

## South Bay Cities Council of Governments

July 23, 2020

TO: SBCCOG Board of Directors

FROM: SBCCOG Steering Committee

RE: Bills to Monitor and for Action – **Status as of July 23, 2020**

### Adherence to Strategic Plan:

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

### **RECOMMENDATION TO ADD TO AGENDA – SEE ATTACHED MEMO:**

**SUPPORT AB 570 re: BROADBAND & AB 2122 re: CANNABIS PENALTIES FOR ILLEGAL OPERATIONS**

**OPPOSE PROPOSED COUNTY CHARTER AMENDMENT RE: ALLOCATING FUNDING FOR COMMUNITY INVESTMENT**

### FINANCE

<p>SB 795 (Beall)</p>	<p>Economic development: housing: workforce development: climate change infrastructure. Would continuously appropriate the sum of \$10,000,000,000 from the General Fund for expenditure over the 2020–21 fiscal year and each of the 4 following fiscal years. Of that amount, would require the Controller to allocate for each of those fiscal years \$1,805,000,000 among various housing programs administered by the Department of Housing and Community Development, the Homeless Housing, Assistance, and Prevention program, and for distribution by the California Workforce Development Board among local agencies to participate in, invest in, or partner with new or existing pre-apprenticeship training programs established as described above. Would require the Business, Consumer Services, and Housing Agency to establish deadlines for applications and submitting final reports under the Homeless Housing, Assistance, and Prevention program with respect to moneys allocated to programs under the bill.</p>	<p>SUPPORT (5/28/20)  (Ltr to Sen Approp. 6/4/20)  SUPPORT (2/27/20)</p>	<p>6/29/20 Assembly Housing &amp; Community Dev. Comm.</p>
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### HOUSING

<p>AB 725 (Wicks)</p>	<p>General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions. The purpose of this bill is to facilitate the development of more medium density housing at moderate and above-moderate incomes, akin to the requirement for very low- and low-income</p>	<p><b>RECOMMEND OPPOSE</b></p>	<p>6/23/20 Senate Committee on Housing</p>
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	housing. It requires at least 25% of the jurisdiction's share of the regional housing need for both moderate-income and above moderate-income housing be allocated to sites with zoning that allows at least two units of housing, but no more than 35 units per acre of housing. Such density would enable the production of medium-density housing on these sites that typically are subject to more restrictive zoning currently. For a typical jurisdiction, this bill would increase the minimum percentage of land zoned for multi-family housing from approximately 40% to 55%.	INHIBITS LOCAL CONTROL	
AB 1851 (Wicks)	Religious institution affiliated housing development projects: parking requirements. Allows a religious institution to develop an affordable housing project at a place of worship owned by the religious institution even if the development requires the religious institution to reduce the number of religious-use parking spaces available at the place of worship.	<b>RECOMMEND OPPOSE</b>  INHIBITS LOCAL CONTROL	7/1/20 Senate Government & Finance Committee
AB 2168 (McCarty)	Planning and zoning: electric vehicle charging stations: permit application: approval - would require an application to install an electric vehicle charging station to be deemed complete if, 5 business days after the application was submitted, the building official of the city, county, or city and county has not deemed the application complete, as specified, and if the building official has not issued a one-written correction notice, as specified. The bill would require an application to install an electric vehicle charging station to be deemed approved if 15 business days after the application was deemed complete certain conditions are met, including that the building official of the city, county, or city and county has not approved the application, as specified, and the building official has not made findings that the proposed installation could have an adverse impact, as described above, and required the applicant to apply for a use permit.	<b>RECOMMEND OPPOSE</b>  Still in first house  LCC opposes	5/5/20 Assembly Local Government Committee
AB 2345 (Gonzalez)	Planning and zoning: density bonuses: annual report: affordable housing. - Revises Density Bonus Law to increase the maximum allowable density and the number of concessions and incentives a developer can seek.	<b>RECOMMEND OPPOSE</b>  INHIBITS LOCAL CONTROL	7/1/20 Senate Housing Committee
AB 3107 (Bloom)	Planning and zoning: general plan: housing development. Notwithstanding any inconsistent provision of a city's or county's general plan, specific plan, zoning ordinance, or regulation, would require that a housing development be an authorized use on a site	OPPOSE (5/28/20)	7/1/20 Senate Housing Committee

	designated in any element of the general plan for commercial uses if certain conditions apply. Among these conditions, would require that the housing development be subject to a recorded deed restriction requiring that at least 20% of the units have an affordable housing cost or affordable rent for lower income households, as those terms are defined, and located on a site that satisfies specified criteria. Would require the city or county to apply certain height, density, and floor area ratio standards to a housing development that meets these criteria. Would require a jurisdiction to comply with these requirements only until it has completed the rezoning, required as described above, for the 6th revision of its housing element. Would repeal these provisions as of Jan 1, 2030.	Based on responses from city Community Dev. Directors  (Ltr to Asm Approp 6/4/20)	
SB 902 (Wiener)	AMENDED 5/21/20: Planning and zoning: housing development: density. Would authorize a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to 10 units of residential density per parcel, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. Would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria. Would specify that an ordinance adopted under these provisions is not a project for purposes of California Environmental Quality Act.	OPPOSE (5/28/20) (4/23/20)  (Ltr to Sen Approp. 6/4/20)  (Ltr sent to Sen.Housing 5/4/20)	6/29/20 Assembly Local Government Committee
SB 995 (Atkins)	Environmental Quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011: housing projects - would require a lead agency to prepare a master EIR for a general plan, plan amendment, plan element, or specified plan for housing projects where the state has provided funding for the preparation of the master EIR.	MONITOR	6/29/20 Assembly Natural Resources Committee
SB 1085 (Skinner)	Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints - would require a unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based. Specific % of units in bill, and parking spaces, etc.	<b>RECOMMEND OPPOSE</b>  INHIBITS LOCAL CONTROL	6/29/20 Assembly Housing & Community Development Committee

SB 1120 (Atkins)	Subdivisions: tentative maps. Would require a proposed housing development containing 2 residential units to be considered ministerially, without discretionary review or hearing, in zones where allowable uses are limited to single-family residential development if the proposed housing development meets certain requirements, including that the proposed housing development would not require demolition or alteration requiring evacuation or eviction of an existing housing unit that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.	OPPOSE (6/8/20) (Ltr to Sen Approp Comm 6/8/20)	6/29/20 Assembly Local Government Committee
SB 1138 (Wiener)	Housing element: emergency shelters: rezoning of sites - requires localities that fail to adopt a legally compliant housing element within 120 days of the statutory deadline, to complete a rezone program within one year instead of the current three-year requirement.	<b>RECOMMEND OPPOSE</b>  INHIBITS LOCAL CONTROL	6/29/20 Assembly Housing & Community Dev. Comm.
SB 1299 (Portantino)	Housing Development. Incentives. Rezoning of Idle Retail Sites. Would, upon appropriation by the Legislature, require HCD to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing. It provides for 7 years of property tax based on commercial status if changed to housing.	SUPPORT (5/28/20)  (Ltr to Sen Approp. 6/4/20)  LCC supports	6/29/20 Assembly Housing & Community Dev. Comm.
SB 1385 (Caballero)	Local Planning. Housing in Commercial Zones. This measure, the Neighborhood Homes Act, would deem a housing development project, as defined, an authorized use on a neighborhood lot that is zoned for office or retail commercial use under a local agency's zoning code or general plan. Would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.	MONITOR	6/29/20 Assembly Local Government Committee

PUBLIC SAFETY

<b>AB 1314 (McCarty)</b>	<b>Law enforcement use of force settlements and judgements: reporting: Would require municipalities, as defined, to annually post on their internet websites specified information</b>	<b>RECOMMEND SUPPORT</b>	6/29/20 Assembly Local Government Committee
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	relating to use of force settlements and judgements, including amounts paid, broken down by individual settlement and judgment, information on bonds used to finance use of force settlement and judgment payments, and premiums paid for insurance against use of force settlements or judgements.		<i>Steering Committee asked for more information re: Contract City compliance. SBCCOG staff spoke with Contract Cities &amp; Sheriff rep. The Sheriff would comply but since this is proposed legislation &amp; not a law, the details aren't exactly known but they could disaggregate the data by city or supervisorial district.</i>
<b>AB 2122 (Rubio, Blanca)</b>	<b>Unlawful cannabis activity: enforcement. Would impose a civil penalty on persons aiding and abetting unlicensed commercial cannabis activity of up to \$30,000 for each violation. Would prohibit an action for civil penalties brought against a person pursuant to MAUCRSA from commencing unless the action is filed within 3 years from the first date of discovery of the violation by a licensing authority or a participating agency, whichever is earlier or earliest.</b>	<b>RECOMMEND SUPPORT</b>  <b>LCC supports</b>	<b>7/1/20 Senate Judiciary Committee</b>

TELECOMMUNICATIONS

POTENTIAL MURATSUCHI BALLOT MEASURE – REMOVED PER AUTHOR

<b>AB 570 (Aguiar- Curry) &amp; Muratsuchi</b>	<b>Communications: broadband services: California Advanced Services Fund. Current law specifies that moneys in the Broadband Public Housing Account are available for the Public Utilities Commission to award grants and loans to an eligible publicly supported community to finance a project to connect broadband network to that publicly supported community. Communications: broadband services: California Advanced Services Fund.</b>	<b>RECOMMEND SUPPORT</b>	<b>7/2/20 Senate Energy, Utility &amp; Commerce Committee</b>
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	<p><b>Current law specifies that moneys in the Broadband Public Housing Account are available for the Public Utilities Commission to award grants and loans to an eligible publicly supported community to finance a project to connect broadband network to that publicly supported community. Current law requires moneys in the Broadband Public Housing Account that have not been awarded by December 31, 2020, be transferred back to the Broadband Infrastructure Grant Account. This bill would revise the goal of the program to provide that its goal is to approve funding by an unspecified date, for infrastructure projects that will provide broadband access to no less than 98% of California households in each consortia region, as identified by the commission on or before January 1, 2017. The bill would establish the State Agency Direct Allocation Account in the CASF and would specify that the moneys in the account, upon appropriation by the Legislature, for various purposes, including upgrades to low-income census blocks to enable distance learning and telehealth and telemedicine.</b></p>		
<p>SB 1130 (Gonzalez)</p>	<p>Telecommunications: California Advanced Services Fund. Would require the Public Utilities Commission to develop, implement, and administer the California Advanced Services Fund program to encourage deployment of 21st century-ready communications, as provided. Would provide that the goal of the program is to, no later than December 31, 2024, approve funding for infrastructure projects that will provide high-capacity, future-proof infrastructure, as defined, based on current engineering and scientific information at the time of program application, as provided. Would require the commission, in approving infrastructure projects, to approve projects with a goal of providing high-capacity, future-proof infrastructure to households that are unserved areas, as defined, or unserved high-poverty areas, as defined. – <b>no new funds included per Muratsuchi</b></p>	<p><b>RECOMMEND SUPPORT</b></p> <p>LCC supports</p>	<p>Assembly Communications &amp; Conveyance Committee Hearing Date: 7/14/20 postponed</p>

FEDERAL

<p>HR 530 (Eshoo)</p>	<p>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</p>	<p>SUPPORT &amp; REQUEST CO-SPONSORS (2/11/19)</p>	<p>1/25/19 House Energy &amp; Commerce Committee - Subcommittee on</p>
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	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.	Endorsed by NLC, NATOA, NAC	Communications & Technology
HR 763 (Deutsch)	Energy Innovation & Carbon Dividend Act. Imposes a fee on the carbon content of fuels, including crude oil, natural gas, coal, or any other product derived from those fuels that will be used so as to emit greenhouse gases into the atmosphere. The fee is imposed on the producers or importers of the fuels and is equal to the greenhouse gas content of the fuel multiplied by the carbon fee rate. The rate begins at \$15 in 2019, increases by \$10 each year, and is subject to further adjustments based on the progress in meeting specified emissions reduction targets. Imposes a specified fee on fluorinated greenhouse gases.	SUPPORT (6/8/20)	1/25/19 House Ways & Means, Energy & Commerce, Foreign Affairs – referred to Subcommittee on Energy
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

### 2020 Legislative Session Calendar

July 27 Legislature reconvenes

#### DATES IN QUESTION:

July 31 Last day for policy committees to hear and report fiscal bills to fiscal committees

Aug. 7 Last day for policy committees to meet and report bills

Aug. 14 Last day for fiscal committees to meet and report bills

Aug. 17-31 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees

Aug. 21 Last day to amend bills on the floor

Aug. 31 Last day for each house to pass bills

Final Recess begins upon adjournment

Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 & in the Governor's possession on or after Sept. 1

Oct. 1 Bills enacted on or before this date take effect January 1, 2021.

Nov. 3 General Election.

Nov. 30 Adjournment sine die at midnight

Dec. 7 2021-22 Regular Session convenes for Organizational Session at 12 noon.