



AGENDA
LEGISLATIVE ACTION COMMITTEE
7:00 to 7:15 pm
Thursday, June 8, 2017
West Conference Room, Sunnyvale City Hall
456 West Olive Avenue, Sunnyvale, CA

*This agenda and packet are available at www.citiesassociation.org
If you are unable to attend this meeting, please pass your packet to your alternate.*

- 1. Welcome, Introductions and Roll Call**
- 2. Consent Calendar**
 - A. May 11, 2017 Meeting Minutes & LAC Report
- 3. Old Business: Review of May 11 Meeting Recommendations**
 - A. Support and Send Letter: AB 1089 (Mullin) Local elective offices: contribution limitations
 - B. Oppose and Send Letter: AB 1479 (Bonta) Public Recorders: supervisor of records: fines
 - C. Oppose and Send Letter: SB 35 (Weiner): Planning & zoning: Affordable housing: Streamlined approval process
 - D. Watch: AB 1250 (Jones-Sawyer): Counties and cities: contracts for personal services. Cities now exempt from contracting measure
 - E. Watch: SB 649 (Huesco) Wireless Telecommunications Facilities. Extensive amendments have changed the legislation:
 - F. Watch: SB 618 (Bradford) Load-serving entities: Integrated resource plans
 - G. Watch: AB 184 (Berman) Planning for Sea Level Rise Database
 - H. Watch: AB 920 (Aguiar-Curry) California Renewables Portfolio Standard Program
 - I. Watch: AB 574 (Quirk): Potable Reuse



- J. Watch: AB 733 (Berman) Enhanced infrastructure financing districts; projects: climate change
- K. Watch: AB 1222 (Quirk): Vehicles: electronic wireless communications devices
- L. Watch: AB 1506 (Bloom, Chiu, Bonta: Residential Rent Control: Costa Hawkins Rental Housing Act
- M. Watch: AB 1598 (Mullin) Affordable housing authorities
- N. Watch: AB 1585 (Bloom): Planning and zoning: affordable housing: single application.

4. Member Comments

Each Legislative Action Committee member may speak to any issue not on the agenda; time limit of 5 minutes unless LAC members authorize further discussion.

5. Oral Communications

This time is reserved for public comments, not to exceed 5 minutes, on topics that are not on the agenda.

6. Future Agenda Items

7. Adjournment



Draft Minutes
Cities Association Legislative Action Committee
Institute for the Future
201 Hamilton Ave., Palo Alto, CA
May 11, 2017

The regular meeting of the Cities Association Legislative Action Committee was called to order at 5:00 p.m. with Legislative Action Committee Chair Pat Showalter presiding.

1. Call to Order/Roll Call

Present:

Rod Sinks, Cupertino
Gary Waldeck, Los Altos
Marico Sayoc, Los Gatos
Steve Tate, Morgan Hill
Pat Showalter, Mountain View
Greg Scharff, Palo Alto
Mary-Lynne Bernald, Saratoga
Larry Klein, Sunnyvale

Also Present:

Betsy Shotwell, San Jose
Anita Rosen, SV Indivisible
David Mihoi, Represent.US
Bonnie Packer, Leag.- W. Voters
Andrea Slater, Common Cause

2. Consent Calendar

Accept Amended Minutes of February 9, 2017 Meeting. Accepted unanimously 7-0 with no quorum present.

Ayes: Bernald, Klein, Scharff, Showalter, Sinks, Tate, Waldeck

No:

Abstention:

Absent: Craig, Davis, Gibbons, Jones, Leroe-Munez, Pepper, Phan, Sayoc

3. New Business

A. Betsy Shotwell of San Jose, stated the City of San Jose was not tracking many of the bills on the agenda, so used the information provided by Interim Executive Director Joanne Benjamin to the committee. Betsy stated most of the bills are in Appropriations Suspense file waiting for the Governor's May Revise of

the Budget being released today, May 11. The number crunching will then occur and if the bills do not get out of appropriations by May 26, they will become two-year bills.

AB 1089 Mullin): Local elective offices: contribution limitations. This bill would prohibit a person from making to a candidate for local elective office, and would prohibit a candidate for local elective office from accepting from a person, a contribution totaling more than the amount set forth in the act for limitations on contributions to a candidate for elective state office. The League of Women Voters and Common Cause support it. Two members of the public spoke in favor of the legislation. Motion/Second to Support. 8-0 Ayes: Bernald, Klein, Sayoc, Sinks, Scharff, Showalter; Absent: Jones

B. Betsy Shotwell reviewed **AB 920 (Aguiar-Curry): California Renewables Portfolio Standard Program.** This bill was completed revised on May 1 and doesn't look anything like the previous piece of legislation. More information is needed on the revised bill. Put on the "Watch" list and follow RWRC's lead on new version.

C. Betsy Shotwell reviewed **AB 1250 (Jones-Sawyer): De Facto Ban on Local Government Contracts.** The League of CA Cities is very opposed to this bill. Requires full economic evaluation & CEQA before letting a contract. Must list contact and salary info for all workers paid by the contract. The new reporting requirements, privacy concerns, increased costs to cities, and potential litigation created by this measure would place an overwhelming and significant burden on nearly every city department and would create a de factor ban on virtually all contracting services. Motion to Strongly Oppose/Second: 8-0 Ayes: Bernald, Klein, Sayoc, Scharff, Showalter, Sinks, Tate, Waldeck; Absent: Craig, Davis, Gibbons, Jones, Leroe-Munez, Pepper, Phan,

D. Betsy Shotwell reviewed **SB 649 (Huesco): Wireless Telecommunications.** This bill would provide that a small cell is a permitted use, not subject to a city or county discretionary permit, if the small cell meets specified requirements. Small is 6 cubic ft. for antennas and 21 cubic ft. for associated equipment. The League of CA Cities is opposed but the SVLG is supporting the bill. Discussion followed. Moved to Oppose unless the dimensions are changed/Second 6-0-2 Ayes: Bernald, Klein, Sayoc, Scharff, Showalter, Tate Abstentions: Sinks, Waldeck Absent: Craig, Davis, Gibbons, Jones, Leroe-Munez, Pepper, Phan,

E. Betsy Shotwell reviewed **AB 1659 (Low): Food Service Place Packaging Recovery.** This bill would authorize a city, county, or city and county to establish and implement a residential curbside collection program for the collection and recycling of a particular type of plastic packaging, defined to mean a container or single-use food service packaging product labeled with the same resin code. Rod Sinks noted a local assemblyman, Evan Low, is carrying this legislation and it is nice to help support our local state legislators. This will probably be a two-year bill. It was decided to keep it on the "Watch" list and ask RWRC for any thoughts on the legislation.

F. Betsy Shotwell reviewed AB 890 (Medina): Local land use initiatives: environmental review. This bill was amended yesterday, May 10. The League of CA Cities has been opposing it. Rod Sinks discussed the two measures put on the Cupertino ballot this past year. It was decided to keep this bill on the “Watch” list.

G. Betsy Shotwell reviewed SB 618 (Bradford): Load-serving entities: Integrated resource plans. The League of CA Cities and SVCEA are opposed. This bill was amended May 9. Requires each electrical load-serving entity like our SVCE prepare a plan to show that it was using a balanced portfolio for a reliable energy supply with optimal use of renewable energy. PUC given the authority to review and approve. It was decided to keep the bill on the “Watch” list and also ask Jan Pepper if she has any thoughts.

H. Betsy Shotwell reviewed AB 252 (Ridley-Thomas): Local Government: taxation prohibition; video-streaming services. Evan Low and Jerry Hill are coauthors. Several cities do receive some revenue from video streaming services. This bill will be kept on the “Watch” list.

I. Betsy Shotwell reviewed AB 1479 (Bonta): Public Recorders: supervisor of records: fines. This bill requires each agency to establish a “supervisor” of public records requests. Adds additional duties beyond what is already required and sets fines. Motion/Second to Oppose: Bernald, Klein, Sayoc, Scharff, Showealter, Sinks, Tate, Waldeck; Absent: Craig, Davis, Gibbons, Jones, Leroe-Munez, Pepper, Phan

J. Betsy Shotwell reviewed SB 540 (Roth): Workforce Housing Opportunity Zone. Discussion included this was a “Voluntary By-Right” bill and it was decided to keep it on the “Watch list.

4. Member Comments: Members asked whether Support or Opposition Letters could be sent. Since the LAC is Advisory to the Board, the Board needs to approve. The May meeting is an usual meeting time because there is not a Board meeting immediately following the LAC meeting. Greg Scharff offered his City Clerk, Beth Minor, would set up a Board conference call to approve the letters. It was decided there should be a LAC meeting prior to the June 8 Board Meeting. Members were interested in legislation taking away local control, by-right housing (Weiner), and prevailing wage on all housing projects. The legislation on this agenda along with the following additional legislation should be on the June 8 agenda:

- a. **AB 1506** (Bloom): Residential Rent Control: Costa-Hawkins Rental Housing Act
- b. **AB 733** (Berman): Enhanced Infrastructure financing districts: projects: Climate Change
- c. **AB 184** (Berman) Sea-level rise planning: database: Coauthors (Assembly members Chiu, Cunningham, Mullin, Mark Stone, Ting and Gonzalez Fletcher; Senators Hertzberg and Hill)

- d. **AB 1222** (Quirk): Vehicles: electronic wireless communication devices. Designed to fix issues with ham radio operators while driving during an emergency.
- e. **AB 1598** (Mullin) Affordable housing authorities
- f. **AB 574** (Quirk) Potable Reuse
- g. **SB 35** (Weiner) Planning and zoning: affordable housing: streamlined approval process
- h. **AB 1585** (Bloom) Planning and zoning: affordable housing: single application. Makes many affordable housing projects “by right” which would streamline the process but reduce local control.

5. Adjournment: The meeting was adjourned at 6:00 p.m.

Respectfully submitted:

Joanne Benjamin, Interim Executive Director

Call In Cities Association Meeting

Purpose: To respond to recommendations from the May 11th Legislative Action Committee, so that letters of support and/or opposition can be sent out in a timely manner

Background: A LAC meeting was held on May 11th right before the General Membership Meeting. Since the General Membership Meeting is really an event & party, no regular business was conducted. Normally, the LAC recommendations are discussed and acted on at the meeting that comes immediately after it. In this case the next Cities Association Meeting will not be until June 8th. Given how quickly bills move through the legislative process, we felt our input would be more valuable sooner. This phone meeting has been set up to allow the legislative action to be accomplished before the June 8th meeting.

The recommended actions are below:

Bill Number & Name	Brief description	Action Requested
AB1250 (Jones-Sawyer) De facto ban on local government contracts	Requires full economic evaluation & CEQA before letting a contract. Must list contact and salary info for all workers paid by the contract.	Oppose & send letter STRONGLY Opposed by CLC Policy Committee LAC 8/0 Change Action to WATCH since cities are now exempt from Onerous Contracting Measure
SB649 (Huesco) Wireless Telecommunications Facilities	Limits local control & revenue from installation of "small cell" equipment. Small is 6 cubic ft for antennas and 21 cubic ft for associated equipment.	Oppose unless the dimensions are fixed. LAC 6/2 Change Action to WATCH as bill has extensive amendments and passed the Senate with only one NO vote.
AB1089 Local elective offices: contribution limitations (Mullin)	Establishes a campaign contribution limit for local offices of \$4,400 per candidate per election. Supported by LWV, Common Cause and many others	Support and send letter LAC 8/0
AB920 California Renewables	Supported by RWRC before it was	Watch and follow

Portfolio Standard Program	dramatically revised.	RWRC's lead on new version
AB 1479 (Bonta) Supervisor of Public Records Request Requirement.	Requires each agency to establish a "supervisor" of public records requests. Adds other requirements and sets fines. Opposed by CLC	Oppose and send letter LAC8/0. On LCC HOT List to Oppose
SB 618 (Bradford) Load-serving entities: requires integrated resource plans	Requires each electrical load-serving entity like our SVCE prepare a plan to show that it was using a balanced portfolio for a reliable energy supply with optimal use of renewable energy. Problem is it give the PUC the review & approval authority.	SVCEA & CLC urge opposition. Held at DESK; LCC Position is to "Watch"
AB 184 (Berman) Planning for Sea Level Rise Database	Provides funding for continuing and strengthening SLR database by State. Generally sounds good, but lacked info for action.	Watch; Calendared for 6/13/2017 Senate Natural Resources & Water; LCC position: watch
AB 574 (Quirk) Potable Reuse	Bill would remove certain references to "direct potable reuse," "indirect potable reuse for groundwater recharge," and "surface water augmentation," and would instead specify the four different types of potable reuse projects as "groundwater augmentation," "reservoir augmentation," "raw water augmentation," and "treated drinking water augmentation	Watch; LCC Position: Watch
AB 733 (Berman) Allowing enhanced finance district	Allows enhanced finance districts. Generally sounds good, but lacked info for action.	Watch; Calendared for Senate Governance & Finance – 6/7/2017 LCC position: Watch
AB 1222 Vehicles: electronic wireless communications devices	Designed to fix issues with ham radio while driving	Watch; LCC position: Watch
SB 35 (Weiner) Planning and Zoning: affordable housing: streamlined approval process	Makes many affordable housing projects "by right" which would stream-line the process, but reduce local control and limits opportunity for public review	May 11 LAC Rec: Watch; Passed Senate 23-12 & ordered to Assembly; On LCC Hot List to Oppose

AB1506 (Bloom, Chiu, Bonta): Repeal Chapter 2.7: relating to tenancy	Would Repeal Costa Hawkins Act	Watch; This is now a two-year bill.
AB 1598 (Mullin): Affordable housing authority	Affordable housing authorities See information below	LCC Position: Watch
AB 1585 (Bloom): Planning and Zoning: Affordable housing: single application	Planning & Zoning: makes affordable housing streamlined See information below	LCC Position: Oppose; is now a two-year bill

AB 1598 (Mullin) Summary: Existing law authorizes certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. Existing law provides for the financing of these activities by, among other things, the issuance of bonds serviced by property tax increment revenues, and requires the authority to adopt a community revitalization and investment plan for the community revitalization and investment area that includes elements describing and governing revitalization activities. Existing law requires a community revitalization and investment plan to include a 30-year limit for establishing loans, advances, and indebtedness by the authority. This bill would authorize a city, county, or city and county to adopt a resolution creating an affordable housing authority with power limited to providing low- and moderate-income housing funded through a low- and moderate-income housing fund, as specified. The bill would prohibit certain local government entities from participating in the authority. The bill would authorize an authority created pursuant to those provisions to have boundaries that are identical to the boundaries of the city, county, or city and county that created the authority. The bill would require the authority to adopt, after holding a noticed public hearing, an affordable housing investment plan that includes, among other things, an affordable housing program. The bill would require an authority created pursuant to these provisions to include a 45-year limit for establishing loans, advances, and indebtedness by the authority. The bill would authorize specified local entities to adopt a resolution to provide tax increment revenues to the authority. The bill would also authorize specified local entities to adopt a resolution allocating other tax revenues to the authority, subject to certain requirements. The bill would provide for the financing of the activities of the authority by, among other things, the issuance of bonds serviced by funds received pursuant to those tax increment revenues or other tax revenues allocated to the authority.

AB 1585 (Bloom) Summary: The Planning and Zoning Law require a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law provides for various reforms and incentives intended to facilitate and expedite the construction of affordable housing. Existing law requires the Department of Housing and Community Development, in consultation with each council of governments, to determine existing and projected needs for housing for each region and requires each council of governments or, for cities and counties without a council of governments, the department to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county and is consistent with specified objectives. This bill would establish in each city, county, and city and county in the state an affordable housing zoning board and procedures by which a public agency or nonprofit organization proposing to build affordable housing units, as defined, or a developer proposing to build a housing project that meets specified affordability criteria, could submit to that board a single application for a comprehensive conditional use or other discretionary permit. The bill would require the board to conduct a public hearing, as provided, and issue a decision approving, approving with conditions, or denying the application and to issue a comprehensive permit if the application is approved or approved with conditions. The bill would require the board to consider the general plan and zoning ordinances of the affected local agency, the share of the regional housing needs of the affected local agency, whether the applicant has made specified certifications relating to the payment of prevailing wages and employment of a skilled and trained workforce, as provided, on the affordable housing units or housing project development, documents or other evidence presented at the hearing, and the recommendations of experts or consultants, if any, retained by the board. The bill would

provide that the comprehensive permit would have the same force and effect as a conditional use or other discretionary permit issued by an affected local agency, but would prohibit the board from abrogating a provision of the general plan or zoning ordinances of the affected local agency except to grant a density bonus, as provided. This bill contains other related provisions and other existing laws.