

LEGISLATIVE ACTION COMMITTEE MEETING AGENDA THURSDAY, AUGUST 8, 2019 | 5:30 PM CITY OF SUNNYVALE | WEST CONFERENCE ROOM 456 WEST OLIVE | SUNNYVALE, CA 94088

Discussion & action may be taken on any of the following items:

1.	Welcome and Roll Call (Vice Mayor Margaret Abe-Koga, Chair)	
2.	Consent Agenda a. Approval of June 2019 Legislative Action Committee Minutes	
3.	Legislative discussion and or action on bills: a. AB 1487 discussion with ABAG Executive Committee Members: Supervisor Cindy Chavez, Councilmember Chris Clark (Mountain View), Councilmember Liz Gibbons (Campbell) b. Discussion and or action on bill watch list (attached).	5:35 PM
4.	Discussion regarding lobbyist, to understand which cities currently contract and which cities are considering contracting and whether the Legislative Committee would like to consider lobbyist or other activities to further the Association's goals.	
5.	Member discussion for agenda setting for the next meeting	
6.	Public Comment	
7.	Adjournment until TBD	6:55 PM

Bill#	Title	Status	Support/Oppose
AB 11	Community Redevelopment Law of 2019.	2 yr Assembly-In Committee Process-Appropriations	3upport/Oppose
ADII	Community Nedevelopment Law 012013.	2 yr Assembly-in Committee Frocess-Appropriations	
AB 36	Residential tenancies: rent control.	2 yr Assembly-In Committee Process-Rules	
AB 68	Land - use: accessory dwelling units.	Senate-In Committee Process-Appropriations	Oppose
AB 69	Land - use: accessory dwelling units.	Senate-In Committee Process-Appropriations	
AB 291	Local Emergency Preparedness and Hazard	2 yr Assembly-In Committee Process-Appropriations	Watch
AB 516	Authority to remove vehicles.	Senate-In Committee Process-Appropriations	Oppose
AB 836	Wildfire Smoke Clean Air Centers for Vulnerable Populations Incentive Program.	Senate-In Committee Process-Appropriations	Support
AB 881	Accessory dwelling units.	Senate-In Committee Process-Appropriations	Oppose unluess amended
AB 1110	Rent increases: noticing.	Senate-In Floor Process-Third Reading	Support
AB 1279	Planning and zoning: housing development: high-resource areas.	Senate-In Committee Process-Housing	
AB 1481	Tenancy termination: just cause.	2 yr bill -	
AB 1482	Tenancy: rent caps.	Senate-In Committee Process-Appropriations	
AB 1483	Housing data: collection and reporting.	Senate-In Committee Process-Governance and Finance	Watch
AB 1484	Mitigation Fee Act: housing developments.	Senate-In Committee Process-Governance and Finance	Oppose
AB 1485	Housing development: streamlining.	Senate-In Committee Process-Governance and Finance	
AB 1486	Surplus land.	Senate-In Committee Process-Appropriations	Neutral
AB 1487	San Francisco Bay area: housing development: financing.	Senate-In Committee Process-Appropriations	Oppose
ACA 1	Local government financing: affordable housing and public infrastructure: voter approval.	Assembly-In Floor Process-Third Reading	Support
SB 4	Housing.	Senate-In Committee Process-Governance and Finance	
SB 5	Affordable Housing and Community Development Investment Program.	Assembly-In Floor Process-Second Reading	Support with amendments
SB 6	Residential development: available land.	Assembly-In Committee Process-Appropriations	
SB 13	Accessory dwelling units	Assembly-In Floor Process-Second Reading	watch
SB 18	Keep Californians Housed Act.		
		Secretary of State-Chaptered	
SB 50	Planning and zoning: housing development:	2 yr bill approval: incentives.	Oppose
	streamlined approval: incentives.	Senate-In Committee Process-Appropriations	
SB 330	Housing Crisis Act of 2019.	Assembly-In Committee Process-Appropriations	Oppose
SB 592	Housing Accountability Act.	Assembly-In Floor Process-Second Reading	



LEGISLATIVE ACTION COMMITTEE MEETING MINUTES THURSDAY, JUNE 13, 2019 | 6 PM CITY OF SUNNYVALE | WEST CONFERENCE ROOM 456 WEST OLIVE | SUNNYVALE, CA 94088

Vice Mayor Margaret Abe-Koga, Chair called the meeting to order at 6:03 PM.

Present:

Campbell Paul Resnikoff
Cupertino Liang Chao
Gilroy absent

Los Altos Anita Enander
Los Altos Hills Michelle Wu
Los Gatos Marico Sayoc
Milpitas Carmen Montano
Monte Sereno Rowena Turner

Morgan Hill absent

Mountain View Margaret Abe-Koga

Palo Alto Lydia Kou
San José Chappie Jones
Santa Clara Debi Davis

Saratoga Manny Cappello Sunnyvale Gustav Larsson Executive Director Andi Jordan

Item 2. Consent Agenda: Motion by Councilmember Debi Davis (Santa Clara), second by Councilmember Paul Resnik off (Campbell), to approve the May 2019 minutes.

Substitute motion by Vice Mayor Liang Chao (Cupertino), second by Councilmember Enander (Los Altos) to amend AB 1485 to include specific items to be amended in 1485.

Motion fails: AYES 5, NAYES 8, ABSTENTIONS 0, ABSENT 2

AYES: Kou (Palo Alto), Enander (Los Altos), Chao (Cupertino), Turner (Monte Sereno), Wu (Los Altos Hills) NAYES:

ABSTENTIONS:

ABSENT:

Councilmember Anita Enander motioned to reconsider ACA 1 position. Second by Councilmember Lydia Kou. By unanimous consent

Item 2. Consent Agenda: The April 2019 Legislative Action Committee Minutes were approved with edits (ie, removing "unanimous consensus" on several votes) with a motion from Debi Davis and a second from Gustav Larsson. Motion passed unanimously.

AYES: 9 (Sinks, Velasco, Enander, Sayoc, Montano, Abe-Koga, Kou, Davis, Larsson)

NAYES: 0

ABSTENTIONS: 0

ABSENT: 6 (Resnikoff, Wu, Lawler, Constantine, Jones, Cappello)

Item 3. Chair/Vice Mayor Margaret Abe-Koga provided an update on the **ABAG | MTC Housing Legislative Working Group** that she and Mayor Klein (Sunnyvale) are attending at MTC | ABAG.

Item 4. Discussion and consideration of legislative positions:

• AB 291 – Emergency Preparedness: no action was taken – watch

• <u>AB 836</u> – Clean Air Centers Pilot Program: Support

Motion by Rod Sinks, second by Gustav Larsson to support. AYES: 6 (Sinks, Larsson, Abe-Koga, Sayoc, Davis, Lawler)

NOS: 3 (Montano, Enander, Kou)

ABSTENTION: 1 (Velasco)

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

AB 1487 – Regional Housing Enterprise: OPPOSE

Motion by Rod Sinks to oppose. Second by Anita Enander. Motion passes unanimously

AYES: 9 (Sinks, Velasco, Enander, Sayoc, Montano, Abe-Koga, Kou, Davis, Larsson)

NAYES: 0 ABSTENTIONS: 0

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

 AB 11 — RDA replacement: Support with amendments (include MTC staff recommendations, understanding that Schools aren't shortchanged & not lose any funding)

Motion by Gustav Larsson to Support with amendments (include MTC staff recommendations, understanding that Schools aren't shortchanged & not lose any funding). Rod Sinks seconds motion. Motion passes with unanimous consent to support.

AYES: 10 (Sinks, Velasco, Enander, Sayoc, Montano, Abe-Koga, Kou, Davis, Larsson,

Lawler) NAYES: 0

ABSTENTIONS: 0

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

 ACA 1: Motion to reconsider previous vote of ACA 1 (April vote) by Anita Enander. Second by Lydia Kou.

YES: 10 (Sinks, Velasco, Enander, Sayoc, Montano, Abe-Koga, Kou, Davis, Larsson, Sayoc)

NAYES: 0

LEGISLATIVE ACTION COMMITTEE MEETING MINUTES MAY 9, 2019

ABSTENTIONS: 0

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

Anita Enander motions to OPPOSE ACA 1. Second by Roland Velasco

Motion passes.

YES: 6 (Enander, Kou, Davis, Montano, Lawler, Velasco)

NAYES: 3 (Sinks, Larsson, Abe-Koga)

ABSTENTION: 1 (Sayoc)

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

• SB 50/SB 4 – Oppose

Motion to oppose by Debi Davis. Second by Lydia Kou. Motion to oppose passes unanimously.

YES: 10 (Sinks, Velasco, Enander, Sayoc, Montano, Abe-Koga, Kou, Davis, Larsson, Sayoc)

NAYES: 0

ABSTENTIONS: 0

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

• AB 1279 – High resource area: Oppose

Motion to oppose by Lydia Kou. Second by Debi Davis.

Motion to oppose passes unanimously.

YES: 10 (Sinks, Velasco, Enander, Sayoc, Montano, Abe-Koga, Kou, Davis, Larsson, Sayoc)

NAYES: 0 ABSTENTIONS: 0

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

• AB 1485 – Streamlining: support with amendments

Motion to support with amendments by Rod Sinks. Second by Carmen Montano. Motion passes 5-4-0-6

YES: 5 (Sayoc, Abe-Koga, Sinks, Larsson, Montano,)

NAYES: 4 (Davis, Velasco, Kou, Enander)

ABSTENTIONS: 1 (Lawler)

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

• SB 6/AB 1486 database of developable land – NEUTRAL

Motion by Rod Sinks to support. Seconded by Gustav Larsson. Motion fails.

YES: 3 (Abe-Koga, Sinks, Larsson

NAYES: 0

ABSTENTIONS: 7 (Lawler, Sayoc, Montano, Davis, Enander, Velasco, Kou)

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

• SB 13 – ADUs: WATCH by unanimous consent.

YES: 10 (Sinks, Velasco, Enander, Sayoc, Montano, Abe-Koga, Kou, Davis, Larsson, Sayoc)

NAYES: 0 ABSTENTIONS: 0

ABSENT: 5 (Resnikoff, Wu, Constantine, Jones, Cappello)

Chair Abe-Koga adjourned the meeting until June 13, 2019 at Sunnyvale City Hall, West Conference Room.

Respectfully submitted, Andi Jordan Executive Director

Minutes approved June 13, 2019

Motion to approve the minutes by Councilmember Debi Davis (Santa Clara), second by Councilmember Paul Resnik (Campbell). Motion Passes 11 AYES – 2 NAYES – 0 ABSTENTIONS - 2 ABSENT

AYES: 11 - Resnikoff (Campbell), Enander (Los Altos), Wu (Los Altos Hills), Sayoc (Los Gatos), Montano (Milpitas), Turner (Monte Sereno), Abe-Koga (Mountain View), Jones (San José), Davis (Santa Clara), Cappello (Saratoga), Larsson (Sunnyvale)

NAYES: 2 - Kou (Palo Alto), Chao (Cupertino)

ABSTENTIONS: 0

ABSENT: 2 - Velasco (Gilroy), Constantine (Morgan Hill)



League of California Cities Summer Recess Legislative Briefing

Tuesday, June 16, 2019 10:00 a.m.- 11:30 a.m.

Agenda

- Introduction & Overview
- Housing, Community, and Economic Development
 - Questions and Answers
- Governance, Transparency & Labor Relations
- Transportation, Communications and Public Works
 - Questions and Answers
- Environmental Quality
- Community Services
- Public Safety
- Revenue and Taxation
 - Questions and Answers

How to Ask a Question

- All phone lines have been muted.
- For <u>written</u> questions use the Q&A window to the right side of your screen.
 Please enter your name, title and city.



This webinar is being recorded. To request a copy, please contact Megan Dunn mdunn@cacities.org

League Legislative Representatives

Dan Carrigg, Deputy Executive Director/Legislative Director

Revenue and Taxation



Derek Dolfie, Legislative Representative Community Services, Environmental Quality



Jason Rhine, Assistant Legislative Director

Housing, Community & Economic Development



Dane Hutchings, Director of Government Affairs

Renne Public Policy Group (Former League lobbyist. Continuing to represent League (via contract) on pension/labor issues through end of Session)



Rony Berdugo, Legislative Representative

Transportation, Communications, and Public Works



Johnnie Pina, Legislative Analyst

Housing, Community & Economic Development Governance, Transparency, and Labor Relations

Charles Harvey, Legislative Representative Public Safety



Legislative Timeline Overview

- Summer recess began July 12 with the Legislature reconvening on August 12.
- The Legislative Session ends on September 13.
- October 13 is the last day for the Governor to sign or veto bills.





Overview

Overview

Many Positives for Cities this Session:

- Secured major funding in budget for affordable housing, addressing homelessness and local planning.
- ✓ Protected SB 1 Transportation funds for local streets and roads.
- ✓ Secured significant due process provisions in housing element related provisions of trailer bill.
- ✓ Stalled aggressive mandatory housing density bills for year; many other bills of concern amended or sidelined.
- Neutralized many labor and elections bills of concern.
- ✓ Addressed rural clean water issues through 10-year state funding plan in lieu of new water tax.
- Avoided liability for cities associated with attempted repeal of inverse condemnation for utility-caused wildfires.
- Compromise reached on law enforcement use of deadly force.
- Leadership on drone issue beginning to pay off.
- ✓ Bill undermining local scooter regulation stalled.

League Articles on Budget and Policy Issues

State Budget

Housing and Homeless Trailer Bill

Cannabis Trailer Bill

Clean Water Funding Mechanism

Utility Wildfire Bill

Miscellaneous Trailer Bills



Housing, Community, and Economic Development

Jason Rhine, Assistant Legislative Director jrhine@cacities.org

AB 101 (Committee on Budget) Housing Development and Financing.

- Provides \$2.5 billion in funding to address California's housing and homelessness crisis;
- Establishes incentives to encourage cities and counties to increase housing production;
- Establishes a process for a court to determine that a city or county has complied with housing element law; and
- Imposes penalties, as a last resort, if cities and counties disregard the direction of a court and continue not to fulfill their responsibilities under housing element law.

Status: On the Governor's Desk

AB 101 (Committee on Budget) Housing Development and Financing. (Cont.) Homelessness: Funding and Programs

AB 101 makes available \$650 million for one-time grants to cities, counties, and continuums of care to support regional coordination, expand or develop local capacity, and address immediate homelessness challenges. All awards will be based on the applicant's proportionate share of the state's total homeless population.

- \$190 million will be available to continuums of care.
- \$275 million will be available to cities or a city and county that has a population of more than 300,000.
- \$175 million will be available to counties

AB 101 (Committee on Budget) Housing Development and Financing. (Cont.) **Infill Infrastructure Grant Program of 2019**

AB 101 makes available \$500 million for competitive funding for "qualifying infill project" or "qualifying infill area." A qualifying infill project is a residential or mixeduse project located in an urbanized area in a city with an HCD-compliant housing element. Grant funds can be used for "capital improvement projects" to facilitate the development of a qualifying infill project or area:

- Water, sewer, or other utility improvements.
- Streets, roads, transit.
- Project site preparation.
- Sidewalk or streetscape improvement.

AB 101 (Committee on Budget) Housing Development and Financing. (Cont.) **Local Government Planning Support Grants Program**

AB 101 makes available \$250 million to regions, cities and counties for planning activities to accelerate housing production and facilitate implementation of RHNA. \$125 million will be available to Council of Governments and other regional entities. The other \$125,000,000 will be available to cities and counties. These dollars may be used for:

- Rezoning and updating planning documents.
- Completing environmental clearance to eliminate need for project-specific review.
- Infrastructure planning.
- Developing or improving accessory dwelling unit ordinance.

AB 101 (Committee on Budget) Housing Development and Financing. (Cont.) Housing Element Compliance

- Requires HCD to publish an annual list of cities that have failed to adopt a HCD certified housing element. If HCD puts a city on the list, the city has an opportunity for two meetings to discuss its housing element and HCD must provide city written findings supporting its determination.
- A city may challenge HCD's findings.
- A court may determine that a city's housing element substantially complies with the law and that determination carries the same weight as HCD certification.

AB 101 (Committee on Budget) Housing Development and Financing. (Cont.) **Housing Element Compliance**

- If the Attorney General sues a city the court finds that its housing element does not substantially comply with state law; and the city fails to bring the housing element into compliance, a court may impose fines ranging from \$10,000 -\$600,000 per month, with the generated revenue deposited into the Building Homes and Jobs Trust Fund.
- The State Controller may intercept state and local funds if the fines are not paid. Additionally, extra points and other preferences will be awarded for certain state funding programs for cities that have adopted yet to be determined "prohousing" policies.
- In applying for these remedies, the Court may consider whether the local agency is making a good faith effort or is facing substantial undue hardship.

AB 101 (Committee on Budget) Housing Development and Financing. (Cont.) Financial Incentives

Additional points and other preferences will be awarded for certain state funding programs for cities that have adopted (1.) housing element approved by HCD; and (2.) "prohousing local policies." HCD will designate cities as "prohousing" by July 1, 2021 pursuant to emergency regulations.

Prohousing local policies facilitate the planning, approval, or construction of housing such as:

- Establishing local housing trust fund.
- Reducing parking requirements.
- Using by right approval.
- Reducing permit processing time.
- Reducing development impact fees.
- Establishing Workforce Housing Opportunity Zone or housing sustainability district.

Planning and Zoning

HOT SB 330 (Skinner) Housing Crisis Act of 2019.

Declares a statewide housing crisis and for a five-year period, freezing nearly all development related fees once a developer submits a "preliminary" application, including essential project specific fees. Developers would have up to 2 1/2 years to begin construction and not be subject to any new fee.

Position: Oppose

Status: Assembly Appropriations Committee

HOT SB 592 (Wiener) Housing Accountability Act.

Expands the Housing Accountability Act (HAA) to include ministerial projects and ministerial permits, and Accessory Dwelling Units (ADUs).

Position: Oppose Unless Amended

Status: Assembly Appropriations Committee

Planning and Zoning

HOT AB 1763 (Chiu) Density Bonus. Affordable Housing.

Greatly expands existing Density Bonus Law by requiring that a city or county must award an 80 percent density bonus and four incentives and concessions for 100 percent affordable housing projects, at the request of a developer. 100 percent affordable housing projects within one-half mile of a major transit stop a city or county would be required to allow unlimited density, four incentives and concessions, and up to three additional stories.

Position: Oppose Unless Amended

Status: Senate Appropriations Committee

Accessory Dwelling Units (ADU)

AB 68 (Ting) Accessory Dwelling Units.

Significantly amends the statewide standards that apply to locally-adopted ordinances concerning accessory dwelling units (ADUs). Changes include: prohibits minimum lot size requirements; requires at least 800 sq.ft. per ADU; and requires approval within 60 days.

Position: Oppose Unless Amended

Status: Senate Appropriations Committee

AB 881 (Bloom) Accessory Dwelling Units.

Prohibits a local jurisdiction from requiring a property owner to live in the main house or one of the accessory structures. Requires local agencies to ministerially approve ADUs on lots with multi-family residences and within existing garages. Adds a definition of "public transit" to mean a bus stop, bus line, light rail, street car, car share drop off or pick up, or heavy rail stop.

Position: Oppose Unless Amended

Status: Senate Appropriations Committee

Accessory Dwelling Unit (ADU) Legislation

SB 13 (Wieckowski) Accessory Dwelling Units.

Prohibits local jurisdictions from imposing any impact fees on ADUs less than 750 square feet, and limits the charge on ADUs over 750 square feet to 25 percent of the fees otherwise charged for a new single-family dwelling unit on the same lot. Prohibits replacement parking when a garage, carport, or covered parking structure is demolished or converted into an ADU. This measure also prohibits owner-occupancy requirements.

Position: Oppose Unless Amended

Status: Assembly Appropriations Committee

Economic Development

HOT <u>SB 5</u> (Beall/McGuire/Portantino) Affordable Housing and Community **Development Investment Program.**

Creates a local-state partnership to provide up to \$2 billion annually to fund state-approved affordable housing, infrastructure, and economic development projects that also support state policies to reduce greenhouse gas emissions, expand transit oriented development (TOD), address poverty, and revitalize neighborhoods. This measure restores RDA-type ongoing financing for these important projects.

Position: Support

Status: Assembly Appropriations Committee

Economic Development

HOT <u>ACA 1</u> (Aguiar-Curry) Local Government Financing. Affordable Housing And Public Infrastructure. Voter Approval.

Reduces the local vote threshold for local bonds and taxes to invest in infrastructure and affordable housing from 2/3rds to 55 percent.

Position: Support

Status: Assembly Floor

Annual Progress Report – Housing Element

AB 1483 (Grayson) Annual Progress Report (APR).

Requires local agencies to compile and submit project-level information within the APR, which represents a new level of detail and reporting complexity not currently required in state law.

Position: Oppose Unless Amended

Status: Senate Appropriations Committee

Mitigation Fee Act

AB 1484 (Grayson) Mitigation Fee Act. Housing Developments.

Requires, for certain types of housing development projects, each city and county to post each fee that is applicable to that project, on the city or county's website.

This measure is also intended to implement the recommendations contained in the Mitigation Fee Act study that is scheduled for release on July 1, 2019.

Position: Pending

Status: Senate Appropriations Committee

Tenant Rights

AB 1110 (Friedman) Rent Increases. Noticing.

Expands existing notice requirements to 120 days if the rent increase is more than 15%.

Position: Support

Status: Senate Floor

SB 329 (Mitchell) Discrimination. Housing. Source of Income.

Expands "source of income" definition to include state, federal, or local funds, and housing vouchers.

Position: Support

Status: Assembly Appropriations Committee – Suspense File



Questions?

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Governance, Transparency, and Labor Relations

Dane Hutchings, Director of Government Affairs,
Renne Public Policy Group
dhutchings@publicpolicygroup.com

CalPERS

HOT SB 266 (Leyva) Public Employees' Retirement System. Disallowed Compensation. Benefit Adjustments.

Requires a public agency to pay directly from its General Fund any shortfall of a benefit should CalPERS determine that a retiree or their beneficiary has received disallowed compensation. Additionally, the measure would permit the *retiree* to determine if they would like to receive one lump sum of the projected amortized amount of the benefit or force the agency to pay a monthly annuity from its general fund.

Position: Oppose

Status: Assembly Appropriations Committee

CalPERS

AB 1320 (Nazarian) Public Employee Retirement Systems: Prohibited **Investments: Turkey.**

Requires the CalPERS and CalSTRS fund to divest its holdings from the Republic of Turkey until such time as the Government publically acknowledges the Armenian genocide between the years 1914-1923 if the United States Government places formal sanctions against the Republic of Turkey.

- CalPERS projects that divestments have cost the pension fund over \$10 Billion in unrealized returns.
- Divestment has not proven effective.

Position: Oppose

Status: Senate Appropriations Committee

Labor Relations

AB 418 (Kalra) Evidentiary Privileges. Union Agent-Represented **Worker Privilege.**

Expands the current evidentiary privilege against disclosure of communications to also include union agent-represented worker communications. Would impose a broader level of evidentiary privilege for a union agent that is currently permitted under attorney client, doctor-patient and other recognized privileges.

Position: Oppose

Status: Senate Floor

Labor Relations

AB 314 (Bonta) Public Employment. Labor Relations. Release Time.

Creates a uniform and expanded standard of time off without loss of compensation for public employees to engage in specified activities related to employer-employee relations, also known as "release time."

Position: Oppose

Status: Senate Appropriations Committee - Suspense File

Public Records

AB 1184 (Gloria) Public Records. Writing Transmitted By Electronic Mail. Retention.

Requires all public agencies to maintain all transmitted emails for at least two years.

Position: Oppose

Governance

AB 931 (Boerner Horvath) State and Local Boards and Commissions. Representation. Appointments.

Requires a city with a population of 50,000 or greater to not appoint members of nonelected and non-salaried boards or commissions consisting of five or more members such that individuals of the same gender identity comprise more than 60 percent of the board or commission's membership. Additionally, any board or commission of the city with four or fewer members shall not be comprised exclusively of people of the same gender identity.

Position: Oppose

Elections and Public Records

AB 849 (Bonta) Elections. City and County Redistricting.

Recent Amendments Would:

- Require cities to hold at least four public hearings before the governing body adopts a final map, including one hearing prior to adopting draft maps and two hearings after adopting draft maps. (down from 10 meetings)
- Require the Secretary of State (SOS) to develop and publish online templates
 explaining the redistricting process in the languages that ballots must be
 translated into under existing federal law. They must also identify applicable
 languages for cities pursuant to specified standards. (shifted the burden to
 SOS instead of with a local agency)
- All hearings can take place at City Hall (removed nights, weekends and offsite requirements)
- Require cities to make a good faith effort to encourage residents to participate in the redistricting public review process. (removed, PSA, multilanguage outreach requirement)

Elections and Public Records

AB 849 (Bonta) Elections. City and County Redistricting. (Cont.)

- Require cities to arrange for the live translation in an applicable language of a public hearing or workshop if a request for translation is made at least 72 hours before the hearing or workshop, or 48 hours prior if less than five days' notice is given for the hearing. (Changed to per request, significantly lowered the threshold of applicable languages)
- Require hearings to be calendared for at least five days, and the final draft map must be posted for seven days, or for three days if there are fewer than 179 days until the county's next regular election. (removed all maps posting for 7 days)
- Require a city to establish and maintain for at least 10 years after the adoption of new district boundaries, an internet webpage dedicated to redistricting. (removed the requirement that we have the website info in all applicable languages as well as removed the requirement that we create a new report and post that report)

Position: Removal of Opposition

Workers' Compensation Cont.

SB 416 (Hueso) Employment. Workers' Compensation. Expansion to All Peace Officers.

Expands all presumptions in the workers' compensation system currently approved for firefighters, sheriffs, police officers, California Highway Patrol officers, and arson investigation units to <u>all</u> employees designated as peace officers as defined in Chapter 4.5 of Title 3 of Part 2 of the Penal Code, except for those peace officers described in subdivision (b) of Section 830.1, subdivision (b) or (d) of Section 830.2, or Section 830.39, 830.4, or 830.5 of the Penal Code.

Position: Oppose

Status: Assembly Appropriations Committee

Workers' Compensation Cont.

AB 932 (Low) Off-Duty Firefighters. Out-of-State.

Expands the scope of workers' compensation to apply when a firefighter engages in a fire-suppression, rescue operation, or the protection or preservation of life or property, to apply to areas outside of this state.

Position: Oppose Unless Amended to conform with the provisions of <u>AB</u> <u>1749</u> (Daly), 2018.

Status: Two-Year Bill

Workers' Compensation

SB 542 (Stern) Workers' Compensation. Presumption.

This Measure Would Have:

Created a new presumption for post-traumatic stress disorder within the workers' compensation system for police and fire personnel. Applies retroactivity provisions to January 1, 2017. This measure would have applied to any and all mental health conditions that can be diagnosed based on the Diagnostic and Statistical Manual of Mental Disorders (DSM).

Recent Amendments Would Narrow the Measure:

The amendments:

- Eliminate the retroactivity provision,
- Apply the bill only to PTSD/PTSI,
- Delete the post-separation from employment extended coverage period,
- Delete the findings and declarations, and
- Adopt a 5-year sunset clause, coupled with a Commission on Health and Safety and Workers' Compensation (CHSWC) study.

Position: Remain Opposed

Workers' Compensation Cont.

AB 1400 (Kamlager Dove) Employment Safety. Firefighting Equipment. Mechanics.

This Measure Would Have:

Provided all presumptions within the Workers Compensation system currently authorized for active duty firefighters to "all fire service personnel." Would have applied broadly to all non-sworn fire personnel.

This Measure Now:

Requires that the Occupational Safety and Health Standards Board adopt an emergency regulation that requires an employer to make appropriate and effective safety equipment available to a mechanic who could be exposed to harmful levels of carcinogens due to firefighting operations. This measure also requires the Commission on Health and Safety and Workers' Compensation to submit a study to the Legislature on the risk of exposure to carcinogenic materials and incidence of occupational cancer in mechanics who repair and clean firefighting vehicles in the County of Los Angeles.

Position: Removed Opposition



Questions?

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Transportation, Communication, and Public Works

Rony Berdugo, Legislative Representative rberdugo@cacities.org

Tickets & Towing

HOT AB 516 (Chiu) Authority to Remove Vehicles.

Eliminates the ability for cities to adequately enforce state and local vehicle violations. Specifically, AB 516:

- Prohibits cities from immobilizing or towing vehicles when vehicle owners fail to respond for at least 3 weeks to a minimum of five unpaid parking tickets,
- Prohibits cities and/or law enforcement from immobilizing or towing vehicles when vehicle owners fail to pay or appear in court for a minimum of five moving traffic violations; and
- Prohibits cities from towing vehicles for a 72-hour violation, until a minimum of 5 days have elapsed after a violation has already occurred.

Position: Oppose

Transportation

AB 252 (Daly) Department of Transportation. Environmental Review Process. Federal Program.

Repeals the sunset date for the State of California's limited waiver of sovereign immunity, which is necessary to allow the California Department of Transportation (Caltrans) to continue its assumption of National Environmental Policy Act (NEPA) responsibilities.

Position: Support

Status: On the Governor's Desk

AB 1266 (R. Rivas) Traffic Control Devices. Bicycles.

Requires Caltrans to develop lane striping, pavement markings, and appropriate signage standards that would allow bicyclists to proceed safely through an intersection instead of having to turn when approaching a right-turn only lane.

Position: Support

Status: Senate Floor

Transportation

SB 137 (Dodd) Federal Transportation Funds. State Exchange Programs.

Authorizes the expansion of the State's existing program to exchange federal surface transportation revenues for state transportation revenues.

Position: Support

Status: Senate Appropriations Committee

SB 211 (Beall) State Highways. Leases.

Would authorize Caltrans to enter into lease agreements with a local agency for emergency shelters or feeding programs

Position: Support if Amended

Status: Assembly Appropriations Committee

Emergency Relief & Preparedness

AB 41 (Gallagher) Disaster Relief. Camp Fire.

Requires the state to cover the local portion of the cleanup and repair costs associated with the Camp Fire.

Position: Support

Status: Senate Appropriations Committee

HOT AB 429 (Nazarian) Seismically Vulnerable Buildings. Inventory.

Requires the Alfred E. Alquist Seismic Safety Commission (SSC) to identify funding and develop a bidding process for hiring a third-party contractor to create an inventory of potentially vulnerable buildings.

Position: Support

Status: Senate Appropriations Committee – Suspense File

Emergency Relief & Preparedness

AB 1079 (Santiago) Telecommunications. Privacy Protections.

Authorizes public safety agencies to test the systems that respond to 911 calls or communicate threats to life or property on unpublished or unlisted telephone numbers without first obtaining the subscriber's express consent.

Position: Support

Status: On the Governor's Desk

SB 670 (McGuire) Telecommunications. Outages Affecting Public Safety.

Requires telecommunications providers to notify the California Office of Emergency Services (CalOES) of 911 service of emergency warning outages and also notify local first responder agencies.

Position: Support

Status: Assembly Appropriations Committee

Communications

AB 497 (Santiago) Deaf & Disabled Telecommunications Program.

Extends the half-cent surcharge on telephone service to support the Deaf and Disabled Telecommunications Program until 2025.

Position: Support

Status: Senate Floor

AB 1366 (Gonzalez) Voice over Internet Protocol and Internet Protocol enabled communications services.

Extends the prohibition on the California Public Utilities Commission (CPUC) from exercising regulatory jurisdiction or control over Voice over Internet Protocol (VoIP) and Internet Protocol (IP) enable services except as expressly directed to do so by statute, until January 1, 2030. Amendments are pending.

Position: Oppose



Questions?

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Environmental Quality

Derek Dolfie, Legislative Representative ddolfie@cacities.org

Wildfires

AB 1054 (Holden) Public Utilities. Wildfires.

- Creates a new CPUC cost recovery standard.
- The CPUC and Wildfire Safety Board will issue new annual safety certifications.
- If an electrical corporation has a safety certification their conduct shall be deemed reasonable unless a third party raises "serious doubt" to the reasonableness of their conduct.
- Creates a Wildfire Fund as a liquidity fund for IOUs totaling \$10.5 billion.
- IOU's can also opt to convert the wildfire liquidity fund into an insurance fund funded totaling \$40 billion.
- Requires the CPUC to authorize any voluntary or involuntary change in ownership of assets from an electrical or gas cooperation to a public entity.
- Prohibits any successor employer from reducing or not honoring negotiated wages, hours, and other terms and conditions.

Position: Watch

Status: On the Governor's Desk

Wildfire Trailer Bill

AB 111 (Budget Trailer Bill) Wildfire Agencies. Public Utilities. Safety And Insurance.

- Establishes the California Catastrophe Response Council to oversee the California Earthquake Authority (CEA) and the "Wildfire Fund Administrator."
- Creates the Wildfire Safety Division and Advisory Board at the CPUC. As of July 1, 2021, all functions of the Wildfire Safety Division will be transferred to the Office of Energy Infrastructure and Safety.
- The Office of Energy Infrastructure Safety will be within the Natural Resources Agency.
- Effective July 1, 2021, the Office will be the successor to the Wildfire Safety Division at the CPUC.

Position: Watch

Status: On the Governor's Desk

Wildfires Cont.

SB 209 (Dodd) Wildfire. California Wildfire Warning Center. Weather Monitoring.

Establishes the California Wildfire Warning Center to oversee the development and deployment of a statewide network of automated weather and environmental stations to monitor weather conditions that contribute to high wildfire risk.

Position: Support

Status: Assembly Appropriations Committee

SB 45 (Allen) Wildfire, Drought, and Flood Protection Bond Act of 2020.

Proposes placing a \$4.3 billion bond for Wildfire, Drought, and Flood Protection on the 2020 ballot. Includes grant funds for local and state agencies. Major funding categories are: restoration funds for areas effected by wildfire, drought, and flooding; reduction of risk in high wildfire threat areas; protecting, restoring, and improving forest quality and habitat; reduction of the impacts of climate change on urban areas; and protecting water supply and water quality.

Position: Support

Status: Parked in Senate Appropriations Committee

Clean and Affordable Drinking Water

SB 200 (Monning/E. Garcia/Bloom) Safe and Affordable Clean Drinking Water.

Establishes a fund to help water systems provide an adequate and affordable supply of safe drinking water to communities throughout the state. The fund would be appropriated by an annual allocation of up to \$130 million from the Greenhouse Gas Reduction Fund from July 1, 2020 until June 30, 2030 and would also lay out both the eligible entities and uses for funding and how the State Water Resources Control Board will develop an expenditure plan.

Position: Support

Status: On the Governor's Desk

Recycling

SB 54 (Allen) and **AB 1080** (Gonzalez) California Circular Economy and Plastic Pollution Reduction Act.

Directs CalRecycle to adopt regulations by 2024 that require covered entities, which include people or companies that manufacture single-use packaging and products, to achieve a 75 percent reduction of waste generated from single-use packaging and priority single-use plastic products in the California market by 2030. SB 54 requires these covered entities to source reduce these single-use plastics through a combination of source reduction, recycling, or composting by 2030. This bill also requires all of these single-use plastic products be recyclable or compostable by 2030.

Position: Support

Status: Assembly Appropriations Committee (SB 54) Senate Appropriations Committee (AB

1080)

SB 667 (Hueso) Greenhouse Gases. Recycling Infrastructure and Facilities.

Requires CalRecycle to develop, on or before January 1, 2021, a five-year needs assessment to support innovation and technological and infrastructure development, in order to meet the state's 2025 organic waste reduction target. The bill also seeks to identify priorities and strategies for financial incentive mechanisms for recycling markets.

Position: Support

Status: Assembly Appropriations Committee

Community Choice Aggregation (CCA)

AB 56 (E. Garcia) Electricity: Procurement by the California Alternative Energy and Advanced Transportation Financing Authority

Requires the Public Utilities Commission (PUC) to empower the California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) to undertake backstop procurement of electricity that would otherwise be performed by an electrical corporation to meet the state resource adequacy, integrated resource planning, and renewable portfolio standard goals. This bill would undermine local energy autonomy by giving the PUC additional authority over procurement and cost recovery.

Position: Oppose

Status: Two-Year Bill



Community Services

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Homelessness

AB 344 (Calderon) New Beginnings California Program.

Establishes the New Beginnings California Program which will provide annual matching funds to up to 50 cities, counties, or local continuum of care programs to expand or continue employment programs for homeless individuals.

Position: Support

Status: Assembly Appropriations Committee – Suspense File

SB 258 (Hertzberg) California Emergency Solutions and Housing Program: grants. homeless shelters. pets and veterinary services.

Requires the Department of Housing and Community Development (HCD) to create and administer a program that would award grants to homeless shelters that allow for pets. These grants would allow for shelter to provide food, shelter, and veterinary services for pets that are owned homeless individuals.

Position: Support

Status: Assembly Appropriations Committee



Public Safety

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Emergency Medical Services

SB 438 (Hertzberg) Emergency Medical Services. Dispatch.

- Prohibits a public agency from entering into a contract with a private entity for 911 call processing regarding the dispatch of emergency response services, except when the contract was established prior to January 1, 2019, and was created by either:
 - A joint powers authority whose membership comprises only public safety agencies, all of which consent to the renegotiation or adoption of the contract, or
 - A public agency that provides prehospital emergency medical services that consent to the renegotiation or adoption of the contract.
- Provides that medical direction and management of an EMS system does not limit the authority of a public safety agency to deploy emergency response resources within that agency's territorial jurisdiction.

Position: Oppose Unless Amended

Status: Assembly Floor

AB 1544 (Gipson) Community Paramedicine.

Authorizes local emergency medical services agencies to develop programs to provide community paramedic or triage to alternate destination services in various specialties.

Position: Support

Law Enforcement & Courts

AB 1215 (Ting) Facial Recognition and Other Biometric Surveillance.

- Prohibits a law enforcement official from using any biometric surveillance system in connection with an officer camera or data collected by an officer camera.
- Authorizes a person to bring an action for equitable or declaratory relief against a law enforcement agency or official who violates that prohibition.

Position: Oppose

Status: Senate Floor

AB 1600 (Kalra) Discovery of Personnel Records for Peace officers and Custodial Officers.

- Shortens the notice requirement in criminal cases when a defendant files a motion to discover police officer misconduct from 16-days to 10-days.
- Creates a limited exception to the prohibition on the release of supervisorial officer records.

Position: Oppose

Status: Senate Floor

Law Enforcement & Courts

SB 23 (Wiener) Unlawful Entry of a Vehicle.

Clarifies that the unlawful entry of a vehicle with the intent to commit theft establishes the crime of auto burglary.

Position: Support

Status: Assembly Appropriations Committee

Firearms

AB 1297 (McCarty) Firearms. Concealed Carry License.

Requires, instead of authorizes, a local licensing authority to charge a fee that is equal to the reasonable costs associated with processing and issuing of a concealed carry weapon (CCW) license application. Deletes the prohibition on charging more than \$100 for the fee.

Position: Oppose Unless Amended

Status: Senate Floor

Use of Force

AB 392 (Weber) Peace Officers. Deadly Force.

Limits the use of deadly force by a peace officer to those situations where it is necessary to defend against a threat of imminent serious bodily injury or death to the officer or to another person. Defines the terms "necessary" to mean that given the totality of the circumstances, an objectively reasonable peace officer in the same situation would conclude that there was no reasonable alternative to the use of deadly force that would prevent death or serious bodily injury to the peace officer or to another person.

Position: None

Status: On the Governor's Desk

SB 230 (Caballero) Peace Officers. Deadly Force.

Requires all law enforcement agencies in the state to maintain a policy on Use of Force, requires the policy to be made publicly accessible and requires the Peace Officer Standards and Training (POST) Commission to implement coursework for the regular and periodic training of law enforcement officers in the use of force.

Position: Support

Status: Assembly Appropriations Committee - Suspense File

Cannabis

AB 1288 (Cooley) Cannabis. Track and Trace.

Requires the track and trace program for cannabis supply chain tracking to include both the date of retail sale to a customer and whether the sale is on the retail premises or by delivery. Requires that No later than July 1, 2020, the California Department of Food and Agriculture, in consultation with the Bureau of Cannabis Control, ensures that the track and trace program is fully integrated with DOJ's California Law Enforcement Telecommunications System (CLETS).

Position: Support

Cannabis

AB 1417 (Rubio) Cannabis Advertisement and Marketing. Unfair Business Practice. Public Nuisance.

Provides that advertisement of cannabis goods that do not contain an active state license number is an unfair business practice, subject to a civil action by any person; creates a civil penalty enforceable by a public attorney or through a private right of action for violations of existing requirements regarding advertisements of cannabis products; requires digital advertising platforms specializing in cannabis to publish a notice regarding the risks of purchasing cannabis products from unlicensed entities; and states that advertisements not containing an active state license number constitute a public nuisance.

Position: Support



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HOT AB 213 (Reyes) Annexation Financing.

Restores funding to 140 cities that lost funds following the annexation of inhabited territory; reestablishes previous fiscal incentives for cities that annex inhabited territory.

Position: Support

AB 1637 (Smith) Unclaimed Property Law.

Authorizes the State Controller to automatically allocate to a state or local agency, without the requirement for an agency to file a claim, any unclaimed property in that agency's name received as part of the Controller's unclaimed property database.

Position: Support

Status: Senate Appropriations Committee - Suspense File

SB 531 (Glazer) Sales Tax Agreements.

Prohibits future sales tax agreements between local agencies and retailers with a warehouse, sales office, or fulfillment center that results in a shift of sales taxes from other jurisdictions.

Position: Support

Status: Assembly Floor

AB 1583 (Eggman) The California Recycling Market Development Act.

Establishes incentive programs to encourage recycling of paper and organic waste. Includes provisions to extend the existing California Alternative Energy and Advanced Transportation Financing Authority's (CAEATFA) Sales and Use Tax Exclusion Program at \$100 million annually for an additional 10 years, resulting in the loss of up to \$500 million in local agency revenue.

Position: Oppose Unless Amended

Status: Senate Appropriations Committee

AB 485 (Medina) Warehouses. Economic Development Subsidies.

Imposes an extensive and onerous list of conditions that would overly restrict a local agency from offering economic incentives (with their own funds) to locate a warehouse.

Position: Oppose

Status: Senate Floor

HOT SB 344 (McGuire) UUT Prepaid Mobile Telephony Collection.

Grants a one-year extension of a sunset date to the Local Prepaid Mobile Telephony Services Collection Act (Local Prepaid MTS) until January 1, 2021. 104 cities and counties benefit from this program, which has generated approximately \$24 million since its inception.

Position: Support

Status: Assembly Appropriations Committee



Questions?

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TAKE ACTION

The League's latest position letters and sample letters for the bills mentioned in this webinar can be found **HERE**.

Stay Tuned!

Look for an announcement for the League's Sign/Veto Webinar where we will brief cities on Legislation that has made its way to the Governor's Desk

Coming Mid-September



This webinar is being recorded. To request a copy, please contact Megan Dunn mdunn@cacities.org



Thank you!