

South Bay Cities Council of Governments

May 13, 2019

TO: SBCCOG Steering Committee

FROM: Jacki Bacharach, SBCCOG Executive Director

RE: Bills to Monitor and for Action – **Status as of May 12, 2019**

Adherence to Strategic Plan:

Advocate for the interests of the South Bay

ECONOMIC DEVELOPMENT

<p>AB 245 (Muratsuchi)</p>	<p>California Aerospace and Aviation Commission: Would establish, within the Governor's Office of Business and Economic Development, the California Aerospace and Aviation Commission consisting of 17 members, as specified, to serve as a central point of contact for businesses engaged in the aerospace and aviation industries and to support the health and competitiveness of these industries in California. Would require the commission to make recommendations on legislative and administrative action that may be necessary or helpful to maintain or improve the state's aerospace and aviation industries and would authorize the commission to engage in various other activities in undertaking its mission and responsibilities, as specified.</p>	<p>SUPPORT (3/28/19) (Ltr to Asm Job, Econ Dev. & Econ Comm 4/1/19)</p>	<p>4/24/19 Assembly Appropriations Committee Suspense File</p>
<p>AB 1672 (Bloom)</p>	<p>Solid waste: flushable products. Would, among other things, on or after January 1, 2021, prohibit a covered entity, as defined, from labeling a covered product as safe to flush, safe for sewer systems, or safe for septic systems, unless the product is a flushable wipe that meets certain performance standards. Would require nonflushable products to be labeled clearly and conspicuously to communicate that they should not be flushed, as specified. Would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per violation to be imposed on a person who violates the bill's provisions.</p>	<p>RECOMMEND SUPPORT San Dist. supports</p>	<p>Assembly Appropriations Committee Hearing Date: 5/8/19</p>

ENVIRONMENT

<p>AB 470 (Limón)</p>	<p>California Green Business Program. Would establish the California Green Business Program within the California Environmental Protection Agency. Would require the California Green Business Program to, among other things, develop baseline, beyond compliance, sector-specific environmental standards, as defined, for green business certification programs operated by local governments or their designees. Would also provide for the establishment of these local programs, which would certify small- and medium-sized businesses and public agencies as California green businesses, or an equivalent designation of the local program's choosing, for voluntarily adopting environmentally preferable business practices, including, but not limited to, increased energy efficiency, pollution prevention, reduced greenhouse gas emissions reduction, water conservation, waste reduction practices, & efficient and active transportation initiatives.</p>	<p>MONITOR</p>	<p>4/3/19 Assembly Appropriations Suspense File</p>
<p>AB 740 (Burke)</p>	<p>Climate Change Catastrophe Compensation Fund. Would establish the Climate Change Catastrophe Compensation Fund to ensure that victims of wildfires caused by climate change are compensated in a timely manner, to provide reimbursements to insurers for a portion of those wildfire losses, and to avoid lengthy legal proceedings. Would specify that the funding sources for the fund include the Greenhouse Gas Reduction Fund and the State Budget process. Would authorize an insurer, an insured who becomes underinsured due to construction demand surge, and a local government to seek reimbursement from the fund.</p>	<p>RECOMMEND SUPPORT AT REQUEST OF AUTHOR</p>	<p>Assembly Appropriations Committee Hearing Date: 5/8/19</p>

FINANCE

<p>SB 5 (Beall)</p>	<p>AMENDED 4/23/19 Affordable Housing and Community Development Investment Program. would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. Would authorize a city,</p>	<p>SUPPORT (3/28/19) (Ltr to Sen Housing Comm 4/1/19)</p>	<p>4/29/19 Senate Appropriations Committee Suspense File</p>
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	county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria. Would also authorize certain local agencies to establish an affordable housing and community development investment agency and authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program.	LCC supports	
SB 732 (Allen)	Transactions and use tax: South Coast Air Quality Management District. Authorizes the south coast district board to impose a transactions and use tax within the boundaries of the south coast district, as specified, with the moneys generated from the transactions & use tax to be used to supplement existing revenues being used for south coast district purposes, as specified.	MONITOR	Senate Appropriations Committee Hearing Date: 5/13/19

HOUSING & HOMELESSNESS

AB 36 (Bloom)	Residential tenancies: rent control. Would modify provisions of the Costa-Hawkins Rental Housing Act to authorize an owner of residential real property to establish the initial and all subsequent rental rates for a dwelling or unit that has been issued its first certificate of occupancy within 20 years of the date upon which the owner seeks to establish the initial or subsequent rental rate, or for a dwelling or unit that is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision and the owner is a natural person who owns 10 or fewer residential units within the same jurisdiction as the dwelling or unit for which the owner seeks to establish the initial or subsequent rental rate, subject to certain exceptions.	MONITOR	4/25/19 Assembly Rules Committee
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<p>AB 68 (Ting)</p>	<p>Land use: accessory dwelling units. Expands ministerial approval of ADUs to include multiple ADUs in existing multifamily dwellings, multiple detached ADUs on the same lot as a multifamily dwelling and an ADU and a JADU on one lot, under specified conditions. Requires local agencies to ministerially approve a building permit for certain ADUs and JADUs in 60 days (instead of 120 days) from the time of receipt of the completed application. Provides that a local ADU ordinance cannot impose lot coverage standards or require minimum lot size or certain setbacks, and cannot require offstreet parking to be replaced when existing parking like a garage, carport or covered parking structure is demolished for the construction or conversion of an ADU. Authorizes the Department of Housing and Community Development (HCD) to submit written findings to a local agency regarding whether the local ordinance complies with state law and requires the local agency, within 30 days, to respond by either amending its ordinance or adopting a resolution with findings explaining the reason the ordinance complies, and allows HCD to notify the attorney general (AG) that the local agency is in violation.</p>	<p>RECOMMEND OPPOSE</p>	<p>4/24/19 Assembly Appropriations Committee Suspense File</p>
<p>AB 302 (Berman)</p>	<p>Parking: homeless students. Would require a community college campus that has parking facilities on campus to grant overnight access to those facilities, on or before July 1, 2020, to any homeless student who is enrolled in coursework, has paid any enrollment fees that have not been waived, and is in good standing with the community college, for the purpose of sleeping in the student's vehicle overnight. Would require the governing board of the community college district to determine a plan of action to implement this requirement, as specified.</p>	<p>MONITOR</p>	<p>5/1/19 Assembly Appropriations Committee Suspense File</p>
<p>AB 881 (Bloom)</p>	<p>Accessory dwelling units. Limits the criteria by which a local agency can determine where ADUs may be permitted to the adequacy of water and sewer services and the impact of ADUs on traffic flow and public safety. Requires local agencies to ministerially approve ADUs on lots with multi-family residences and within existing garages. Removes, until January 1, 2025, the authority for local agencies to require that applicants for ADUs be owner occupants and removes the ability for cities to require owner occupancy for either the primary or the accessory dwelling unit. Specifies that, in measuring one-half mile from public transit for purposes of applying parking requirements, it is measured in</p>	<p>RECOMMEND OPPOSE</p> <p>LCC Opposes unless amended</p>	<p>5/6/19 Assembly 3rd Reading</p>

	walking distance. 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. Adds a definition of "accessory structure" to mean a structure that is accessory and incidental to a dwelling located on the same lot.		
SB 6 (Beall)	Residential development: available land. Would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. Would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet web. Would require for any housing element adopted on or after January 1, 2021, that an electronic copy of the inventory of land suitable for residential development be submitted to the Department of Housing and Community Development.	MONITOR	4/29/19 Senate Appropriations Committee Suspense File
SB 50 (Wiener)	AMENDED 5/1/19 Planning and zoning: housing development: incentives. Would authorize a development proponent of a neighborhood multifamily project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. Would define a "neighborhood multifamily project" to mean a project to construct a multifamily structure on vacant land, or to convert an existing structure that does not require substantial exterior alteration into a multifamily structure, consisting of up to 4 residential dwelling units and that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019. Would also define "eligible parcel" to mean a parcel that meets specified requirements, including requirements relating to the location of the parcel and restricting the demolition of certain housing development that may already exist on the site. Would require a local agency to notify the development proponent in writing if the local agency determines that the development conflicts with any of the requirements provided for streamlined ministerial approval; otherwise, the development is deemed to comply with those requirements. Would limit the authority of a local agency to impose parking standards or	OPPOSE (2/11/19) (ltr to Sen Housing Comm 2/20/19; ltr re: amended version 4/1/19)	Senate Appropriations Committee Hearing Date: 5/13/19

	<p>requirements on a streamlined development approved pursuant to these provisions, as provided. Would provide that the approval of a project under these provisions expires automatically after 3 years, unless that project qualifies for a one-time, one-year extension of that approval. Would provide that approval pursuant to its provisions would remain valid for 3 years and remain valid thereafter, so long as vertical construction of the development has begun and is in progress, and would authorize a discretionary one-year extension, as provided. Would prohibit a local agency from adopting any requirement that applies to a project solely or partially on the basis that the project receives ministerial or streamlined approval pursuant to these provisions. Would allow a local agency to exempt a project from the streamlined ministerial approval process described above by finding that the project will cause a specific adverse impact to public health and safety, and there is no feasible method to satisfactorily mitigate or avoid the adverse impact. Would require a city, county, or city and county to grant upon request an equitable communities incentive when a development proponent seeks and agrees to construct a residential development, as defined, that satisfies specified criteria, including, among other things, that the residential development is either a job-rich housing project or a transit-rich housing project, as those terms are defined; the site does not contain, or has not contained, housing occupied by tenants or accommodations withdrawn from rent or lease in accordance with specified law within specified time periods; and the residential development complies with specified additional requirements under existing law. Would impose additional requirements on a residential development located within a county with a population equal to or less than 600,000. Would require that a residential development within a county with a population greater than 600,000 that is eligible for an equitable communities incentive receive, upon request, waivers from maximum controls on density and minimum automobile parking requirements greater than 0.5 parking spots per unit. Would require that a residential development also receive specified additional waivers if the residential development is located within a 1/2-mile or 1/4-mile radius of a major transit stop, as defined. Would require a local government to grant an equitable communities incentive unless it makes a specified finding regarding the effects of the incentive on any real property or</p>		
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	historic district that is listed on a federal or state register of historical resources. Would authorize a local government to modify or expand the terms of an equitable communities incentive, provided that the equitable communities incentive is consistent with these provisions.		
SB 127 (Wiener)	Transportation funding: active transportation: complete streets. Would require Caltrans, commencing with the 2022 State Highway Operation and Protection Program, when undertaking any capital improvement project on a state highway or a local street crossing a state highway that is funded through the SHOPP to include new pedestrian and bicycle facilities, or improve existing facilities, as part of the project. Would establish a Division of Active Transportation within Caltrans to oversee the existing Active Transportation Program and require that an undersecretary of the Transportation Agency be assigned to it.	OPPOSE (2/11/19) (ltr to Sen Housing Comm 2/20/19)	Senate Appropriations Committee Hearing Date: 5/13/19
SB 330 (Skinner)	Housing Crisis Act of 2019. The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based on a preponderance of the evidence in the record. The act specifies that one way to satisfy that requirement is to make findings that the housing development project or emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete. The act requires a local agency that proposes to disapprove a housing development project that complies with applicable, objective general plan and zoning standards and criteria that were in effect at the time the application was deemed to be complete, or to approve it on the condition that it be developed at a lower density, to base its decision upon written findings supported by substantial evidence on the record that specified conditions exist, and places the burden of proof on the local agency to that effect. The act requires a court to impose a fine on a local agency under certain circumstances and requires that the fine be at least \$10,000 per housing unit in the housing development project on the date the application was deemed complete. Until January 1, 2030, would	OPPOSE (3/28/19) (Ltr to Sen G & F Comm 4/9/19)	Senate Appropriations Committee Hearing Date: 5/13/19

	specify that an application is deemed complete for these purposes if a complete initial application was submitted, as described.		
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PUBLIC SAFETY

<p>AB 1190 (Irwin)</p>	<p>Unmanned aircraft: state and local regulation: limitations. Would, among other things, prohibit a state or local agency from adopting any law or regulation that bans the operation of an unmanned aircraft system. Would also authorize a state or local agency to adopt regulations to enforce FAA regulations regarding the operation of unmanned aircraft systems and would authorize state and local agencies to regulate the operation of unmanned aircraft and unmanned aircraft systems within their jurisdictions, as specified. Would also authorize a state or local agency to require an unmanned aircraft operator to provide proof of federal, state, or local registration to licensing or enforcement officials. Would authorize a local entity to designate a recreational operating area for unmanned aircraft operation. Would immunize a local entity that designates such a recreational are from liability for injury or damage associated with unmanned aircraft operation, if specified signage is posted.</p>	<p>MONITOR LCC supports</p>	<p>5/2/19 Assembly 3rd Reading</p>
<p>AB 1356 (Ting)</p>	<p>Cannabis: local jurisdictions: retail commercial cannabis activity. This bill, if more than 50% of the electorate of a local jurisdiction voted in favor of Control, Regulate and Tax Adult Use of Marijuana Act of 2016 (AUMA), would require a local jurisdiction to issue a minimum number of local licenses authorizing specified retail cannabis commercial activity within that jurisdiction that would be permitted by a retailer license issued under The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). Would require the minimum number of those local licenses required to be issued in that jurisdiction to be 25% of the number of currently active on-sale general licenses for alcoholic beverage sales in that jurisdiction, as specified, unless the minimum number would result in a ratio greater than one local license for retail cannabis commercial activity for every 10,000 residents of the local jurisdiction, in which case the bill would require the minimum number to be determined by dividing the number of residents in the local jurisdiction by 10,000 and rounding down to the nearest whole number.</p>	<p>OPPOSE 4/25/19 (Ltr to Asm Bus & Prof Comm for hearing authorized by SBCCOG officers)</p>	<p>5/8/19 Assembly Appropriations Committee Suspense File</p>

	<p>Would authorize a local jurisdiction to impose a fee on licensees to cover the regulatory costs of issuing those local licenses. Would allow any local jurisdiction subject to the requirements of this bill that wants to establish a lower amount of these local licenses to submit an ordinance or other law, that clearly specifies the level of participation in the retail commercial cannabis market it would allow, to the electorate of that local jurisdiction at the next regularly scheduled local election following the operative date of this bill. Would provide that the local ordinance or other local law becomes effective if approved by more than 50% of its electorate. Would require the local jurisdiction to issue those licenses as otherwise required by this bill within a specified period of time if a local jurisdiction subject to the requirements of this bill does not submit a local ordinance or other local law regarding the lower amount of licenses to the electorate, or that local ordinance or other local law fails to receive more than 50% of the approval of the electorate voting on the issue. Would provide that these provisions are prohibited from being construed to require a local jurisdiction to authorize adult-use retail cannabis commercial activity.</p>		
<p>AB 1530 (Cooley)</p>	<p>Unauthorized cannabis activity reduction grants: local jurisdiction restrictions on cannabis delivery. Would require the Board of State and Community Corrections to create and administer a program of grants to be made on a competitive basis to cities, counties, and joint powers authorities to establish or expand an enforcement program against unauthorized cannabis activity, as defined, and provide consumer education about the difference between licensed or legal cannabis activity and unlicensed or illegal cannabis activity. Would require the board to create an evaluation design for unauthorized cannabis activity reduction grants that assesses the effectiveness of the grant programs in reducing cannabis-related crime and increasing public knowledge of cannabis regulation and, commencing January 1, 2022, and annually thereafter until January 1, 2025, to submit a report to the Legislature based on the evaluation design. Would authorize the board to use up to 2.5% of the money appropriated for this program for administration of the grant program and the development of the evaluation component.</p>	<p>RECOMMEND SUPPORT LCC supports</p>	<p>Assembly Business & Professions Committee 4/9/19 failed passage, reconsideration granted</p>

TRANSPORTATION

<p>AB 326 (Muratsuchi)</p>	<p>Vehicles: motorized carrying devices. Would define a motorized carrying device and would authorize the use of a motorized carrying device, in accordance with specified rules, on sidewalks and crosswalks.</p>	<p>MONITOR</p>	<p>4/24/19 Assembly Appropriations Committee</p>
<p>AB 659 (Mullin)</p>	<p>Transportation: emerging transportation technologies: California Smart City Challenge Grant Program. Creates a competitive grant program—the California Smart City Challenge Grant Program—by which local governments compete for funding to adopt and implement emerging transportation technologies that achieve a number of specified transportation, economic and environmental goals. Requires the California Transportation Commission (CTC) to form a workgroup to guide CTC’s development and revision of grant program guidelines and its administration of the grant program. Suggests workgroup members to include representatives of local government in both urban and rural areas, local transportation organizations from both urban and rural areas, local transit unions and the University of California’s Institute of Transportation Studies; however, the bill does not require the workgroup include representation from such organizations. Conditions implementation of the grant program upon an annual budget act appropriation, not to exceed \$10 million, from Proposition 1B—the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006.</p>	<p>RECOMMEND SUPPORT LCC supports</p>	<p>4/10/19 Assembly Appropriations Committee Suspense File</p>
<p>AB 1286 (Muratsuchi)</p>	<p>Shared mobility devices: agreements. Would require a shared mobility service provider, as defined, to enter into an agreement with the city or county with jurisdiction over the area of use that requires the provider to maintain a specified amount of commercial general liability insurance and prohibits the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. Would define shared mobility device to mean an electrically motorized board, motorized skateboard, electric bicycle, bicycle, or other similar person transportation device. Would require a city or county that authorizes a shared mobility device provider to operate within its jurisdiction on or after January 1, 2020, to adopt operation, parking, maintenance, and safety rules regarding the use of the shared mobility devices in its jurisdiction before the provider may offer shared mobility devices for rent or use. Would require a city</p>	<p>MONITOR LCC sponsor</p>	<p>5/2/19 Assembly 3rd Reading</p>

	or county that authorized a provider to operate within its jurisdiction before January 1, 2020, and continues to provide that authorization to adopt those operation, parking, maintenance, and safety rules by January 1, 2021.		
SB 400 (Umberg)	Reduction of greenhouse gases emissions: mobility options. Existing law establishes the Clean Cars 4 All Program, which is administered by the State Air Resources Board to focus on achieving reductions in the emissions of greenhouse gases, improvements in air quality, and benefits to low-income state residents through the replacement of high-polluter motor vehicles with cleaner and more efficient motor vehicles or a mobility option. Existing law defines specified terms, including mobility optionS, which means a voucher for public transit or car sharing for purposes of the program. This bill would additionally provide that mobility options also include bike sharing and electric bicycles.	RECOMMEND SUPPORT	5/7/19 Senate Third Reading

FEDERAL

HR 530 (Eshoo)	Accelerating Wireless Broadband Deployment by Empowering Local Communities Act of 2019. Overturns the FCC's September order preempting local authority over small cell wireless infrastructure on January 14, the day the order took effect. Would not preclude future FCC or congressional preemption of cities on wireless infrastructure, but it would halt the FCC's harmful preemption order, which ignored the input of hundreds of local governments. The bill also complements ongoing efforts to overturn the FCC order in federal courts, and the investigation by congressional leaders into alleged attempts by the FCC to thwart that litigation.	SUPPORT & REQUEST CO- SPONSORS (2/11/19) Endorsed by NLC, NATOA, NAC	1/31/19 House Energy & Commerce Committee - Subcommittee on Communications & Technology
HR 1507 (Blumenauer)	The Bicycle Commuter Act of 2019. Official summary in progress. Would allow cyclists to deduct more than \$50 per month and write off bike-share memberships.	MONITOR	3/5/19 House Ways and Means Committee

STATE LEGISLATIVE CALENDAR

- May 10 Last day for policy committees to meet prior to June 3
- May 17 Last day for fiscal committees to meet and report to the floor bills introduced in their house. Last day for fiscal committees to meet prior to June 3
- May 28-31 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees
- May 31 Last day for each house to pass bills introduced in that house
- June 3 Committee meetings may resume
- June 15 Budget Bill must be passed by midnight
- July 10 Last day for policy committees to hear and report fiscal bills to fiscal committees
- July 12 Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment
- Aug. 12 Legislature reconvenes from Summer Recess
- Aug. 30 Last day for fiscal committees to meet and report bills
- Sept. 3-13 Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees
- Sept. 6 Last day to amend bills on the floor
- Sept. 13 Last day for any bill to be passed. Interim Recess begins upon adjournment

NEW LAWS

AB 147 (Burke D) Use taxes: collection: retailer engaged in business in this state: marketplace facilitators. SBCCOG supported

2 YEAR BILLS

AB 148 (Quirk-Silva D) Regional transportation plans: sustainable communities strategies. – SBCCOG monitored

Would require each sustainable communities strategy to identify areas within the region sufficient to house an 8-year projection of the emergency shelter needs for the region, as specified