



DISCUSSION ITEM

Agenda Item # 10

AGENDA REPORT SUMMARY

Meeting Date: October 12, 2021

Subject: Council Legislative Subcommittee Update And Potential Council Action: Receive update from the City Council Legislative Subcommittee; discuss pending legislation including, but not limited to: AB 14, AB 68, SB 215, AB 339, AB 473, AB 682, AB 989, AB 1401, AB 1322; SB 4, SB 6, SB 9, SB 10, SB 15, SB 16, SB 278, SB 477, SB 478, SB 556, SB 612, SB 640, SB 785.

Prepared by: Vice Mayor Enander; Council Member Weinberg

Status of Bills Tracked

October 12, 2021

(* indicates Council has taken a position)

Bills signed or vetoed by the Governor from the 2020-21 session:

AB 14 – signed

(Aguiar-Curry) Communications: broadband services: California Advanced Services Fund. [expands access to CASF fund to improve broadband infrastructure and service in unserved and underserved communities]

Positions: CalCities Support CASCC Support

AB 68 - signed

(Salas) Department of Housing and Community Development: California Statewide Housing Plan: annual reports [increases reporting; adds affordability and homelessness-related requirements]

Positions: CalCities Watch CASCC Watch

AB 215* - signed

(Chiu) Housing element: regional housing need: relative progress determination [required HCD to determine mid-cycle progress on 6th cycle; other requirements and limitations]

Positions: CalCities Oppose Los Altos Oppose



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AB 339* - vetoed

(Lee) Local government: open and public meetings [requires simultaneous electronic and in-person meetings and translation services]

Positions: CalCities Oppose Los Altos Oppose

AB 473 - signed

(Chau) Reorganize and modify Public Records Act

Positions: CalCities Watch

AB 602 - signed

(Grayson) Increases requirements for nexus studies and limits use of fees.

Positions: CalCities Oppose unless amended

SB 4 - signed

(Gonzalez) Communications: California Advanced Services Fund: deaf and disabled telecommunications program: surcharges [similar to AB 14]

Positions: CalCities Support CASCC Support

SB 7 - signed

(Atkins) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021 [provides streamline CEQA for certain housing projects and changes labor-related requirements for some public projects.

Positions: CalCities Watch CASCC Watch

SB 8 – signed

(Skinner) Housing Crisis Act of 2019 [amends SB 330 to include single house and makes other clarifications]

Positions: CalCities Watch



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SB 9* - signed

(Atkins) Housing development: approval [by-right lot split and/or additional units in single-family zones]

*Positions: CalCities Oppose unless Amended CASCC Oppose unless Amended
Los Altos Oppose unless Amended*

SB 10 - signed

(Wiener) Planning and zoning: housing development: density [allows local governing body to zone any parcel in jobs- and-transit-rich or in-fill sites for up to 10 units per acre]

Positions: CalCities Watch CASCC Watch

SB 16* - signed

(Skinner) Peace officers: release of records [disclosure of use of force incident information, including those within policy]

Positions: CalCities Oppose Los Altos Support

SB 278* - signed

(Leyva) Public Employees' Retirement System: disallowed compensation: benefit adjustments [imposes requirements on local government regarding disallowed compensation]

Positions: CalCities Oppose CASCC Oppose Los Altos Oppose

SB 477 - vetoed

(Wiener) General plan: annual report [adds significant requirements to annual report to HCD on housing]

Positions: CalCities Watch CASCC Watch



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SB 478 - signed

(Wiener) Planning and Zoning Law: housing development projects [requires HCD to report to Attorney General on jurisdictions that may not comply with or has violated certain state laws; sets minimum FARs and lot coverage requirements]

Positions: CalCities Watch CASCC Watch

SB 556* - vetoed

(Dodd) Street light poles, traffic signal poles: small wireless facilities attachments [reduces local jurisdiction control on poles in ROW for small wireless facilities]

Positions: CalCities Oppose Los Altos Oppose

SB 640* - signed

(Becker) Transportation financing: jointly proposed projects [allows cities and counties to propose joint projects that draw on their respective portion of certain state transportation funds]

Positions: CalCities Support Los Altos: Support

Bills active September 10 that did not ultimately pass both houses:

AB 989* - did not pass both houses

(Grayson) Establish Housing Accountability Committee to hear appeals of locally denied housing projects

Positions: CalCities Oppose Los Altos Oppose

AB 1322 – gut/amend to change to measure re: aviation fuel; did not pass both houses

(Rivas, Robert) Land use: local measures: conflicts [allows local jurisdictions to review and take procedure action on resident-passed actions that affect housing and that may conflict with state law]

Positions: CalCities Watch



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Bills previously reported as not moving forward or that may be 2-year bills:

AB17 – Public Safety; made 2-year bill

(Cooper) Peace officers: disqualification from employment [disqualifies certain former military and peace officers who have had Peace Officer Standards and Training Certification revoked]

Positions: CalCities Watch CASCC Support in concept

AB 34 – Passed Commun/Conveyance and Privacy/Consumer Protect; to Approp, not scheduled

(Muratsuchi) Broadband for All Act of 2022 [\$10 billion general obligation bonds on Nov. '22 ballot to support projects that expand broadband]

Positions: CalCities Support in concept CASCC Support in concept

AB 115 – Passed Housing 4/15; to Local Govt. ; on hold

(Bloom) Planning and zoning: commercial zoning: housing development [requires by-right housing on commercial-zoned lots with certain affordability requirement]

Positions: CalCities Watch

AB 415* – Insurance Committee, no schedule

(Rivas, Robert) Employment: workers' compensation

Positions: CalCities Oppose Los Altos Oppose

AB 617 – Housing; made 2-year bill

(Davies) Planning and zoning: regional housing needs: exchange of allocation [allows cities/counties to shift RHNA]

Positions: CalCities Watch

AB 678 – to Local Govt 3/28; made 2-year bill

(Grayson) Housing development projects: fees and exactions cap [caps fees on housing developments at 12% of county median housing price; allows waivers]

Positions: CalCities Watch



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AB 1091 – made 2-year bill at author’s request

(Berman) Santa Clara Valley Transportation Authority: board of directors [replace current VTA board of elected officials with 9 appointed residents]

Positions: CalCities Watch

AB 1258 – to Housing, 3/23; made 2-year bill

(Nguyen) Housing element: regional housing need plan: judicial review [restores opportunity for judicial review of HCD and COG determinations]

Positions: CalCities Watch

AB 1401 – In Senate Appropriations Committee

(Friedman) Residential and commercial development: parking requirements [prohibits requiring parking if within ½ mile of transit; exceptions for EV/disability spaces]

Positions: CalCities Oppose

SB 5 – Housing, no schedule

(Atkins) Affordable Housing Bond Act of 2022 [would place \$6.5 billion bond measure for affordable rental housing and homeownership on Nov. '22 ballot]

Positions: CalCities Watch CASCC Watch

SB 6 – Passed Senate; held at Assembly, no assignment (probably will not move)

(Caballero) Local planning: housing: commercial zones [allows housing development on commercial parcels not adjacent to industrial use, with affordability requirements]

Positions: CalCities Watch CASCC Watch

SB 15* – Passed Senate; held at Assembly, no assignment (may not move)

(Portantino) Housing development: incentives: rezoning of idle retail sites [provides financial assistance to local governments that zone idle retail sites for affordable housing]

Positions: CalCities Watch CASCC Watch Los Altos: Support



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SB 55 – Govt/Finance - heard April 15; made 2-year bill

(Stern) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses [limits development in high-fire hazard zones and increases density and height in other areas]

Positions: CalCities Watch CASCC Watch

SB 210 – Passed Judiciary 3/23; Approp placed on suspense April 5

(Wiener) Automated license plate recognition systems: use of data [requires data not matched to a hot list within 24 hours to be destroyed]

Positions: CalCities Oppose

SB 612* – In Assembly Committee on Utilities and Energy – did not move

(Portantino) Electricity rate/ resource allocation

Positions: CalCities Support Los Altos Support

SB 695 – Govt./Finance, no schedule

(Ochoa Bogh) Mitigation Fee Act: housing developments [increases nexus study requirements for mitigation fees imposed on housing; prohibits such from exceeding the amount necessary to maintain the existing level of service for the relevant fee]

Positions: CalCities Watch

SB 765 – Housing, heard 4/15; made 2-year bill

(Stern) Accessory dwelling units: setbacks [would allow jurisdictions to return to minimum ADU setbacks as of Jan. 1, 2020 if set to encourage development of ADUs]

Positions: CalCities Support CASCC Watch

SB 785 – Passed Education 3/24; passed Approp. 5/20; pulled by author

(Glazer) Public postsecondary education: California Promise program: California State University students