

TO: SOUTH BAY CITIES COG BOARD OF DIRECTORS
FR: JEFF KIERNAN, LEAGUE OF CALIFORNIA CITIES
RE: CAL CITIES UPDATE FOR 8/24/2023 MEETING (as prepared Aug 15)

UPCOMING CAL CITIES AND LA COUNTY DIVISION EVENTS

September 20-22: Annual Conference and Expo (Sacramento). No resolutions were received by the July 22 deadline, however a petitioned resolution is always possible so I encourage city councils to file the [voting delegate paperwork](#) for the General Assembly by AUG 28.

September 20 at 11:30 AM: Registration is now open for the Los Angeles County Division lunch at the Annual Conference. This event will be held at the Sheraton Grand in Sacramento.

PPIC POLLING: DESIRE FOR ACTION ON HOUSING CONTRASTS HOW CALIFORNIANS WANT TO LIVE

The latest PPIC poll reports that “Nearly 6 in 10 Californians think the state should require local government to build their ‘fair share’ of new housing that is affordable for the workforce in the region.” Cal Cities has watched the favorability of local government erode in PPIC polling over the last several years and earlier this year our Board of Directors directed staff to work on a campaign to raise the profile of the good work that cities are doing to address housing and homelessness. You can read the full PPIC report [HERE](#), but please also let me know if your city is doing something particularly innovative in this space that we can help promote.

ADVOCACY UPDATE

The Legislature now has until SEPT 14 to complete their work for the year. If you haven’t taken the time to send in a letter or text/call your legislators, now is the time to make your voice heard. Please let me know if you have any specific questions about any of the bills below.

Division issues concerns letter on AB 1679 (Santiago): [AB 1679](#) would authorize the County of Los Angeles to impose a transaction and use tax of up to .50% if approved by county voters for homeless services, homeless prevention and affordable housing. The Division is supportive of ongoing funding to address our growing homeless crisis, however our members remain concerned with the current Measure H model and would suggest stake holders discuss alternative revenue sources. The Division's Board have sent a letter requesting that any replacement for Measure H include the following considerations:

- Any new countywide revenue stream for homelessness must have a 40% dedicated local return to assist cities currently spending General Fund revenues to provide homeless services and shelters.
- A Transaction and Use Tax that Exceeds the State Cap is Unwarranted and Unequitable.

Community Services

Support [AB 33 \(Bains\)](#) Fentanyl Addiction and Overdose Prevention Task Force.

Would establish the Fentanyl Addiction and Overdose Prevention Task Force to undertake various duties, including collecting data on the extent of fentanyl use in California and increasing public awareness.

Location: Senate Appropriations

Support [AB 67 \(Muratsuchi\)](#) Homeless Courts Pilot Program.

Would create a pilot program for unhoused defendants to participate in diversion programs that would provide housing, mental health services, substance abuse treatment, and more.

Location: Senate Appropriations

Support in Concept [AB 531 \(Irwin\)](#) The Behavioral Health Infrastructure Bond Act of 2023.

Would place a \$4.68 billion bond measure on the March 2024 ballot to finance grants for the construction and rehabilitation of community-based treatment settings and residential care settings for individuals experiencing homelessness.

Location: Senate Appropriations

Support [AB 1215 \(Carrillo\)](#) Pets Assistance with Support Grant Program: Homeless Shelters: Domestic Violence Shelters: Pets.

Would create a grant program for homeless and domestic violence shelters to accommodate pets.

Location: Assembly Appropriations

Support [SB 43 \(Eggman\)](#) Behavioral Health.

Would update California's 1967 conservatorship law by expanding the definition of "gravely disabled" to include conditions that result in a substantial risk of serious harm to an individual's physical or mental health.

Location: Assembly Appropriations

Support in Concept [SB 363 \(Eggman\)](#) Facilities for Inpatient and Residential Mental Health and Substance Use Disorder: Database.

Would establish a real-time, internet-based dashboard to collect, aggregate, and display information about available beds in psychiatric and substance use facilities.

Location: Assembly Appropriations

Governance, Transparency and Labor Relations

Oppose [SB 251 \(Newman\)](#) Political Reform Act of 1974: elected officers: conflicts of interest, as amended 3/8/23. Prohibits an elected officer from employment by any other elected officer with the same constituency, except if the elected officer first began their employment by the other elected officer with the same constituency on or before December 31, 2023. The bill would not apply to statewide elected officers.

Location: 2-year bill. Failed in Senate Elections and Constitutional Amendments, reconsideration granted.

Support if Amended [SB 411 \(Portantino\)](#) Open meetings: teleconferences: neighborhood councils, as amended 4/24/23. Currently limits teleconference capability to Neighborhood Councils in the City of Los Angeles and should be amended back to its introduced language allowing appointed bodies to teleconference meetings without having to notice and make publicly accessible each teleconference location.

Location: Assembly Local Government

Oppose [AB 504 \(Reyes\)](#) State And Local Public Employees: Labor Relations: Disputes.

Would make sympathy striking a human right. It would also allow local public employees to refuse to enter property that is the site of a primary labor dispute, perform work for an employer involved in a primary labor dispute, or go through or work behind a primary picket line.

Location: Senate Appropriations

Support if Amended [SB 537 \(Becker\)](#) Open Meetings: multijurisdictional, cross-county agencies: teleconferences, as amended 4/24/23. Currently limits members of multijurisdictional bodies to participate remotely only if the meeting location is more than 40 miles (one-way) from their home, among other limitations. The bill should be amended back to its original language to allow appointed bodies of a multijurisdictional agency to teleconference meetings without having to notice and make publicly accessible each teleconference location.

Location: Assembly Local Gov

Support [AB 557 \(Hart\)](#) Open Meetings: local agencies: teleconferences.

Eliminates the January 1, 2024, sunset on the provisions of the Brown Act that provided additional flexibility for local agencies looking to meet remotely during an emergency while still maintaining public access and transparency under AB 361 (R. Rivas, 2021). The bill would also extend the renewal period for resolutions declaring the use of AB 361 to 45 days (up from 30 days). By doing so AB 557 would provide accommodation for those agencies regularly meeting on a fixed date every month.

Location: Senate Floor

Oppose Unless Amended [AB 764 \(Bryan\)](#) Local Redistricting.

Would update the procedures local agencies must follow when adjusting the boundaries of the districts used to elect members of their governing bodies and establishes a procedure for legal challenges when a local jurisdiction does not comply with redistricting requirements.

Location: Senate Appropriations

Support [AB 817 \(Pacheco\)](#) Local government: open meetings, as amended 3/16/23. Provides a narrow exemption under the Ralph M. Brown Act for non-decision-making legislative bodies currently governed by Act, such as advisory bodies and commissions, to participate in two-way virtual teleconferencing without posting physical location of members.

Location: 2-year bill

Support [AB 1379 \(Papan\)](#) Open Meetings: local agencies: teleconference, as amended 3/23/23. Requires a legislative body electing to use teleconferencing to post agendas at a singular designated physical meeting location rather than at all teleconference locations. Allows quorum to be established by remote participation, at the designated physical location, or at both the designated physical meeting location and remotely. Also requires the legislative body to have at least 2 meetings per year in which the legislative body's members are in person at a singular designated physical meeting location.

Location: 2-year bill

Oppose [AB 1484 \(Zbur\)](#) Temporary public employees, as amended 5/18/23.

Requires inclusion of temporary employees in the same bargaining unit as permanent employees and that the wages, hours, plus terms of condition of employment for both temporary and permanent employees must be bargained together in a single memorandum of understanding.

Location: Senate Appropriations

Revenue and Taxation

Oppose Unless Amended [SB 584 \(Limón\)](#) Laborforce housing: Short-Term Rental Tax Law.

Would impose a statewide 15 percent tax on the occupancy of short-term rentals. Proceeds of the tax would be used to provide grants for the creation of "laborforce housing."

Location: 2-year bill

Concerns [SB 588 \(Allen\)](#) Property taxation: welfare exemption: lower income households: cap.

Would eliminate the property tax welfare exemption cap of \$20 million for non-profit developers utilizing private funding, as long as 90 percent of the units are made continuously available to or are occupied by lower income households at a rent that does not exceed the rent for lower income households.

Location: Assembly Rev & Tax

Support/Sponsor [AB 972 \(Maienschein\)](#) Local Assistance and Grant Program Streamlining Workgroup.

Would coordinate, align, and streamline local government assistance resources by convening a statewide, cross-agency Local Assistance and Grant Program Streamlining Workgroup no later than January 2025.

Location: Senate Appropriations

Housing

Oppose Unless Amended [AB 309 \(Lee\)](#) Social Housing Act 2023

Would create the California Housing authority with a mission to produce and acquire social housing developments for the purpose of eliminating the gap between housing production and regional housing needs assessment targets and to preserve affordable housing.

Location: Senate Appropriations

Support [AB 519 \(Schiavo\)](#) Affordable Housing Finance Workgroup: Affordable Housing: Consolidated Application Process.

Would create an Affordable Housing Finance Workgroup to create a consolidated application for affordable housing developers to use to access state housing funding programs and a coordinated review process for the application. Would also require the workgroup, on or before July 1, 2026, to report recommendations on implementing a coordinated review process.

Location: Senate Appropriations

Oppose Unless Amended [AB 1490 \(Lee\)](#) Affordable Housing Development Projects: Adaptive Reuse.

Would make 100 percent affordable housing projects that adaptively reuse existing residential buildings an allowable use, regardless of any inconsistencies between the project and any local plans, zoning, or regulations, and limits local governments from imposing maximum density or floor area ratio requirements, and any requirement to add additional parking or open space.

Location: Senate Appropriations

Support [AB 1657 \(Wicks\)](#) Affordable Housing Bond Act of 2024.

Would authorize the Affordable Housing Bond Act of 2024 to place a \$10 billion housing bond on the March 5, 2024 primary ballot to fund production of affordable housing and supportive housing.

- \$5.25 billion to the Multifamily Housing Program (MHP).

- \$1.75 billion to supportive housing.
- \$1.5 billion for programs to preserve or rehabilitate existing subsidized or unsubsidized rental housing.
- \$1 billion to the CalHOME Program and the My Home down payment assistance program.
- \$500 million to the Joe Serna, Jr. Farmworker Housing Program.

Location: Senate Appropriations

Support if Amended [SB 4 \(Wiener\)](#) Housing Development: Higher Education Institutions and Religious Institutions.

Would require that a housing development project be a use by right on land owned by an independent institution of higher education religious institution if the development satisfies specified criteria.

Location: Assembly Appropriations

Oppose [SB 423 \(Wiener\)](#) Land use: streamlined housing approvals: multifamily housing developments, as amended 5/18/23.

Expands [SB 35](#) (Chapter 366, Statutes of 2017) provisions and eliminates the January 1, 2026 sunset date, permanently requiring cities to ministerially approve certain housing projects without public input or environmental review.

Location: Assembly Appropriations

Public Safety

Support [AB 33 \(Bains\)](#) Fentanyl Addiction and Overdose Prevention Task Force, as amended 5/18/23. Establishes the Fentanyl Addiction and Overdose Prevention Task Force, consisting of law enforcement, public health officials, and healthcare providers to coordinate an effective response to the fentanyl crisis. The task force will focus on a number of different strategies, including increasing access to overdose-reversing drugs, improving substance use disorder treatment and recovery support, and crafting strategies to reduce the availability of illicit fentanyl.

Location: Senate Appropriations

Support [AB 40 \(Rodriguez\)](#) Emergency medical services as amended 5/18/23. Requires procedures and standards to improve ambulance patient offload time (APOT).

Location: Senate Appropriations

Support [AB 367 \(Maienschein\)](#) Controlled Substances: Enhancements, as amended 3/22/23.

Applies the "great bodily injury" enhancement to any person who sells, furnishes, administers, or gives away fentanyl or an analog of fentanyl when the person to whom the fentanyl was sold, furnished, administered or given suffers a significant or substantial physical injury from using the substance.

Location: 2-year bill. Assembly Public Safety

Oppose [AB 436 \(Alvarez\)](#) Vehicles. Repeals the authority given to local authorities to prohibit cruising. This bill would also remove a provision prohibiting a common modification made to cars used in cruising to have the vehicles ride low to the ground roadway.

Location: Senate Appropriations

Support [AB 474 \(Rodriguez\)](#) State Threat Assessment Center: transnational criminal organizations, as introduced. Requires the State Threat Assessment Center (STAC) and the

Office of Emergency Services (OES) to prioritize cooperation with state and local efforts to illuminate, disrupt, degrade, and dismantle criminal networks trafficking opioid drugs and to support state and local interagency task forces to combat illegal opioid trafficking, including preparing and disseminating intelligence products for public safety entities.

Location: Senate Rules

Oppose [AB 755 \(Papan\)](#) Water: Public Entity: Water Usage Demand Analysis.

Would require water systems that conduct a cost-of-service analysis (COSA) to identify the incremental costs incurred by the major water users in the single-family residential class and the incremental costs that would be avoided if major water users met a specified efficiency goal.

Location: Senate Appropriations

[AB 530 \(Boerner\)](#) Vehicles: electric bicycles. Prohibits a person under 12 years of age from operating an electric bicycle of any class. The bill would state the intent of the Legislature to create an e-bike license program with an online written test and a state-issued photo identification for those persons without a valid driver's license.

Support [AB 701 \(Villapudua\)](#) Controlled substances: fentanyl, as introduced.

Increases the penalty and fine for trafficking controlled substances containing heroin, cocaine base, and cocaine to fentanyl.

Location: Senate Appropriations

Oppose [AB 742 \(Jackson\)](#) Law enforcement: police canines, as amended 5/18/23. Prohibits the use of police canines to: arrest or apprehend a person; crowd control; bite; or train a police canine inconsistent with these prohibitions.

Location: 2-year bill

Support [AB 955 \(Petrie-Norris\)](#) Controlled Substances, as amended 3/15/23 Creates a new crime for selling fentanyl on a social media platform.

Location: 2-year bill. Assembly Rules

Oppose [AB 1034 \(Wilson\)](#) Law enforcement: facial recognition and other biometric surveillance, as amended 5/1/23. Prohibits a law enforcement agency or law enforcement officer from installing, activating, or using any biometric surveillance system in connection with an officer camera or data collected by an officer camera and would authorize a person to bring an action for equitable or declaratory relief against a law enforcement agency or officer who violates that prohibition.

Location: Senate Floor

Sponsor [AB 1168 \(Bennet\)](#) Emergency Medical Services (EMS): Prehospital EMS.

Would clarify a city or fire district's right to retain its authority over emergency ambulance services if a city or fire district enters into an agreement with a county for the joint exercise of powers for emergency ambulance services.

Location: Senate Appropriations

Concerns [AB 1463 \(Lowenthal\)](#) Automated license plate recognition systems: retention and use of information.

Would require agencies utilizing Automated License Plate Reader (ALPR) Cameras to purge information that does not match a hot list in 30 days, and would prohibit ALPR information from being sold, shared, or transferred to an out-of-state or federal agency without a court order or warrant issued by a California court.

Location: 2-year bill

Support [AB 1526](#) (Asm. Nat Resources) Solid Waste.

Would provide cities the mechanism to be reimbursed under SB 54 (single use plastic law).

Location: Senate Appropriations

Support [AB 1708](#) (Muratsuchi) Theft, as amended 3/12/23. With voter approval, would require a person convicted of petty theft or shoplifting, if the person has two or more prior convictions for specified retail theft-related offenses, to be punished by imprisonment in the county jail for up to one year. Additionally, this measure would offer pre-plea diversion opportunities.

Location: 2-year bill. Assembly Public Safety, reconsideration granted.

Support [SB 19](#) (Seyarto) Anti-Fentanyl Abuse Task Force.

Would establish the Anti-Fentanyl Abuse Task Force to undertake various duties including collecting data on the extent of fentanyl abuse in California and increasing public awareness.

Location: Assembly Appropriations

Support [SB 44](#) (Umberg) Controlled Substances, as amended 4/13/23. Requires a court to provide a written advisory to a person convicted of selling fentanyl notifying the person of the danger of selling or administering illicit drugs and counterfeit pills and of the potential future criminal liability if another person dies as a result of that person's actions.

Location: 2-year bill

Support [SB 602](#) (Archuleta) Trespass, as amended 3/20/23. extends the effective duration of Letters of Agency from 30 days to 12 months and the operative timeframe of trespass authorization letters from 12 months to 3 years for the purpose of removing graffiti and mitigating other public nuisances on private property visible from public rights of way.

Location: Senate Floor

Support: [SB 751](#) (Padilla) Franchise Agreements: Labor Impasse.

Would require waste haulers to continue providing services during a labor impasse.

On or after January 1, 2024, a franchise agreement that is renewed or amended cannot contain a force majeure provision that can be triggered by a labor impasse.

Location: Assembly Appropriations

Environmental Quality

Support [AB 50](#) (Wood) Energy Utility Communication.

Would aim to address situation delays with connecting projects to the grid, including housing projects.

Location: Senate Appropriations

Support if Amended [AB 1567](#) (E. Garcia) and [SB 867](#) (Allen)

Would collectively propose \$20 billion in bonds for safe drinking water, wildfire prevention, drought preparation, flood protection, and extreme heat mitigation.

Transportation, Communications and Public Works

Pending [AB 7 \(Friedman\)](#) Transportation Planning: Project Selection.

Would require the project selection process for each transportation project funded by the state's major sources of transportation funding to incorporate certain principles regarding—very generally—resilience, safety, timeliness, accessibility, the environment and climate change, and other topics.

Location: Senate Appropriations

Support/Sponsor [AB 400 \(B. Rubio\)](#) Public Contracts: Design Build.

Would extend the January 1, 2025 sunset to 2031.

Location: Assembly Concurrence

Oppose [AB 825 \(Bryan\)](#) Vehicle: Bicycles on Sidewalks.

Would prohibit a local authority from prohibiting the operation of a bicycle on a sidewalk adjacent to a highway or corridor that does not include a dedicated bikeway.

Location: Senate Appropriations

Oppose [AB 1637 \(Irwin\)](#) Local government: internet websites and email addresses. As amended 6/29/23.

Requires cities and counties to secure and utilize their website through a new .gov or ca.gov domain no later than January 1, 2029. It would also require all employee email addresses to reflect the updated domain within the same time frame.

Location: Senate Appropriations

Support/Sponsor [SB 706 \(Caballero\)](#) Public Contracts: Progressive Design Build.

Would remove the cap and would authorize all cities, counties, city and counties, or special districts to use the progressive design-build process for other projects in addition to water-related projects.

Location: Assembly Appropriations

Ballot Measures

Oppose The Taxpayer Protection and Government Accountability Act Initiative No. 21-0042A1.

Limits voters' input, adopts new and stricter rules for raising taxes and fees, and makes it more difficult to hold state and local law violators accountable.