

South Bay Cities Council of Governments

August 27, 2020

TO: SBCCOG Board of Directors

FROM: SBCCOG Steering Committee

RE: Bills to Monitor and for Action – **Status as of August 27, 2020**

Adherence to Strategic Plan:

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

FINANCE

SB 795 (Beall)	Economic development: housing: workforce development: climate change infrastructure. BILL DIED	SUPPORT (5/28/20)	8/20/20 Assembly Suspense File
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HOUSING

AB 725 (Wicks)	AMENDED: 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 housing. COMMENCING JANUARY 1, 2022 , 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 FOUR 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%.	OPPOSE (7/23/20) (Ltr to Sen Housing 7/27/20)	8/27/20 Senate Assembly Bills – 3 rd Reading
AB 1851 (Wicks)	AMENDED: 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. Would authorize a local agency to require up to one parking space per unit for a religious institution affiliated housing development project.	OPPOSE (7/23/20) (Ltr to Sen Gov & Fin 7/27/20)	8/27/20 ENROLLED

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.	OPPOSE (7/23/20) 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.	OPPOSE (7/23/20) (Ltr to Sen Housing 7/27/20)	8/27/20 Senate Assembly Bills – 3RD reading
SB 902 (Wiener)	Planning and zoning: housing development: density. BILL DIED	OPPOSE	
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	8/27/20 Senate Assembly Bills – 3RD reading
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.	OPPOSE (7/23/20) (Ltr to Asm Housing Comm. Dev. 7/27/20)	8/27/20 Assembly 3 rd Reading – Senate Bills
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 within a single family residential zone , if the proposed housing development meets certain requirements, including but not limited to , that the proposed housing development would not require demolition or alteration of housing 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, that the	OPPOSE (6/8/20) (Ltr sent to all SB Leg reps 8/26/20) (Ltr to Sen Approp Comm 6/8/20)	8/27/20 Assembly 3 rd Reading – Senate Bills

	proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.		
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.	OPPOSE (7/23/20) (Ltr to Asm Housing Comm. Dev. 7/27/20)	8/27/20 Assembly 3 rd Reading – Senate Bills
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	8/27/20 Assembly 3 rd Reading – Senate Bills

TELECOMMUNICATIONS

AB 570 (Aguiar-Curry) & Muratsuchi	AMENDED: Communications: broadband services: California Advanced Services Fund. Would authorize local educational agencies to report to the department their pupils' estimated needs for computing devices and internet connectivity adequate for at-home learning. Would require the department, in consultation with the Public Utilities Commission, to compile that information and to annually post that compiled information on the department's internet website. Would require that the CASF program promote remote learning and telehealth, in addition to economic growth, job creation, and the substantial social benefits of advanced information and communications technologies. Would require the commission, in approving CASF infrastructure projects, to instead prioritize projects that reach the greatest number of unserved and underserved	SUPPORT IF AMENDED (8/10/20) (Ltr re: copper wire not being funded sent 8/13/20) SUPPORT (7/23/20) (Ltr to Sen Energy, Util. & Comm 7/27/20)	8/27/20 Senate Assembly Bills – 3rd reading
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	<p>households, as defined, and to further prioritize projects based on other specified attributes. Would authorize the commission, beginning with the calendar year starting on January 1, 2023, and continuing through the 2029 calendar year to collect a surcharge in an amount between \$66,000,000 and \$125,000,000 each year and would require that revenues from the surcharge be deposited into the CASF, subject to appropriation by the Legislature. Would require the commission to ensure that the existing and new surcharges are collected through all providers of telecommunications service, as defined, regardless of the technology over which the service is delivered. Would revise, among other things, the eligibility criteria for grants awarded from each account in the CASF, as specified. Would repeal the requirement that moneys in the Broadband Public Housing Account not awarded by December 31, 2020, be transferred back to the Broadband Infrastructure Grant Account. Would establish the Loan-Loss Reserve Account in the CASF to support costs related to financing the deployment of broadband infrastructure by a local government agency or nonprofit organization. Would establish the State Agency Direct Allocation Account in the CASF for specified purposes relating to the deployment of broadband infrastructure. Would require the commission to improve the efficiency of the administration of the CASF program to ensure for the most cost-effective and timely achievement of the goal of the program. Would authorize the commission to convene a peer review panel to review grant applications submitted under the CASF program.</p>		
<p>SB 1130 (Gonzalez)</p>	<p>AMENDED: Telecommunications COMMUNICATIONS: California Advanced Services Fund. Revises the CASF program goal, so that the program is to, by the end of 2024, approve funding for infrastructure projects that will provide "high-capacity, future-proof infrastructure to no less than 98% of California households in each consortia region."</p> <p>Directs the California Public Utilities Commission (CPUC), in approving CASF program infrastructure projects, to approve certain infrastructure projects in "unserved areas and</p>	<p>SUPPORT (7/23/20)</p> <p>LCC supports</p> <p>(Ltr to Asm Communication 7/27/20)</p>	<p>8/27/20 Assembly 3rd Reading – Senate Bills</p>

	<p>unserved high-poverty areas," each as defined in the bill, and to prioritize projects in such areas where internet connectivity is available but only below certain technical downstream, upstream and latency standards.</p> <p>Prohibits the CPUC from collecting more than the \$330 million that was previously authorized and repeals the CPUC's authority to collect more than \$66 million per year from a surcharge on telephone customers.</p> <p>Allows an existing facility-based broadband provider to apply for certain CASF program grants only if the provider can demonstrate it is financially incapable of self-financing the upgrades.</p> <p>Limits eligibility of "middle mile" infrastructure projects for certain CASF program grants to only those projects that are "open access" projects and tasks the CPUC with ensuring the rates charged by an open access project are just and reasonable, and prohibits an open access project from selling its own broadband service.</p>		
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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 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.</p>	<p>SUPPORT & REQUEST CO- SPONSORS (2/11/19)</p> <p>Endorsed by NLC, NATOA, NAC</p>	<p>1/25/19 House Energy & Commerce Committee - Subcommittee on Communications & Technology</p>
<p>HR 763 (Deutsch)</p>	<p>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.</p>	<p>SUPPORT (6/8/20)</p>	<p>1/25/19 House Ways & Means, Energy & Commerce,</p>

	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.	(Ltr to House Energy and Commerce 6/18/20)	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

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.