

South Bay Cities Council of Governments

September 9, 2019

TO: SBCCOG Steering Committee

FROM: Jacki Bacharach, SBCCOG Executive Director

RE: Bills to Monitor and for Action – **Status as of September 8, 2019**

Adherence to Strategic Plan:

Advocate for the interests of the South Bay

ENVIRONMENT

AB 740 (Burke)	<p>Property insurance: fire hazard severity zones.</p> <p>Existing law requires each insurer to participate in the writings, expenses, and profits and losses of the association in the proportion that its premiums written bear to the aggregate premiums written by all insurers in the program, as specified, but requires the plan to provide for a method for insurers who voluntarily write basic property insurance on risks located in areas designated as brush hazard areas to be proportionately relieved of the liability to participate in the plan. This bill would add to the insurers that are proportionately relieved of the liability to participate in the FAIR Plan those voluntarily writing basic property insurance on risks in high or very high fire hazard severity zones, as determined and mapped by the Department of Forestry and Fire Protection. Would also revise the similar provision relating to areas designated as brush hazard areas by making it specifically applicable to areas so designated at the time coverage begins. Would declare that it is to take effect immediately as an urgency statute.</p>	MONITOR	9/3/19 Senate Inactive File
AB 1694 (O'Donnell)	<p>San Gabriel and Lower Los Angeles Rivers & Mountains Conservancy: territory: Dominguez Channel watershed & Santa Catalina Island. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy in the Natural Resources Agency and prescribes the functions and duties of the conservancy. Existing law, for purposes of those provisions, defines "territory" to mean the territory of the conservancy that consists of those portions of the Counties of Los Angeles and Orange located within the San Gabriel River and its tributaries, the lower Los Angeles River and its tributaries, and the San Gabriel Mountains, as described. This bill would additionally include the Dominguez Channel watershed and Santa Catalina Island, as described,</p>	<p>SUPPORT (6/27/19)</p> <p>(Ltr to Sen Nat Res & Water Comm. 7/2/19)</p>	8/30/19 2 year bill

	within that definition of territory, and would make various related changes to the boundaries of that territory.		
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FINANCE

SB 5 (Beall)	<p>AMENDED 8/12/19</p> <p>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, 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.</p>	<p>SUPPORT (3/28/19)</p> <p>(Ltr to Sen Housing Comm 4/1/19 & ltr to Asm Housing & Comm Dev Comm 7/1/19)</p> <p>LCC supports</p>	<p>9/3/19 Assembly 3rd Reading</p>
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HOUSING & HOMELESSNESS

AB 68 (Ting)	<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</p>	<p>OPPOSE (5/23/19)</p> <p>(Ltr to Sen Housing Comm 6/3/19 & ltr to Sen EQ Comm 7/1/19)</p>	<p>8/30/19 Assembly 3rd Reading</p>
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	explaining the reason the ordinance complies, and allows HCD to notify the attorney general (AG) that the local agency is in violation.		
AB 302 (Berman)	<p>Parking: homeless students. Until December 31, 2023, would require a community college campus that has parking facilities on campus to grant overnight access to those facilities, on or before July 1, 2021, 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. On or before January 31, 2022, would require the chancellor's office to submit to the Legislature and the Governor a report based on data and information pertaining to the overnight parking facilities requirements and other housing services offered to homeless students, concerning which the bill would require the governing boards to report to the chancellor on or before October 1, 2021. Overnight parking facilities requirements would not apply to colleges providing specified homeless student housing services on or before April 1, 2020. On or before April 30, 2021, would require the chancellor's office to submit to the Legislature and the Governor a report based on data and information pertaining to the provision of these specified housing services on or before April 1, 2020, and other housing services offered to homeless students, concerning which the bill would require the colleges to report to the chancellor on or before 1/1/21.</p>	MONITOR	9/5/19 Senate Inactive File

<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 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.</p>	<p>OPPOSE (5/23/19) (Ltr to Sen Housing Comm 6/3/19 & Ltr to Sen Gov Fin Comm 7/1/19)</p> <p>LCC Opposes unless amended</p>	<p>8/30/19 Senate 3rd Reading</p>
<p>AB 1482 (Chiu)</p>	<p>AMENDED 9/5/19 Tenant Protection Act of 2019: tenancy: rent caps. Would, with certain exceptions, prohibit an owner, as defined, of residential real property from terminating a tenancy without just cause, as defined, which the bill would require to be stated in the written notice to terminate tenancy when the tenant has continuously and lawfully occupied the residential real property for 12 months, except as provided. Would require, for certain just cause terminations that are curable, that the owner give a notice of violation and an opportunity to cure the violation prior to issuing the notice of termination.</p>	<p>MONITOR</p> <p>SBACC approved</p>	<p>9/6/19 Senate 2nd Reading</p>
<p>SB 6 (Beall)</p>	<p>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.</p>	<p>MONITOR</p>	<p>9/3/19 Assembly 3rd Reading</p>

<p>SB 127 (Wiener)</p>	<p>AMENDED 9/3/19: Transportation funding: active transportation: complete streets. Would require the asset management plan to prescribe a process for community input and complete streets implementation to prioritize the implementation of safe and connected facilities for pedestrians, bicyclists, and transit users on all State Highway Operation and Protection Program projects, as specified. Would require the department to include complete streets elements in the asset management plan, as specified.</p>	<p>OPPOSE (2/11/19)</p> <p>(ltr to Sen Housing Comm 2/20/19 & ltr to Asm Trans Comm 7/1/19)</p>	<p>9/4/19 Assembly 3rd Reading</p>
<p>SB 330 (Skinner)</p>	<p>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 specify that an application is deemed complete for these purposes if a complete initial application was submitted, as described.</p>	<p>OPPOSE (3/28/19)</p> <p>(Ltr to Sen G & F Comm 4/9/19 & ltr to Asm Local Gov Comm 7/2/19)</p>	<p>9/6/19 Enrolled</p>
<p>SB 592 (Wiener)</p>	<p>AMENDED 9/6/19: Housing development: Housing Accountability Act: permit streamlining. The Housing Accountability Act (the HAA), among other things, requires a local agency that proposes to disapprove or impose specified conditions on a housing development project that complies with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete, within the meaning of the Permit Streamlining Act, to make specified written</p>	<p>OPPOSE (6/27/19)</p> <p>(Ltr to Asm Housing & Comm Dev Comm. 7/1/19)</p>	<p>9/6/19 Assembly Local Government Committee</p>

	<p>findings based on a preponderance of the evidence in the record. This bill would additionally require a local agency to make those findings if it proposes to disapprove or impose specified conditions on a housing development project that is determined to be complete, as provided, and would make other related conforming changes. Would provide that the HAA applies, in its entirety, to any application associated with a housing development project that is subject to a local agency's discretionary review and, except as specified, any application submitted pursuant to specified law or another review and approval process that is functionally the equivalent of a planning or entitlement approval, as provided. For purposes of an application that is not subject to the Permit Streamlining Act, would specify that an application is deemed or determined to be complete at the time the application is submitted to the local agency. Would specify that the HAA does not prohibit a local government from requiring a conditional use permit for a housing development project to the extent the conditional use permit meets the requirements of the HAA.</p>		
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PUBLIC SAFETY

<p>AB 228 (Aguiar-Curry)</p>	<p>Food, beverage, and cosmetic adulterants: industrial hemp products. Would require a manufacturer of food that includes industrial hemp to be able to demonstrate that all parts of the plant used in their food come from a state or country that has an established and approved industrial hemp program that inspects or regulates hemp under a food safety program or equivalent criteria to ensure safety for human consumption and the industrial hemp cultivator or grower to be in good standing and compliance with the governing laws of the state or country of origin. Would prohibit a raw hemp product, as defined, from being distributed or sold in this state without a certificate of analysis from an independent testing laboratory, as defined, that confirms specified information, including that the tested batch of industrial hemp does not contain contaminants that are unsafe for human consumption. By creating a new crime, this bill would impose a state-mandated local program.</p>	<p>OPPOSE (6/10/19) (Ltr sent to Sen. Business, Prof. & Econ Dev Comm 6/11/19 & ltr to Sen Approp Comm 7/1/19)</p>	<p>8/12/19 Senate Appropriations Suspense File</p>
<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</p>	<p>MONITOR LCC supports</p>	<p>6/19/19 Senate Rules Committee</p>

	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.		
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TRANSPORTATION

<p>AB 516 (Chiu)</p>	<p>Authority to remove vehicles. Existing law authorizes a peace officer, as defined, or a regularly employed and salaried employee, who is engaged in directing traffic or enforcing parking laws and regulations, of a city, county, or jurisdiction of a state agency in which a vehicle is located, to remove a vehicle located within the territorial limits in which the officer or employee may act, under designated circumstances, including, but not limited to, when a vehicle is found upon a highway or public land or removed pursuant to the Vehicle Code, and has been issued 5 or more notices of parking violations to which the owner or person in control of the vehicle has not responded within a designated time period. Under existing law, a vehicle that has been removed and impounded under those circumstances that is not released may be subject to a lien sale to compensate for the costs of towage and for caring for and keeping safe the vehicle. This bill would delete the authority of a peace officer or public employee, as appropriate, to remove or immobilize a vehicle under those circumstances. The bill would also modify the authority to remove a vehicle parked or left standing for 72 or more consecutive hours in violation of a local ordinance by requiring the vehicle to remain parked or left standing for 10 or more business days after a notice is affixed to the vehicle specifying the date and time after which the vehicle may be removed. The bill would repeal the related authority to conduct a lien sale to cover towing and storage expenses.</p>	<p>OPPOSE (6/27/19)</p> <p>(Ltr to Sen Pub Safety Comm. 7/1/19)</p> <p>LCC opposes</p>	<p>8/30/19 2 Year Bill</p>
<p>SB 400 (Umberg)</p>	<p>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</p>	<p>MONITOR</p>	<p>9/6/19 NEW LAW - Chaptered</p>

	purposes of the program. This bill would additionally provide that mobility options also include bike sharing and electric bicycles.		
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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	1/25/19 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

2 YEAR BILL – Opposed 8/22/19

AB 315 (Garcia) Local government: lobbying associations: expenditure of public funds. - SBCCOG OPPOSE

This bill, with respect to moneys paid to or otherwise received by an association from a local agency or district member of the association, would prohibit an association of local agencies or districts from expending those moneys for any purpose other than the above-described activities and educational activities. Would also require the association to publicly disclose the amount of those moneys expended on the above-described activities of the association. Would prohibit an association from incurring any travel-related expenses except as may be necessary for the association to hold an annual conference or other gathering of its members.

STATE LEGISLATIVE CALENDAR

- 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