



MANAGEMENT SERVICES DEPARTMENT

MEMORANDUM

DATE: June 18, 2019

TO: The Honorable City Council

FROM: Bryan Cook, City Manager
Via: Brian Haworth, Assistant to the City Manager
By: Tinny Chan, Management Analyst

SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

The City Council is requested to receive and file this report.

BACKGROUND:

1. On May 21, 2019, Council received an update on bills that may significantly impact City operations and policies. The report was prepared under the City Manager's legislative advocacy program, which monitors proposed state legislation in partnership with the League of California Cities (LCC), California Contract Cities Association (CCC), and the San Gabriel Valley Council of Governments.
2. On May 31, 2019, the State Legislature imposed a prescribed deadline to pass bills out of their house of origin. A number of proposals identified in the May 21, 2019 passed, while a few were amended or tabled until 2020.

ANALYSIS:

The following narratives provide an update on pertinent bills that were identified in the May 21, 2019 report. Should Council wish for more information, or to formally oppose or support a bill, they can do so by requesting the item for further deliberation at a subsequent meeting.

Moving ahead, the State Legislature will review these bills through various committees. Bills that pass a floor vote by Sept. 13, 2019 will then be forwarded for the Governor's signature or veto before Oct. 13, 2019.

BILLS THAT ARE NOT MOVING FORWARD

Emergency Preparedness | AB 291

Requires the Office of Emergency Services to establish a \$500 million ongoing Local Emergency Preparedness and Hazard Mitigation Fund to help local governments meet emergency preparedness goals.

Emergency Services | SB 46

Provides agencies with increased access to residents' contact information by obtaining third-party data from local utility and other service providers. Information would then be used to enroll unsubscribed residents into emergency warning systems.

Redevelopment Agencies | AB 11

CONTINUE TO MONITOR

Allows cities and counties to use tax increment financing to fund affordable housing and infrastructure projects. The bill takes on a similar approach to the tax increment financing structure used by former redevelopment agencies.

Seismic Safety Tax Credit | AB 234

Provides for up to a 30% tax credit for locally certified seismic retrofitting projects completed between 2020 and 2025.

Zoning | SB 50

CONTINUE TO MONITOR

Limits single-family only zoning and increases density while limiting or removing parking requirements. The bill also allows developers to construct fourplex apartments without conditional use permits, and subdivide existing structures into a maximum of four residential dwelling units.

BILLS THAT ARE MOVING FORWARD

Accessory Dwelling Units | AB 68

Eliminates a jurisdiction's authority to impose minimum lot size requirements for the construction of accessory dwelling units (ADUs). Also requires at least 800 sq. ft. per ADU, and requires jurisdictions to approve or deny an application for an ADU within 60 days.

Applicability: Conflicts with TCMC lot size requirement of 6,000 sq. ft.
Position: LCC: Oppose unless amended.

Accessory Dwelling Units | AB 881

Prohibits local jurisdictions from requiring a property owner to live in the main house or in the ADU.

Applicability: Conflicts with TCMC requirement for owner occupancy.
Position: LCC: Oppose unless amended.

Accessory Dwelling Units | SB 13

Amends statewide standards concerning ADUs by placing an arbitrary cap on impact fees, prohibiting replacement parking and eliminating owner occupancy requirements.

Applicability: Conflicts with TCMC provisions for ADUs.
Position: LCC: Oppose unless amended.

Drones | AB 1190

Prohibits agencies from banning the operation of drones but allows the enactment of ordinances that relate to the use of drones—so long as the ordinances are not specifically written to eliminate drone activity.

Applicability: For consideration; TCMC does not contain drone ordinances.
Position: LCC: Pending support.

Email Retention | AB 1184

Requires public agencies to retain emails for at least two years before automatically deleting them. State law already requires cities to retain public records for two years; however, the law is unclear regarding email retention.

Applicability: City retains emails for 90 days.
Position: LCC: Oppose.

Infrastructure Funding | ACA 1

Lowens the necessary voter threshold from a two-thirds supermajority to 55 percent to approve local general obligation (GO) bonds and special taxes for affordable housing and public infrastructure projects.

Applicability: Provides a financing option to address infrastructure challenges.
Position: LCC and CCC: Support.

Investment Incentives | SB 5

Authorizes local governments to establish an affordable housing and community development investment agency, as well as to issue bonds and apply for funding under the Affordable Housing and Community Development Investment Program.

Applicability: Provides an additional community development financing option.
Position: LCC and CCC: Support.

Motorized Scooters | AB 1112

Eliminates the ability for cities to fully regulate corporations that offer shared motorized scooter services.

Applicability: Bill would eliminate the City's authority in its own right-of-way.
Position: LCC: Oppose.

Planning & Zoning | SB 330

Declares a statewide housing crisis and for a ten-year period, prohibits a city from downzoning, imposing parking requirements, increasing impact fees and establishing a maximum number of conditional use permits.

Applicability: Alters provisions of TCMC and General Plan Update.
Position: LCC and CCC: Oppose.

Shared Mobility Devices | AB 1286

Requires shared mobility service providers (e.g. Bird, Lime) to obtain a permit or agreement with the jurisdiction it seeks to operate in. The bill also requires service providers to maintain a specific amount of liability insurance and comply with all local operation, parking, maintenance and safety rules.

Applicability: City can regulate these devices beyond minimum standards.
Position: LCC: Pending support.

NEW BILLS BROUGHT TO CITY'S ATTENTION

Density Bonus | AB 1763

Expands the existing state density-bonus law by allowing an 80% density bonus for projects with 100% affordable housing.

Applicability: Circumvents local authority; conflicts with General Plan objectives.
Position: LCC: Oppose unless amended.

Vehicle Towing | AB 516

Eliminates poverty related tows if the owner has five or more unpaid parking tickets, if the car registration is more than six months out of date, or when a car has been legally parked for more than 72 hours. Also prevents local jurisdictions from conducting a lien sale to cover towing and storage expenses.

Applicability: Conflicts with TCMC; poses public safety and congestion concerns.
Position: CCC: Oppose.

CITY STRATEGIC GOAL:

Actions contained in this report align with the City's strategic goals of economic development, sustainable infrastructure and good governance.

FISCAL IMPACT:

None.

ATTACHMENT:

None.