources, generate more compost, rebuild soil health and improve on-farm resilience to droughts, floods, and pest outbreaks. Supporters state this bill would direct significant resources to farmers, ranchers, fishers, communities of color, and Tribes who have historically been excluded from many state programs. With this bill, there is a unique opportunity to create an equitable and resilient food and farming system. Increasing access to healthy food; combating hunger in our communities; building resilient and reliable regional food supply chains; supporting small and mid-sized farmers and ranchers; expanding climate-smart farming practices, including organic; and protecting workers in our fields, kitchens, schools, and grocery stores are the investments we need to create a bright future for all Californians. Furthermore, supporters state we cannot afford to delay badly needed investments in our state's food support programs. This bill proposes just such an investment.

Fiscal Impact

According to the Senate Appropriations Committee:

- Bond costs: Total principal and interest costs of approximately \$9.126 billion to pay off the bonds (\$5.595 billion in principal and \$3.531 billion in interest), with average annual debt service payments of \$304 million (General Fund), SB 45 Page 6 when all bonds are sold, and assuming a 30-year maturity and an interest rate of 3.5% (the rate secured by the

Treasurer for new 30-year bonds at a recent sale). If interest rates increase to 5% in the near future, annual debt service would be approximately \$364 million (General Fund) and total principal and interest costs over the repayment period would be approximately \$10.919 billion.

- Administrative costs: This bill allows for up to five percent of the bond allocation to any entity to be used for administrative costs, except when necessary in specified situations related to disadvantaged communities. Over the lifetime of the bond and contingent upon future appropriations in the budget, roughly \$250 million of the bond funds could be used for administration.
- Ballot costs: One-time costs in the range of \$414,000 to \$552,000 to the Secretary of State for printing and mailing costs to place the measure on the ballot in the November 2020 statewide election. (General Fund).

Support

Bay Area Council
Bloom Energy
Cal Fire Local 2881
California Academy of Sciences California
Association of Resource Conservation
Districts California Association of Zoos &
Aquariums California Council of Land Trusts
California Municipal Utilities Association
California Solar & Storage Association
California State Association of Counties
Sonoma County Agricultural Preservation
and Open Space Authority
Sonoma Land Trust
Sonoma Water
Trout Unlimited
Trust for Public Land