

South Bay Cities Council of Governments

June 28, 2018

TO: SBCCOG Board of Directors

FROM: Jacki Bacharach, SBCCOG Executive Director

RE: Bills to Monitor and for Action – **Status as of June 28, 2018**

Adherence to Strategic Plan:

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

ADMINISTRATIVE PROCEDURES

<p>AB 1250 (Jones-Sawyer)</p>	<p>Counties: contracts for personal services. Would allow a county or county agency to contract for personal services currently or customarily performed by employees, as applicable, when specified conditions are met. Among other things, would require the county to clearly demonstrate that the proposed contract will result in actual overall costs savings to the county and also to show that the contract does not cause the displacement of county workers. Would exempt certain types of contracts from its provisions, and would exempt a city and county from its provisions.</p>	<p>OPPOSE (5/8/17) (Ltr faxed to Asm Approps 5/9/17)</p>	<p>9/5/17 Senate Rules Committee LCC opposition removed</p>
-----------------------------------	--	---	---

ECONOMIC DEVELOPMENT

<p>AB 427 (Muratsuchi)</p>	<p>California Aerospace and Aviation Commission: Would establish the California Aerospace and Aviation Commission consisting of 16 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 require the commission to report and provide recommendations to the Governor and the Legislature, as specified. Would require the commission to have at least 2 offices within existing operations of the state, as specified, and would require the operations of the</p>	<p>SUPPORT (2/12/18) (Ltr faxed to Sen Rules 3/19/18 & to Sen Bus, Prof & E.D. 5/7/18 & Sen Judiciary 6/6/18)</p>	<p>6/21/18 Senate Appropriations Committee</p>
--------------------------------	--	--	--

	commission to be supported through nonstate moneys. Would also require that funds received by the commission be deposited in the Aerospace and Aviation Account, which the bill would create in the California Economic Development Fund, to be used by the commission upon appropriation by the Legislature.		
SB 822 (Wiener)	Communications: broadband internet access service. HEAVILY AMENDED – AUTHOR NOT SUPPORTIVE. Would revise the Consumers Legal Remedies Act to prohibit specified actions by an Internet service provider, as defined, that provides broadband Internet access service, as specified. Would prohibit an Internet service provider from offering different levels of quality of service to end users as part of broadband Internet access service unless specified conditions are met. Would authorize the Attorney General, upon his or her own motion or upon complaint, to investigate and bring an action to enforce those prohibitions and would require that complaints be reviewed by the Attorney General on a case-by-case basis. Would prohibit a public entity, as defined, from purchasing, or providing funding for the purchase of, any fixed or mobile broadband Internet access services that violate these prohibitions. Would require an Internet service provider that provides fixed or mobile broadband Internet access service purchased or funded by a public entity to publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access service that is sufficient to enable end users of those purchased or funded services, including a public entity, to fully and accurately ascertain if the service violates these prohibitions., including a public entity, to fully and accurately ascertain if the service violates these prohibitions.	MONITOR	6/27/18 Assembly Appropriations Committee

ENVIRONMENT

AB 1775 (Muratsuchi)	State lands: leasing: oil and gas. AMENDED 4/18/18. Would prohibit the State Lands Commission and the local trustees of granted public trust lands from entering into any new lease or other conveyance authorizing new construction of oil- and gas-related infrastructure upon tidelands and submerged lands within state waters associated with Outer Continental Shelf leases issued after January 1, 2018. Would apply the exceptions applicable to the California Coastal Sanctuary to these provisions. Would authorize	SUPPORT (2/12/18)	6/26/18 Senate Appropriations Committee
SB 834 (Jackson)		AB 1775 - (Ltrs to Asm Nat Res & Asm Approps & Sen Nat. Res & Water 6/12/18)	SB 834 6/26/18 Assembly Appropriations Committee

	the commission to establish guidelines for the implementation of these provisions.	SB 834 - (Ltr to Sen Nat Res & Sen Approps & Asm Nat Res. 6/18/18)	
SB 1133 (Portantino)	AMENDED 6/6/18: California regional water quality control board: water <i>Water</i> quality control plans: funding. Would authorize a regional board <i>the State Water Resources Control Board, on behalf of itself or a regional board,</i> to accept and spend donations of moneys from a permittee for the purpose of updating a water quality control plan, thereby making an appropriation. <i>plan.</i>	SUPPORT (5/24/18) (Ltr to ESTM Comm 5/31/18)	6/27/18 Assembly Appropriations Committee Los Angeles County LCC supports. As LA County considers a stormwater parcel tax for the November 2018 ballot, SB 1133 provides an opportunity to fund a crucial and timely update to the Basin Plan.

FINANCE

SCA 20 (Glazer)	Local Sales Taxes: Online Sales. Would change Bradley-Burns Local Sales Tax law: Online sales would be consummated at the place of delivery rather than place of sale on or after 1/1/2020.	MONITOR	5/22/18 Senate Appropriations Suspense File
--------------------	---	---------	---

HOUSING

AB 1771 (Bloom)	Planning and zoning: regional housing needs assessment. Would revise the objectives required to be addressed in the regional housing needs allocation plan and additionally require the plan to include an objective to increase access to areas of high opportunity for lower-income residents, while avoiding displacement and affirmatively furthering fair housing. It requires greater analysis of the number of housing units available at different income levels. Would allow HCD and Housing Organizations greater oversight over the process.	MONITOR	6/26/18 Senate Appropriations Committee LCC watch CALCOG oppose unless amended
AB 2890 (Ting)	Land use: accessory dwelling units. Would prohibit the imposition of lot coverage standards or requirements on minimum lot size, lot coverage, or floor area ratio, and would prohibit an ordinance from establishing size requirements for accessory dwelling units that do not permit at least an 800 square foot unit of at least 16 feet in	RECOMMEND OPPOSE	6/20/18 Senate Gov & Finance Committee LCC opposes

	<p>height to be constructed. Would require local jurisdictions to consider permit applications for ADUs within 60 days of receipt instead of currently up to 120 days. Would also require that jurisdictions that condition permits on owner-occupancy to not monitor those units more than once per year. Would expand the law to allow for ministerial approval of ADUs on both single-family and multifamily lots, and prohibit certain requirements such as lot coverage standards, minimum lot size, and floor area ratio. If passed, HCD would be required to proposed small building standards by 2020, which would provide further oversight into local ordinances. If an ordinance is found to be in violation of the law, HCD could additionally notify the Attorney General.</p>		
<p>AB 3194 (Daly)</p>	<p>AMENDED 6/21/18 Housing Accountability Act: project approval. Would prohibit a jurisdiction from disapproving, or placing infeasible conditions upon, a development of very low-income, low-income, or moderate-income housing (including emergency shelters), unless a preponderance of the evidence shows that the development would have a “specific, adverse impact upon the public health or safety.” The State of California defines “preponderance of the evidence” as evidence that outweighs, not in its quantity but rather in its effect, the evidence of the other side. In 2017, AB 1515 (Daly) added the requirement for “substantial evidence,” which is defined as “being of ponderable legal significance,” and “which is reasonable in nature, credible, and of solid value.” The proposed requirement for a preponderance of the evidence is a higher standard and could result in a higher number of housing developments being covered by the Housing Accountability Act (HAA). If approved, this bill would impart the protections of the HAA to projects that are both inconsistent with zoning and consistent with the objective general plan standards. Such projects would be deemed approved without having been rezoned. <i>This bill would authorize a local agency, provided that the local agency has complied with specified provisions, to require the proposed housing development project to comply with the objective standards and criteria of the zoning that are consistent with the general plan, and would require the local agency to apply those standards and criteria to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.</i></p>	<p>RECOMMEND OPPOSE</p>	<p>6/21/18 Senate Gov & Finance Committee</p> <p>LCC, CSAC Oppose unless amended (Should be amended to allow the developer to use the density specified in the housing element or zoning ordinance, whichever is higher – and other issues)</p>

<p>SB 831 (Wieckowski w/ Atkins, Skinner & Wiener)</p>	<p>AMENDED 6/21/18 Land Use: accessory dwelling units. Would require jurisdictions to designate, in their ADU ordinances, any areas where ADUs would be excluded because of certain health and safety concerns. Would delete the authority to include lot coverage standards. Would also prohibit jurisdictions from taking the square footage of the proposed ADU into account when determining the allowable FAR or lot coverage. In addition, a permit for the development of an ADU would be automatically approved if not considered within 60 days of its submittal. Would prohibit requirements to replace off-street parking that is lost due to the development of an ADU. Would also prohibit the use of any other local policy, ordinance, or regulation as a means to inhibit the development of ADUs. Would not only prohibit local ordinances from owner-occupancy conditions, but also make void any such existing requirements. Would also prohibit a jurisdiction from considering an ADU as a “new residential use,” for purposes of determining fees. School fees would be an exception; however, they would be limited to \$3,000. Would prohibit a local agency from requiring that offstreet parking spaces be replaced when a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit. Would prohibit another local ordinance, policy, or regulation from being the basis for the delay of the issuance of a building permit or use permit for an accessory dwelling unit. Would delete provisions authorizing a local agency to require owner occupancy by the permit applicant and would declare an agreement with a local agency to maintain owner occupancy as void and unenforceable.</p>	<p>RECOMMEND OPPOSE</p>	<p>6/21/18 Assembly Local Government Comm.</p> <p>LCC opposes</p>
<p>SB 961 (Allen)</p>	<p>Enhanced infrastructure financing districts. Would create districts major transit stops in which an enhanced tax increment would be created from increased property and sales taxes within the district. The incremental revenues would be dedicated for specified types of investments within the district. Would require the Office of Planning and Research, on or before January 1, 2021, to complete a study on the effectiveness of tax increment financing tools for increasing housing production, including a comparison of the relative advantages and disadvantages of infrastructure financing districts, enhanced infrastructure financing districts, affordable housing authorities, use of the Neighborhood Infill Finance and</p>	<p>MONITOR</p>	<p>6/27/18 Assembly Appropriations Committee</p>

	Transit Improvements Act, and use of the Second Neighborhood Infill Finance and Transit Improvements Act, as specified.		
--	---	--	--

PUBLIC SAFETY

SB 10 (Hertzberg)	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 & economic disparities in the pretrial system, & to ensure that people are not held in pretrial detention simply because of their inability to afford money bail.	RECOMMEND OPPOSE	9/6/17 Assembly Appropriations Committee
----------------------	---	-----------------------------	--

TRANSPORTATION

SB 1151 (Bates)	Neighborhood Electric Vehicles. County of San Diego. Would authorize the County of San Diego, and any city therein, to establish Neighborhood Electric Vehicle (NEV) Transportation Plans to serve the mobility needs of their communities and further the region's vision of supporting a sustainable and healthy region, vibrant economy, and outstanding quality of life for all.	MONITOR	6/26/18 Assembly Appropriations Committee
--------------------	--	---------	--

FEDERAL

HR 1958 (Sherman) & S. 838 (Cotton)	PACE Act of 2017 – Protecting Americans from Credit Entanglements Act of 2017 – Amends the Truth in Lending Act to extend that Act's requirements to real property retrofit loans. A "real property retrofit loan" is a loan that is: (1) secured by an interest in real property; (2) repayable in installment payments made concurrently with the payment of property taxes on the real property; and (3) used to finance real property retrofits, including energy-efficiency upgrades, renewable-energy installations, seismic retrofits, water-conservation upgrades, and other similar improvements. At the time of application for a real property retrofit loan, the creditor must disclose that the loan will result in a lien on the real property securing the loan.	MONITOR	4/5/17 HR 1958: House Comm. on Financial Services S. 838 Senate Committee on Banking, Housing, and Urban Affairs @ request of S.B. Board of Realtors
HR 5045 (Barragan)	STOP (Services, Tools and Opportunities to Prevent) Homelessness Act of 2018 – Would create a voluntary check-off donation box on tax returns to fund housing and support services. Every dollar would be matched 1:1 by the federal government.	MONITOR	2/15/18 House Ways and Means Committee

South Bay Cities Council of Governments

June 28, 2018

TO: SBCCOG Board of Directors

FROM: SBCCOG Steering Committee

RE: Positions on Propositions – June and November, 2018

Adherence to the Strategic Plan

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

June Propositions

The Steering Committee requested that a report be given on the disposition of the propositions on the June ballot and how the SBCCOG positions fared.

At the May meeting, the Board voted to support Propositions 68, 69 and 72. All of those propositions were successful.

November Proposed Proposition

Additionally, the Steering Committee voted to recommend that the SBCCOG oppose the ballot measure that will be on the November ballot to repeal the SB 1 revenue program. Further information on SB 1 can be found at <https://fixcaroads.com/>

RECOMMENDATION:

Oppose the proposed November 2018 ballot measure to repeal SB 1.