

# South Bay Cities Council of Governments

June 12, 2017

TO: SBCCOG Steering Committee

FROM: Jacki Bacharach, SBCCOG Executive Director

RE: Bills to Monitor and for Action – Status as of **June 11, 2017**

Adherence to Strategic Plan:

Goal B: Regional Advocacy. Advocate for the interests of the South Bay

Added since last month – AB 1572

ADMINISTRATIVE PROCEDURES

<p>AB 1250 (Jones-Sawyer)</p>	<p><b>CITIES AND JPAS AMENDED OUT OF THE BILL – 6/1/17 PER LCC</b>            Counties and cities: contracts for personal services.</p> <ul style="list-style-type: none"> <li>• Require a city, before entering a contract or renewing a contract, to perform a full economic analysis of the potential impacts of outsourcing, including the impact on local businesses if consumer spending power is reduced.</li> <li>• Mandate a city to conduct a full environmental impact analysis caused by contracting for the services.</li> <li>• Force a city to conduct an annual audit of each contract.</li> <li>• Eliminate local agency hiring discretion by limiting a local agencies' ability to utilize a contract for the sole purpose of cost savings through salaries and benefits.</li> <li>• Require that the agency provide an orientation to contract non-city employees.</li> <li>• Require a city to create a new, fully searchable database that must be posted on the city website. Apart from the inherent cost drivers with this provision, there are significant privacy concerns about posting full names, job titles, and salaries of non-city employees. This database must include:               <ul style="list-style-type: none"> <li>○ The names, job titles, salary of each contracted non-city employee and subcontractors.</li> </ul> </li> </ul>	<p>OPPOSE 5/8/17</p> <p>(Ltr faxed to Asm Approps 5/9/17)</p>	<p>6/5/17 Senate Rules Committee for assignment</p> <p>LCC opposes</p>
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	<ul style="list-style-type: none"> <li>○ The services of the contract, the name of the agency department or division of the city who manages the contract.</li> <li>○ The amount paid to the contract including the total projected cost of the contract for all fiscal years and the funding source.</li> <li>○ The total number of “full time equivalent” employees being contracted out.</li> </ul>		
AB 1479 (Bonta)	<p>Public records: custodian of records: civil penalties.</p> <ul style="list-style-type: none"> <li>● Mandate that every local agency assign a “Supervisor of Record” to review each public records act denial prior to the final determination being issued.</li> <li>● Cause further delays in processing requests by creating an additional step in the process whereby every request denial would have to be reviewed by the Supervisor of Record before a final determination from the agency can be issued.</li> <li>● Establish new and costly punitive damages assessed to agencies above and beyond plaintiffs’ attorney fees established in current law. The additional punitive damages award provision could be as high as \$5,000 per violation. This may lead to a litany of satellite litigation given the grounds for punitive damages are so vast. Under this measure damages can be awarded on every type of violation, no matter if a denial was made in good faith, etc.</li> </ul>	<p>OPPOSE (5/8/17)</p> <p>Ltr faxed to Asm Approps 5/9/17)</p>	<p>6/8/17 Senate Judiciary Committee</p> <p>LCC opposes</p>

ENVIRONMENT

AB 79 (Levine)	<p>Electrical generation: hourly greenhouse gas emissions: electricity from unspecified sources. Requires the Air Resources Board (ARB) to adopt a methodology to calculate hourly greenhouse gas (GHG) emissions from unspecified sources of electricity. Requires the Public Utilities Commission (PUC) and California Energy Commission (CEC) to incorporate the methodology into programs addressing disclosure of GHG emissions and procurement of electricity.</p>	<p>MONITOR</p>	<p>6/1/17 Senate Rules Committee for assignment</p>
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<p>AB 1572 (Aquiari-Curry)</p>	<p>Integrated waste management plans: source reduction and recycling element: review schedule. Would extend the sunset date from January 1, 2018 to January 1, 2022 for the State Department of Resources Recycling and Recovery (CalRecycle) ability to review local jurisdictions' recycling compliance plans every four years instead of every two years for those jurisdictions consistently meeting the State's requirements.</p>	<p><b>RECOMMEND SUPPORT</b></p>	<p><b>Senate Environmental Quality Committee</b> <b>Hearing Date: 6/21/17</b></p>
<p>AB 1274 (O'Donnell)</p>	<p>Smog check: exemption. Would, except as provided, exempt motor vehicles that are 8 or less model-years old from being inspected biennially upon renewal of registration. Would assess an annual smog abatement fee of \$24 on motor vehicles that are 7 or 8 model-years old. Would require the fee be deposited into the Air Pollution Control Fund and be available for expenditure, upon appropriation by the Legislature, to fund the Carl Moyer Memorial Air Quality Standards Attainment Program.</p>	<p>SUPPORT (5/25/17) (Ltr faxed to Asm Approp 5/30/17)</p>	<p>6/1/17 Senate Rules Committee for assignment  Per Wayne Nastri, AQMD</p>
<p>AB 1646, 1647, &amp; 1649 (Muratsuchi)</p>	<p>Relating to Refineries: <u>1646</u> – Hazardous materials: risk management plans: petroleum refineries - requires the risk management plan of a petroleum refinery to be posted on the web at various places specified. Provides for a system of automatic notification for residents within a 5 mile radius, an audible alarm system covering a 10 mile radius and an emergency alert system for specified locations (ex. schools, hospitals)  <u>1647</u> – Petroleum refineries: air monitoring systems - requires the owner or operator of a petroleum refinery to install a community air monitoring system on or before January 1, 2020 and to install a fence-line monitoring system on or before January 1, 1919.  <u>1649</u> – Interagency Task Force on Refinery Safety - creates task force.</p>	<p>MONITOR</p>	<p>1646 6/1/17 Senate Rules Committee for assignment  <b>1647</b> <b>Senate Environmental Quality Committee</b> <b>Hearing Date: 6/21/17</b>  1649 6/5/17 Senate Rules Committee for assignment</p>
<p>SB 231 (Hertzberg)</p>	<p>Local government: fees and charges. Articles XIIC and XIID of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus</p>	<p>MONITOR</p>	<p><b>Assembly Committee on Local Government</b> <b>Hearing Date: 6/14/17</b></p>

	<p>Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIIC and XIID of the California Constitution and defines terms for these purposes. This bill would define the term “sewer” for these purposes. The bill would also make findings and declarations relating to the definition of the term “sewer” for these purposes.</p>		
<p>SB 242 (Skinner)</p>	<p>Property Assessed Clean Energy Program: Program Administrator. Enacts consumer protections to PACE loans. Requires a program administrator that administers a PACE program on behalf of a public agency to comply with certain requirements when approving an assessment contract for the installation of an eligible measure, as well as the administration of that contract, including requiring the contract to comply with specified criteria and requirements. Requires a program administrator to obtain a sworn declaration of income containing specified financial information from each property owner, and would provide that a declarant who willfully states as true a material fact on that declaration that he or she knows to be false be subject to a civil penalty of a specified amount. Requires a program administrator to underwrite an assessment contract, and would prohibit a program administrator from approving an assessment contract if it determines that the property owner is unlikely to be able to make payments on that contract. Requires a program administrator, before a PACE assessment is consummated and in addition to other disclosures, to provide an oral confirmation of the key terms of an assessment contract with the property owner or an authorized representative of the property owner. Requires a program administrator for each PACE Program that it administers to establish and make publicly available an eligible measure list that has been approved by the sponsoring public agency, and would prohibit the program administrator from approving PACE assessments for a measure that is not included on that list, unless the program administrator establishes a custom measure in accordance with specified requirements.</p>	<p>SUPPORT (5/25/17)</p>	<p>5/31/17 At Assembly Desk  LCC Supports</p>

<p>SB 618 (Bradford)</p>	<p>Load-serving entities: integrated resource plans: This bill would require that the integrated resource plan filed by a load-serving entity be reviewed <del>and approved</del> by the commission. The bill would require that the plans of all load-serving entities contribute to a diverse and balanced portfolio of resources needed to ensure a reliable electricity supply that provides optimal integration of renewable energy in a cost-effective manner and meets the specified emissions limits for greenhouse gases in proportion to each load-serving entity's load share so that there is no cost shifting among load-serving entities.</p>	<p>MONITOR (5/25/17)</p> <p>OPPOSE (5/8/17)</p> <p>Ltr sent to Sen Approps 5/12/17)</p>	<p><b>Assembly Utilities and Energy Committee</b> <b>Hearing Date: 6/21/17</b></p> <p>NOTE: Could restrict CCA power purchases</p> <p>LCC removed opposition on 5/19 after amendments. LCC is now neutral.</p>
<p>SB 649 (Hueso)</p>	<p>Wireless telecommunications facilities: Establishes a statewide framework for streamlining the permitting siting process of small cell wireless facilities that meet specified requirements. Requires an administrative permit in lieu of a discretionary permit, requires cost-based fees in lieu of market pricing, and ensures access to most host infrastructure in the utility right-of-way and also within a commercial or industrial zone. Requires permits for wireless telecommunications facilities to be automatically renewed for equivalent durations, as specified.</p>	<p>OPPOSE (5/25/17)</p>	<p>5/31/17 Assembly Desk</p> <p>LCC opposes</p>
<p>AQMD Rule 1410</p>	<p>Hydrogen Fluoride Storage and Use at Petroleum Refineries. This rule is intended to minimize the possibility of harm to the public due to an accidental release of hydrogen fluoride.</p> <p>Presentation to Working Group: <a href="http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1410/mtg1-final.pdf?sfvrsn=6">http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1410/mtg1-final.pdf?sfvrsn=6</a></p>	<p>MONITOR</p>	<p>PR1410 Working Group began meetings 4/19/17. Governing Board consideration of PR 1410 expected 12/17.</p>

HOUSING

<p>SB 2 (Wiener)</p>	<p>Building Homes and Jobs Act. Would make legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. Would impose a fee, except as provided, of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be</p>	<p>MONITOR</p>	<p>6/12/17 Senate 3<sup>rd</sup> Reading</p> <p>LCC supports</p>
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	<p>recorded, per each single transaction per single parcel of real property, not to exceed \$225. By imposing new duties on counties with respect to the imposition of the recording fee, the bill would create a state-mandated local program. Would require that a county recorder quarterly send revenues from this fee, after deduction of any actual and necessary administrative costs incurred by the county recorder, to the Controller for deposit in the Building Homes and Jobs Fund, which the bill would create within the State Treasury. Would, upon appropriation by the Legislature, require that 20% of the moneys in the fund be expended for affordable owner-occupied workforce housing and 10% of the moneys for housing purposes related to agricultural workers and their families, and would authorize the remainder of the moneys in the fund to be expended to support affordable housing, home ownership opportunities, and other housing-related programs, as specified. Would impose certain auditing and reporting requirements and would establish the Building Homes and Jobs Trust Fund Governing Board that would, among other things, review and approve recommendations made by the Department of Housing and Community Development for the distribution of moneys from the fund.</p>		
<p>SB 3 (Wiener)</p>	<p>Affordable Housing Bond Act of 2018. Would enact the Affordable Housing Bond Act of 2018, which, if adopted, would authorize the issuance of bonds in the amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance various existing housing programs, as well as infill infrastructure financing and affordable housing matching grant programs, as provided.</p>	<p>MONITOR</p>	<p>6/1/17 At Assembly Desk  LCC Supports</p>

<p>SB 35 (Wiener)</p>	<p>Planning and zoning: affordable housing: streamlined approval process. Requires the planning agency to include in its annual report specified information regarding units of housing, including rental housing &amp; housing designated for homeownership, that have secured all approvals from the local government and special districts needed to qualify for a building permit. Would also require the Department of Housing and Community Development to post an annual report submitted pursuant to the requirement described above on its Internet Web site, as provided.</p>	<p>OPPOSE (5/8/17)</p> <p>Ltr sent to Sen Approps 5/12/17)</p>	<p>6/1/17 At Assembly Desk</p> <p>LCC opposes</p>
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PUBLIC SAFETY

<p>SB 10 (Hertzberg)</p>	<p>Bail: pretrial release. Would declare the intent of the Legislature to enact legislation that would safely reduce the number of people detained pretrial, while addressing racial and economic disparities in the pretrial system, and to ensure that people are not held in pretrial detention simply because of their inability to afford money bail.</p>	<p>MONITOR</p>	<p>6/1/17 Assembly Desk</p>
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TRANSPORTATION

<p>SB 268 (Mendoza)</p>	<p>Los Angeles County Transportation Authority. Would add the county auditor as a nonvoting member of the board of directors. Would also reduce the members of the board of supervisors from 5 to 2 members and would require that one supervisor represent the largest population in the unincorporated area of the County of Los Angeles. Would delete the appointment of 2 public members and require the Mayor of the City of Los Angeles to appoint 5 members of the City Council of the City of Los Angeles who represent contiguous clusters of 3 council districts. The bill would require the city council to determine contiguity. The bill would require every appointee to serve a 4-year term without limitation or until the expiration of the term of his or her elected office. <b>The cities would get 3 additional seats.</b></p>	<p>MONITOR</p>	<p>6/1/17 Assembly Desk</p> <p>To Transportation Committee end of June Support: LCC, LA, CCCA, ICA this Sunday. Pat Furey and John Mirsch, Torr, Carson, Artesia, Hawaiian Gardens.</p>
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**NEW LAW**

SB 1 (Beall)	Transportation Funding. Raises revenue from variety of sources will generate an additional \$6 billion annually to provide funding for the state and local transportation network. In addition to raising revenue, the proposal includes a series of reforms to addressing efficiency, transparency, and accountability.	SUPPORT (3/23/17) (Ltr for SB 1 sent to Sen. Approp Comm 3/24/17)
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**LEGISLATIVE CALENDAR**

- June 2, 2017 – Last Day to Pass Bills out of Their House of Origin
- June 15, 2017 – Budget Bill Must be Adopted
- July 14, 2017 – Last day for Policy Committees to Hear Fiscal Bills
- July 21, 2017 – Last day for Policy Committees to Hear Bills.
- July 21-August 21, 2017 – Summer Recess
- September 1, 2017 – Last Day for Fiscal Committees to Hear Bills
- September 5-15, 2017 – Floor Session Only
- September 8, 2017 – Last Day to Amend on the Floor

**June 2017  
TWO YEAR BILLS**

<p>AB 27 (Melendez)</p>	<p>Violent felonies: sex offense. Would additionally define as violent felonies rape, sodomy, penetration with a foreign object, or oral copulation, if the victim was unconscious, if the victim was incapable of giving consent due to intoxication, if the victim was incapable of giving legal consent because of a mental disorder or developmental or physical disability, if the victim submitted to the act under the belief that the person committing the act was someone known to the victim other than the accused, or if the act was accomplished against the victim's will by threatening to use the authority of a public official for purposes of the above-specified sentencing enhancements.</p>	<p>SUPPORT (5/25/17)</p>
<p>AB 1645 &amp; 1648 (Muratsuchi)</p>	<p>Relating to Refineries: <u>1645</u> - Hydrogen fluoride: notice of use: substitution. Requires a business that, at any time, handles, maintains, or stores more than 250 gallons of hydrogen fluoride or hydrofluoric acid to, if possible, convert to a known, significantly less hazardous substitute by January 1, 2020.  <u>1648</u> – Refineries: inspectors - increases number of inspectors</p>	<p>MONITOR</p>
<p>AB252  Ridley-Thomas)</p>	<p>Local government: taxation: prohibition: video streaming service. Until January 1, 2023, prohibits imposition by a city, city and county, or county, including a chartered city, city and county, or county, of a tax on video streaming services, including, but not limited to, any tax on the sale or use of video streaming services or utility user taxes.</p>	<p>OPPOSE (3/23/17) (Ltr sent to author &amp; Asm Rev &amp; Tax Comm. 3/24/17)</p>
<p>SB 75 (Bates)</p>	<p>Violent felonies: sex offense. Would additionally define beyond Proposition 83 from 11/06, among other crimes, the offenses of vehicular manslaughter, human trafficking involving a minor, assault with a deadly weapon, solicitation of murder, rape under various specified circumstances, and grand theft of a firearm as violent felonies for purposes of imposing specified sentence enhancements.</p>	<p>SUPPORT (5/25/17)</p>
<p>SB 263 (Leyva)</p>	<p>Climate Assistance Centers. Requires the Strategic Growth Council to establish no less than 10 regional climate assistance centers, equitably distributed across urban and rural areas of the state, to build the capacity of local community organizations, municipalities, and small businesses from disadvantaged communities to participate in state climate investment programs, as specified. Requires the council to allocate available moneys to community-based and nonprofit organizations to engage with climate assistance centers and conduct outreach in disadvantaged communities, as specified. Authorizes moneys from the Greenhouse Gas Reduction Fund to be available, upon appropriation, for allocation by the council for the purposes of the climate assistance centers. Requires the council to establish a state interagency working group, coordinated by the council and including specified state agency staff, to develop integrated outreach information on state climate investment programs and to coordinate outreach activities with the climate assistance centers.</p>	<p>MONITOR</p>