

South Bay Cities Council of Governments

June 22, 2017

TO: SBCCOG Board of Directors

FROM: SBCCOG Steering Committee

RE: Bills to Monitor and for Action – Status as of **June 22, 2017**

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>CITIES AND JPAS AMENDED OUT OF THE BILL – 6/1/17 PER LCC Counties and cities: contracts for personal services.</p> <ul style="list-style-type: none"> • Require a city, before entering a contract or renewing a contract, to perform a full economic analysis of the potential impacts of outsourcing, including the impact on local businesses if consumer spending power is reduced. • Mandate a city to conduct a full environmental impact analysis caused by contracting for the services. • Force a city to conduct an annual audit of each contract. • Eliminate local agency hiring discretion by limiting a local agencies' ability to utilize a contract for the sole purpose of cost savings through salaries and benefits. • Require that the agency provide an orientation to contract non-city employees. • Require a city to create a new, fully searchable database that must be posted on the city website. Apart from the inherent cost drivers with this provision, there are significant privacy concerns about posting full names, job titles, and salaries of non-city employees. This database must include: <ul style="list-style-type: none"> ○ The names, job titles, salary of each contracted non-city employee and subcontractors. ○ The services of the contract, the name of the agency department or division of the city who manages the contract. 	<p>OPPOSE (5/8/17) (Ltr faxed to Asm Approps 5/9/17)</p>	<p>6/21/17 Senate Governance and Finance Committee LCC opposes</p>
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	<ul style="list-style-type: none"> ○ The amount paid to the contract including the total projected cost of the contract for all fiscal years and the funding source. ○ The total number of “full time equivalent” employees being contracted out. 		
AB 1479 (Bonta)	<p>Public records: custodian of records: civil penalties.</p> <ul style="list-style-type: none"> • Mandate that every local agency assign a “Supervisor of Record” to review each public records act denial prior to the final determination being issued. • Cause further delays in processing requests by creating an additional step in the process whereby every request denial would have to be reviewed by the Supervisor of Record before a final determination from the agency can be issued. • Establish new and costly punitive damages assessed to agencies above and beyond plaintiffs’ attorney fees established in current law. The additional punitive damages award provision could be as high as \$5,000 per violation. This may lead to a litany of satellite litigation given the grounds for punitive damages are so vast. Under this measure damages can be awarded on every type of violation, no matter if a denial was made in good faith, etc. 	<p>OPPOSE (5/8/17)</p> <p>Ltr faxed to Asm Approps 5/9/17) (Ltr to Senate Judiciary Comm 6/13/17)</p>	<p>Senate Judiciary Committee Hearing Date: 6/27/17</p> <p>LCC opposes</p>

ENVIRONMENT

AB 79 (Levine)	<p>Electrical generation: hourly greenhouse gas emissions: electricity from unspecified sources. Requires the Air Resources Board (ARB) to adopt a methodology to calculate hourly greenhouse gas (GHG) emissions from unspecified sources of electricity. Requires the Public Utilities Commission (PUC) and California Energy Commission (CEC) to incorporate the methodology into programs addressing disclosure of GHG emissions and procurement of electricity.</p>	<p>MONITOR</p>	<p>6/20/17 Senate Environmental Quality Committee</p>
AB 1572 (Aquiari-Curry)	<p>Integrated waste management plans: source reduction and recycling element: review schedule.</p>	<p>RECOMMEND SUPPORT</p>	<p>6/21/17 Senate Appropriations Committee</p>

	Would extend the sunset date from January 1, 2018 to January 1, 2022 for the State Department of Resources Recycling and Recovery (CalRecycle) ability to review local jurisdictions' recycling compliance plans every four years instead of every two years for those jurisdictions consistently meeting the State's requirements.		
AB 1274 (O'Donnell)	Smog check: exemption. Would, except as provided, exempt motor vehicles that are 8 or less model-years old from being inspected biennially upon renewal of registration. Would assess an annual smog abatement fee of \$24 on motor vehicles that are 7 or 8 model-years old. Would require the fee be deposited into the Air Pollution Control Fund and be available for expenditure, upon appropriation by the Legislature, to fund the Carl Moyer Memorial Air Quality Standards Attainment Program.	SUPPORT (5/25/17) (Ltr faxed to Asm Approp 5/30/17)	6/14/17 Senate Transportation and Housing Committee Per Wayne Nastri, AQMD
AB 1646, 1647, & 1649 (Muratsuchi)	Relating to Refineries: <u>1646</u> – Hazardous materials: risk management plans: petroleum refineries - requires the risk management plan of a petroleum refinery to be posted on the web at various places specified. Provides for a system of automatic notification for residents within a 5 mile radius, an audible alarm system covering a 10 mile radius and an emergency alert system for specified locations (ex. schools, hospitals) <u>1647</u> – Petroleum refineries: air monitoring systems - requires the owner or operator of a petroleum refinery to install a community air monitoring system on or before January 1, 2020 and to install a fence-line monitoring system on or before January 1, 1919. <u>1649</u> – Interagency Task Force on Refinery Safety - creates task force.	MONITOR	1646 6/21/17 Senate Appropriations Committee 1647 6/22/17 Senate Appropriations Committee 1649 6/21/17 Senate Appropriations Committee
SB 231 (Hertzberg)	Local government: fees and charges. Articles XIIC and XIID of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles	MONITOR	Assembly Committee on Local Government Hearing Date: 6/14/17

	XIIIC and XIID of the California Constitution and defines terms for these purposes. This bill would define the term “sewer” for these purposes. The bill would also make findings and declarations relating to the definition of the term “sewer” for these purposes.		
SB 242 (Skinner)	Property Assessed Clean Energy Program: Program Administrator. Enacts consumer protections to PACE loans. Requires a program administrator that administers a PACE program on behalf of a public agency to comply with certain requirements when approving an assessment contract for the installation of an eligible measure, as well as the administration of that contract, including requiring the contract to comply with specified criteria and requirements. Requires a program administrator to obtain a sworn declaration of income containing specified financial information from each property owner, and would provide that a declarant who willfully states as true a material fact on that declaration that he or she knows to be false be subject to a civil penalty of a specified amount. Requires a program administrator to underwrite an assessment contract, and would prohibit a program administrator from approving an assessment contract if it determines that the property owner is unlikely to be able to make payments on that contract. Requires a program administrator, before a PACE assessment is consummated and in addition to other disclosures, to provide an oral confirmation of the key terms of an assessment contract with the property owner or an authorized representative of the property owner. Requires a program administrator for each PACE Program that it administers to establish and make publicly available an eligible measure list that has been approved by the sponsoring public agency, and would prohibit the program administrator from approving PACE assessments for a measure that is not included on that list, unless the program administrator establishes a custom measure in accordance with specified requirements.	SUPPORT (5/25/17)	5/31/17 At Assembly Desk LCC Supports

<p>SB 618 (Bradford)</p>	<p>Load-serving entities: integrated resource plans: This bill would require that the integrated resource plan filed by a load-serving entity be reviewed and approved by the commission. The bill would require that the plans of all load-serving entities contribute to a diverse and balanced portfolio of resources needed to ensure a reliable electricity supply that provides optimal integration of renewable energy in a cost-effective manner and meets the specified emissions limits for greenhouse gases in proportion to each load-serving entity's load share so that there is no cost shifting among load-serving entities.</p>	<p>MONITOR (5/25/17) (Ltr to author removing 6/14/17)</p> <p>Ltr sent to Sen Approps 5/12/17)</p>	<p>6/21/17 Assembly Natural Resources Committee</p> <p>NOTE: Could restrict CCA power purchases</p> <p>LCC removed opposition on 5/19 after amendments. LCC is now neutral.</p>
<p>SB 649 (Hueso)</p>	<p>Wireless telecommunications facilities: Establishes a statewide framework for streamlining the permitting siting process of small cell wireless facilities that meet specified requirements. Requires an administrative permit in lieu of a discretionary permit, requires cost-based fees in lieu of market pricing, and ensures access to most host infrastructure in the utility right-of-way and also within a commercial or industrial zone. Requires permits for wireless telecommunications facilities to be automatically renewed for equivalent durations, as specified.</p>	<p>OPPOSE (5/25/17)</p>	<p>6/20/17 Assembly Local Government Committee</p> <p>LCC opposes</p>
<p>AQMD Rule 1410</p>	<p>Hydrogen Fluoride Storage and Use at Petroleum Refineries. This rule is intended to minimize the possibility of harm to the public due to an accidental release of hydrogen fluoride.</p> <p>Presentation to Working Group: http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1410/mtg1-final.pdf?sfvrsn=6</p>	<p>MONITOR</p>	<p>PR1410 Working Group began meetings 4/19/17. Governing Board consideration of PR 1410 expected 12/17.</p>

HOUSING

<p>AB 71 (Chiu)</p>	<p>Income taxes: credits: low-income housing: farmworker housing. Eliminates the mortgage interest deduction on second homes, increases the state Low-Income Housing Tax Credit (LIHTC) Program by \$300 million. Beginning in 2018, increases the amount of low-income housing tax credits set-aside for farmworker housing from \$500,000 to \$25 million. Provides that any low-income housing tax credits set-aside for farmworker housing developments that go unused of the \$25 million will be available for qualified nonfarmworker housing projects. and makes other changes to the LIHTC. Urgency Bill.</p>	<p>MONITOR</p>	<p>6/15/17 Assembly Third Reading</p> <p>From CALCOG</p>
<p>SB 2 (Wiener)</p>	<p>Building Homes and Jobs Act. Would make legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. Would impose a fee, except as provided, of \$75 to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded, per each single transaction per single parcel of real property, not to exceed \$225. By imposing new duties on counties with respect to the imposition of the recording fee, the bill would create a state-mandated local program. Would require that a county recorder quarterly send revenues from this fee, after deduction of any actual and necessary administrative costs incurred by the county recorder, to the Controller for deposit in the Building Homes and Jobs Fund, which the bill would create within the State Treasury. Would, upon appropriation by the Legislature, require that 20% of the moneys in the fund be expended for affordable owner-occupied workforce housing and 10% of the moneys for housing purposes related to agricultural workers and their families, and would authorize the remainder of the moneys in the fund to be expended to support affordable housing, home ownership opportunities, and other housing-related programs, as specified. Would impose certain auditing and reporting requirements and would establish the Building Homes and Jobs Trust Fund Governing Board that would, among other things, review and approve recommendations made by the</p>	<p>MONITOR</p>	<p>6/12/17 Senate 3rd Reading</p> <p>LCC supports</p>

	Department of Housing and Community Development for the distribution of moneys from the fund.		
SB 3 (Beall)	Affordable Housing Bond Act of 2018. Would enact the Affordable Housing Bond Act of 2018, which, if adopted, would authorize the issuance of bonds in the amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance various existing housing programs, as well as infill infrastructure financing and affordable housing matching grant programs, as provided.	MONITOR	6/15/17 Assembly Housing and Community Development Committee LCC Supports
SB 35 (Wiener)	Planning and zoning: affordable housing: streamlined approval process. Requires the planning agency to include in its annual report specified information regarding units of housing, including rental housing & housing designated for homeownership, that have secured all approvals from the local government and special districts needed to qualify for a building permit. Would also require the Department of Housing and Community Development to post an annual report submitted pursuant to the requirement described above on its Internet Web site, as provided.	OPPOSE (5/8/17) Ltr sent to Sen Approps 5/12/17)	6/20/17 Assembly Local Government Committee LCC opposes

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 and economic disparities in the pretrial system, and to ensure that people are not held in pretrial detention simply because of their inability to afford money bail.	MONITOR	6/1/17 Assembly Desk
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TRANSPORTATION

SB 268 (Mendoza)	Los Angeles County Transportation Authority. Would add the county auditor as a nonvoting member of the board of directors. Would also reduce the members of the board of supervisors from 5 to 2 members and would require that one supervisor represent the largest population in the unincorporated area of the County of Los Angeles. Would delete the appointment of 2 public members and require the Mayor of the City of Los Angeles to appoint 5 members	RECOMMEND SUPPORT	6/12/17 Assembly Local Government Committee Support: LCC, LA, CCCA, ICA this Sunday. Pat Furey and John Mirsch, Torr, Carson, Artesia, Hawaiian Gardens.
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	of the City Council of the City of Los Angeles who represent contiguous clusters of 3 council districts. The bill would require the city council to determine contiguity. The bill would require every appointee to serve a 4-year term without limitation or until the expiration of the term of his or her elected office. The cities would get 3 additional seats.		
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LEGISLATIVE CALENDAR

- June 2, 2017 – Last Day to Pass Bills out of Their House of Origin
- June 15, 2017 – Budget Bill Must be Adopted
- July 14, 2017 – Last day for Policy Committees to Hear Fiscal Bills
- July 21, 2017 – Last day for Policy Committees to Hear Bills.
- July 21-August 21, 2017 – Summer Recess
- September 1, 2017 – Last Day for Fiscal Committees to Hear Bills
- September 5-15, 2017 – Floor Session Only
- September 8, 2017 – Last Day to Amend on the Floor