



TO: South Bay Cities COG Board of Directors
FR: Jeff Kiernan, League of California Cities
RE: Cal Cities Update & Priority Bill List for 5/27/2021 Meeting (prepared May 18)

MAY REVISE TO THE STATE BUDGET

The League of California Cities has issued a detailed [analysis](#) of the Governor's \$267.8 billion revised May budget proposal. The revision is a full \$40 billion larger than the budget he proposed just four months ago and includes stimulus checks for most Californians, an expansion of small business grants and tax credits, \$20 billion in public education investments, \$11 billion in transportation systems, \$7 billion for broadband deployment, and \$5.1 billion in drought support.

Unlike the State which is working with a one-time surplus of more than \$75 billion, local governments are still facing a \$2 billion financial loss even *after* the American Rescue Plan Act funds from the federal government. For this reason, the League of California Cities has requested \$10 billion in state funds for local cities, including:

- **\$2 billion in direct & flexible aid** for those cities that still have local budget gaps after the distribution of the American Rescue Plan Act funds;
- **\$5 billion for evidence-based homelessness and housing solutions;**
- **\$3 billion for broadband infrastructure;**
- **\$225 million to help fund the mandates to divert organic waste from landfills** (SB 1383 implementation).

UPCOMING EVENTS

June 3 from 6 – 7 PM [LA County Division General Membership Meeting w/ State Treasurer Fiona Ma](#) (virtual)

August 5 from 6 – 8:30 PM LA County Division Annual Installation Ceremony & Dinner (*in-person!*)

September 22 – 24: League of California Cities Annual Conference in Sacramento. YES, we are currently anticipating this will be an in-person conference. Details as they become available at www.CACities.org/AC

PRIORITY BILLS LIST

The League of California Cities is currently monitoring almost 1400 pieces of legislation and we have positions on nearly 70 bills. Due to the sheer volume of bills we are tracking, Cal Cities focuses on bills that are active and moving through the legislature. Our priority is to focus our advocacy on bills that have been assigned to a legislative committee and scheduled for a hearing. This practice helps Cal Cities avoid writing position letters on bills that may be amended prior to their first hearing or for bills that are never scheduled for a hearing.

Key legislative deadlines that will make or break bills are upon us... **May 7** was the deadline for non-fiscal bills to advance to the floor of their first house. **May 21** is the deadline for a fiscal bill to pass out of appropriations in the first house. **June 4** is the deadline for all bills to cross over to the other house. Any bills that do not meet these deadlines will become 2-year bills and will be on hold until JAN 2022.

Cal Cities lobbyists have identified these 16 bills as priorities at our recent Legislative Action Days:

- **[AB 14 \(Aguiar-Curry\) Communications. Broadband Services. California Advanced Services Fund.](#)** This measure would reform the existing California Advanced Services Fund (CASF) surcharge to help close the digital divide. Specifically, it would continue the collection of the CASF fund beyond its original 2022 sunset date, and make it easier for local governments to apply for these infrastructure grants. This would create a long-term sustainable funding source for cities for broadband deployment. Cal Cities Position: Support
- **[AB 215 \(Chiu\) Housing Element: Regional Housing Need. Relative Progress Determination.](#)** This measure would require cities to have a mid-cycle housing element consultation with the Department of Housing and Community Development (HCD) if housing production is below the regional average; require cities to amend their laws so as to attain HCD's "pro-housing designation" if housing production is substantially below the regional average; and allow the Attorney General to enforce violations of the Housing Crisis Act of 2019 (SB 330, Skinner). Cal Cities Position: Oppose

- **[AB 339 \(Lee\)](#) Local Government. Open and Public Meetings.** This measure was significantly amended on May 4 in the Assembly Local Government Committee to only require telephonic or internet based call-in options for city councils and boards of supervisors with jurisdictions larger than 250,000 people. The prior requirements related to translation and interpretation services have been moved and the amended measure now sunsets on December 31, 2023. Cal Cities Position: Oppose
- **[AB 377 \(Rivas\)](#) Water Quality. Impaired Waters.** This measure would overhaul the existing regulatory system for storm water and add significant costs to local governments to pay for storm water and water quality infrastructure. Additionally, AB 377 would circumvent the regulatory discretion and permitting processes of the State Water Resources Control Board and Regional Water Quality Control Boards, and impose strict penalties on cities who are not in compliance with State Water Resources Control Board orders. Cal Cities Position: Oppose. [Los Angeles County Division Position: Oppose.](#)
- **[AB 989 \(Gabriel\)](#) Housing Accountability Act. Appeals. Housing Accountability Committee.** This measure would establish a housing appeals committee and would establish procedures by which an applicant who proposes a housing development project pursuant to the Housing Accountability Act may appeal a local agency's decision on the project application to the committee. Cal Cities Position: Oppose
- **[AB 1401 \(Friedman\)](#) Residential and Commercial Development. Parking Requirements.** This measure would prohibit a local government from imposing a minimum parking requirement, or enforcing a minimum parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit or located within a low-vehicle miles traveled area. Cal Cities Position: Oppose
- **[SB 2 \(Bradford\)](#) Peace Officers. Certification. Civil Rights.** This measure would set standards for peace officer decertification and eliminates qualified immunity for peace officers and custodial officers, or public entities employing peace officers or custodial officers sued under the act. Cal Cities Position: Oppose
- **[SB 4 \(Gonzalez\)](#) Communications. California Advanced Services Fund. Deaf and Disabled Telecommunications Program. Surcharges.** This measure would reform the existing California Advanced Services Fund (CASF) surcharge to help close the digital divide. Specifically, it would continue the collection of the CASF fund beyond its original 2022 sunset date, and make it easier for local governments to apply for these infrastructure grants. This would create a long-term sustainable funding source for cities for broadband deployment. Cal Cities Position: Support. [Los Angeles County Division Position: Support.](#)
- **[SB 9 \(Atkins\)](#) Housing and Development. Approvals.** This bill would require a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Additionally, this measure would require local governments to ministerially approve urban lot splits. Cal Cities Position: Oppose. [Los Angeles County Division Position: Oppose.](#)
- **[SB 16 \(Skinner\)](#) Peace Officers. Release of Records.** This measure would make every incident involving use of force, sustained findings of unlawful arrests and unlawful searches, and incidents where a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes to be subject to disclosure. Additionally, SB 16 would require indefinite retention of all complaints and related reports or findings currently in the possession of a department or agency. Cal Cities Position: Oppose
- **[SB 210 \(Wiener\)](#) Automated License Plate Recognition Systems. Use of Data.** This measure would require Automated License Plate Reader data that does not match a hot list be destroyed within 24 hours. Cal Cities Position: Oppose
- **[SB 278 \(Leyva\)](#) Public Employees' Retirement System. Disallowed Compensation. Benefit Adjustments.** This bill would require public agencies to directly pay retirees and/or their beneficiaries disallowed retirement benefits using their general fund dollars. Cal Cities Position: Oppose. [Los Angeles County Division Position: Oppose.](#)
- **[SB 555 \(McGuire\)](#) Local Agencies. Transient Occupancy Taxes. Short-Term Rental Facilitator. Collection.** This measure would provide an opt-in program for cities to delegate short-term rental Transient Occupancy Taxes collection authority to the California Department of Tax and Fee Administration. Cal Cities Position: Oppose Unless Amended
- **[SB 556 \(Dodd\)](#) Street Light Poles, Traffic Signal Poles. Small Wireless Facilities Attachments.** This measure would directly conflict with Federal Communications Commission's adopted regulations on wireless services deployment. It would require local governments to make space available on street light poles, traffic signal

poles, utility poles, and other public infrastructure to telecommunications providers. Additionally, SB 556 would create ambiguity in the fees local governments can charge for access to their infrastructure. Cal Cities Position: Oppose. [Los Angeles County Division Position: Oppose.](#)

- **[SB 617 \(Wiener\)](#) Residential Solar Energy Systems. Permitting.** This measure would require every city in a county with a population of 150,000 or more, by September 2023, to implement an online, automated permitting platform that verifies code compliance and issues permits for a residential photovoltaic solar energy system and an energy storage system paired with a residential photovoltaic solar energy system. Cal Cities Position: Oppose
- **[SB 619 \(Laird\)](#) Organic Waste. Reduction Regulations.** This measure would seek to help local governments implement SB 1383 (Lara, 2016), and the subsequent CalRecycle organic waste regulations. Cal Cities Position: Support

In addition to the notations on the applicable bills above, the [Los Angeles County Division](#) has also taken positions on these bills of significant interest:

- **[AB 818 \(Bloom\)](#) Solid waste: premoistened nonwoven disposable wipes.** Establishes standardized labeling for single-use wet wipes to provide clear and consistent consumer information about what products are not safe to flush. Division Position: Support
- **[AB 1053 \(Gabriel\)](#) City selection committee: quorum: teleconferencing.** Would allow City Selection Committee meetings to lower quorum requirements to one-third and allow meetings to be conducted by teleconference and electronic means. Division Position: Support
- **[SB 15 \(Portantino\)](#) Housing development: incentives: rezoning of idle retail sites.** A reintroduction of last year's SB 1299, this bill would enable cities that rezone, build, and certify new occupancy of idle big box retail sites or commercial shopping centers into workforce multi-family housing to receive the average of the annual amount of sales tax revenue generated by that site for the last seven (7) years. The program would be administered by the Department of Housing and Community Development and requires annual appropriation by the legislature. Division Position: Co-Sponsor
- **[SB 342 \(Gonzalez\)](#) South Coast Air Quality Management District: board membership.** Would add two additional seats to the South Coast Air Quality Management District (SCAQMD) Governing Board to be filled by persons residing in and working directly with pollution-burdened and vulnerable communities and issues of environmental justice in the South Coast Air Basin. Division Position: Oppose Unless Amended
- **[SB 426 \(Rubio\)](#) Municipal separate storm sewer: financial capability analysis.** Would require the State Water Resources Control Board to adopt Financial Capability Assessment (FCA) guidelines for Municipal Separate Storm Sewer System (MS4) permittees that consider the costs to local jurisdictions. Division Position: Support
- **[SB 590 \(Allen\)](#) 2022 statewide primary election: terms of office.** Resolves an issue for some local city council terms caused by the signing of SB 970 (Umberg, 2020) which moved California's statewide primary in gubernatorial years from March to June to assist in making sure all levels of government have the appropriate amount of time to engage in districting and redistricting as required by the law. Division Position: Support