



LEGISLATION AND GOVERNMENTAL ORGANIZATION COMMITTEE

Thursday, September 17, 2015

3:30 p.m. – 5:00 p.m.

Site: Association of Bay Area Governments, 101 8th Street, Conference Room B, Oakland, CA

Committee Chair: Supervisor Scott Haggerty, Alameda County
Committee Vice Chair: Councilmember Desley Brooks, City of Oakland

Staff: Brad Paul, Deputy Executive Director
Halimah Anderson, Communications Officer

- 1. CALL TO ORDER**
- 2. OPEN AGENDA-PUBLIC COMMENT**
- 3. APPROVAL OF MINUTES: FROM JULY 16, 2015 MEETING**
- 4. BILL SUMMARY AND UPDATE**
 - a. Briefing**
 - i. SB X1-1 (Beall) Transportation Funding
 - b. Update on key ABAG bills**
 - i. AB 35 (Chiu) Income tax: tax credit increase for low-income housing
 - ii. AB 90 (Atkins) Distribution of national housing trust fund monies
 - iii. AB 1335 (Atkins) Creation of a dedicated affordable housing fund by placing a \$75 fee on recording of real estate documents – excluding documents related to sales of owner occupied homes.
 - iv. SB 489 (Monning) Hazardous Waste: Photovoltaic Modules
 - v. SB 602 (Monning) Adding CA Earthquake Authority to definition of “public agency” for purposes of financing the installation of seismic strengthening improvements
 - vi. AB 18 (Dodd) Napa and Solano County disaster relief

5. ABAG PROPOSED LEGISLATION FOR 2016

c. Jerry Lahr, ABAG Energy Programs Manager

- i. Briefing and vote of on proposed 2016 ABAG Legislation to establish a Pool for Water Efficiency programs and projects for local governments.

Information/Action

6. LEGISLATIVE WORKSHOP AND RECEPTION for 2016 – Planning Discussion – Date, Agenda, and Format Development.

Action

7. ADJOURNMENT

The next meeting of the L&GO Committee will be November 19, 2015.

The ABAG Legislation and Governmental Organization Committee may act on any item on this agenda.

- Attachments: Minutes for the July 16, 2015 Meeting
 - SB X1-1 Fact Sheet
 - AB 1335 – Fact Sheet
 - ABAG Legislative Summary
 - Memo on new proposed ABAG 2016 legislation for water efficiency pool for local governments

**ASSOCIATION OF BAY AREA GOVERNMENTS
LEGISLATION AND GOVERNMENTAL ORGANIZATION
COMMITTEE**

**Thursday, July 16, 2015
Summary Minutes**

Committee Members Present:

Supervisor, Scott Haggerty, *Chair*

Councilmember Desley Brooks, *Vice Chair*

Mayor Bill Harrison, City of Fremont

Supervisor Mark Luce, County of Napa, ABAG Immediate Past President

Councilmember Julie Pierce, City of Clayton, ABAG President

Mayor Harry Price, City of Fairfield

Supervisor Dave Cortese, County of Santa Clara

Staff:

Ezra Rapport – ABAG

Brad Paul—ABAG

Terry Adams—ABAG

Mike Arnold, Legislative advocate, Arnold and Associates, Inc.

Public: Ken Bukowski/Filming

1. CALL TO ORDER AND INTRODUCTIONS: Mike Arnold, Legislative advocate, Arnold and Associates, Inc. L&GO, Chair called the meeting to order at 3:35 p.m.

2. OPEN AGENDA - PUBLIC COMMENT – No public comment made.

3. APPROVAL OF MINUTES: May 21, 2015 minutes were approved as written. (7-0)

4. Mike Arnold, Legislative Advocate, Arnold and Associates, Inc. Briefing

a. State Budget Update

- i. 2015-16 State Budget Adopted – *Budget adopted on time.*
- ii. Budget Trailer Bills Also Adopted – *13 budget trailer bills also adopted on time.*
- iii. Extraordinary Sessions for Infrastructure and Healthcare – *The Governor has called two extraordinary sessions of the state legislature to deal with important issues of financing our transportation system and the Medi-Cal program.*

b. Update on key ABAG Support Bills

- i. AB 35 (Chiu) Income tax: tax credit increase for low-income housing – *Moving forward in process. Status: Senate Appropriations Committee*
- ii. AB 90 (Atkins) Distribution of national housing trust fund monies – *Moving forward. Status: Senate Appropriations Committee*
- iii. AB 1335 (Atkins) Creation of a dedicated affordable housing fund by placing a \$75 fee on recording of real estate documents – excluding documents related to sales of owner occupied homes. – *Stuck on Assembly floor. Bill contains and urgency clause and can be taken up at any time. Two Republican votes are needed on the Assembly floor if all Democrats vote aye on the measure.*
- iv. SB 602 (Monning) Adding CA Earthquake Authority to definition of “public agency” for purposes of financing the installation of seismic strengthening improvements. – *Moving forward. Status: Assembly Appropriations*
- v. AB 18 (Dodd) Napa and Solano County disaster relief - *Moving forward. Status: Senate Appropriations*

c. Recommendations from Bay Area Hazardous Waste Management Facility Allocation Committee (Report Attached.)

- i. SB 489 (Monning) Hazardous Waste: Photovoltaic Modules – *Motion adopted to support this bill.*
- ii. AB 45 (Mullin) Household Hazardous Waste – *Committee requested briefing on this bill at the next meeting. Bill is now a “two-year bill.”*
- iii. AB 190 (Harper) Solid Waste: Single Use Carryout Bags – *Dead.*
- iv. AB 191 (Harper) Solid waste: Single Use Carryout Bags – *Dead.*
- v. AB 199 (Eggman) Alternative Energy: recycled feedstock - *Committee requested briefing on this bill at the next meeting. Status: Senate Appropriations.*
- vi. AB 1159 (Gordon and Williams) Product Stewardship: Pilot Program: household batteries and home-generated sharps waste – *Committee consensus was to take no position on this measure. Status: Two-year bill.*

5. BRAD PAUL, ABAG DEPUTY DIRECTOR, AND MICHAEL ARNOLD

Possible legislation to add COGs and MPOs to the list of agencies allowed to access state-produced datasets – *Legislative Counsel draft bill was provided to the committee. The committee directed staff to continue to move forward on this matter with further review at a*

later date to authorize introduction of an ABAG sponsored bill during the 2016 Legislative Session if such an action is consistent with ABAG priorities for 2016.

6. UNACCOMPANIED CHILDREN (UAC) AND/OR REFUGEE

CHILDRENIMPLICATIONS FOR LOCAL GOVERNMENT – *ABAG Interns working on this project presented a briefing to the committee and informed the committee that a forum on this topic will be held July 24, 2015 from 8:30a.m. – Noon. Considerable discussion was had by committee members concerning the need for the development of better statistical information regarding expenditures to address this subject by various governmental entities. Committee members complimented the ABAG interns for the work they have done on this project and for the presentation to the committee.*

7. LEGISLATIVE WORKSHOP AND RECEPTION for 2016 – Planning Discussion – Agenda and Format Development.

The committee members engaged in considerable discussion pertaining to this subject. Many options were discussed including a breakfast format, a reception prior to a board meeting, and a separate conference on a key issue of interest in the Bay Area. It was ultimately agreed that staff would be directed to determine the possibility of an ABAG invitation to our Legislators to attend the reception being held in connection with the State of the San Francisco Estuary Conference, September 17-18, 2015. It was agreed that the ABAG staff will check with the SFEP conference coordinator to determine whether such an approach would be possible. Since timing is short, staff will work with the committee chair and vice chair on the implementation of this plan.

8. ADJOURNMENT - Meeting was adjourned at 4:45p.m.



ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area

LEGISLATION SUMMARY 2015 State Legislative Session Legislation & Governmental Organization Committee September 17, 2015

New Bills:

SB 441 (Leno D, San Francisco) **Redevelopment Housing**

Amended: 4/6/2015

Status: 8/31/2015-A. Third Reading

Summary: The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies as of February 1, 2012, and provides for the designation of successor agencies that are required to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations. Existing law prohibits dissolved redevelopment agencies from issuing bonds or incurring other indebtedness on or after June 29, 2011. Existing law authorizes successor agencies to, among other things, issue bonds or incur indebtedness after that date to refund the bonds or indebtedness of a former redevelopment agency or to finance debt service spikes, as specified. The issuance of bonds or incurrence of other indebtedness by a successor agency is subject to the approval of the oversight board of the successor agency. This bill would authorize the successor agency to the Redevelopment Agency of the City and County of San Francisco to issue bonds or incur other indebtedness to finance the construction of affordable housing and infrastructure required by specified enforceable obligations, subject to the approval of the oversight board. The bill would provide that bonds or other indebtedness authorized by its provisions would be considered indebtedness incurred by the dissolved redevelopment agency, would be listed on the Recognized Obligation Payment Schedule, and would be secured by a pledge of moneys deposited into the Redevelopment Property Tax Trust Fund. The bill would authorize the successor agency to require affected taxing entities to make certain determinations as to the related subordination of revenues, and would thereby impose a state-mandated local program. The bill would also require the successor agency to make diligent efforts to obtain the lowest long-term cost financing and to make use of an independent financial advisor in developing financing proposals. This bill contains other related provisions and other existing laws.

Staff Recommendation: *Watch*

L&GO Position:

SB X1-1 (Beall D, San Jose) **Transportation Financing for Road Maintenance**

Introduced: 6/22/2015

Status: 8/25/2015 -Read second time and amended. Re-referred to Com. On Appropriations

Summary: The bill provides funding for the state, counties, and cities to address road maintenance needs at all levels. The bill would create a temporary funding plan to address the maintenance backlog of aging roadways. It funds congestion relief for freight movement at Ports. It would establish a financing strategy and include protections to ensure that funding does not get taken away from transportation purposes. The bill establishes efficiencies in Caltrans to ensure projects are completed on-time and on-budget.

Staff Recommendation: *Support*

L&GO Position:

Bills Previously Reviewed:

Chaptered and Enrolled

AB 35 (David Chiu D, San Francisco and Assembly Speaker Toni Atkins) **Low income Housing Tax Credit**

Amended: 9/3/2015

Status: 9/4/2015-Action From Second Reading: Assembly amendments are concurred into **Enrollment**.

Summary: Existing law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee provides procedures and requirements for the allocation of state insurance, personal income, and corporation income tax credit amounts among low-income housing projects based on federal law. Existing law, in modified conformity to federal income tax law, allows the credit based upon the applicable percentage, as defined, of the qualified basis of each qualified low-income building. Existing law limits the total annual amount of the credit that the committee may allocate to \$70 million per year, as specified. This bill, for calendar years beginning in 2016, would increase the aggregate housing credit dollar amount that may be allocated among low-income housing projects by \$300,000,000, as specified. The bill, under the insurance taxation law, the Personal Income Tax Law, and the Corporation Tax Law, would modify the definition of applicable percentage relating to qualified low-income buildings that meet specified criteria. The bill would require the Treasurer to submit a report to the Legislature on or before January 1, 2020, regarding the increase in use, if any, of the credit on and after the effective date of this bill. This bill contains other related provisions.

Staff Recommendation: *Support*

L&GO Position: *Support*

AB 57 (Bill Quirk D, Alameda County) **Broadband communications infrastructure**

Amended: 8/18/2015

Status: 9/3/2015-A. **Enrolled**

Summary: Existing law requires a city, including a charter city, or county to administratively approve an application for a collocation facility on or immediately adjacent to a wireless telecommunications collocation facility, as defined, through the issuance of a building permit or a nondiscretionary permit, as specified. Existing law prohibits a city or county from taking certain actions as a condition of approval of an application for a permit for construction or reconstruction for a development project for a wireless telecommunications facility. This bill would provide that a collocation or siting application for a wireless telecommunications facility is deemed approved if the city or county fails to approve or disapprove the application within the reasonable time periods specified in applicable decisions of the Federal Communications Commission, all required public notices have been provided regarding the application, and the applicant has provided a notice to the city or county that the reasonable time period has lapsed. This bill contains other existing laws.

Staff Recommendation: *Watch*

L&GO Position:

AB 90 (Ed Chau D, and Speaker Toni Atkins D, San Diego) **Federal Housing Trust Fund**

Amended: 8/31/2015

Status: 9/3/2015-Action From Concurrence: Senate amendments are concurred into **Enrollment**.

Summary: Existing law establishes the Department of Housing and Community Development in the Business, Consumer Services, and Housing Agency. The department is responsible for administering various housing and home loan programs throughout the state. Existing law also establishes the California Housing Finance Agency within the department, and provides that the

primary purpose of the agency is to meet the housing needs of persons and families of low to moderate income. This bill would designate the Department of Housing and Community Development as the state agency responsible for administering funds received by the state from the federal Housing Trust Fund. This bill would require the department to administer the funds through existing or newly created programs that produce, preserve, rehabilitate, or support the operation of rental housing for extremely low income and very low income households, except that up to 10% of funding may be used to support home ownership for extremely low income and very low income households. The bill would require any rental project funded from the federal Housing Trust Fund to restrict affordability for 55 years, as specified, and require any home ownership program funded from the federal Housing Trust Fund to restrict affordability for 30 years, as specified. This bill contains other related provisions and other existing laws.

Staff Recommendation: Support

L&GO Position:

AB 746 (Ting, San Francisco CA) San Francisco Bay Restoration Authority

Introduced: Introduced: 12/1/2014

Status: Chaptered by Secretary of State – Chapter 226, Statutes of 2015: 9/1/15

Existing law, the San Francisco Bay Restoration Authority Act, until January 1, 2029, establishes the San Francisco Bay Restoration Authority to raise and allocate resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitat in the San Francisco Bay and along its shoreline. The act establishes a governing board of the authority composed of specified members, including a member who is a resident of the San Francisco Bay area with expertise in the implementation of the San Francisco Bay Conservancy Program, who serves as the chair. The act grants to the board all powers that are necessary to carry out the act, including, among other things, the power to levy specified benefit assessments, special taxes, and property-related fees, and to issue revenue bonds and general obligation bonds. However, the act limits the total amount of outstanding indebtedness incurred pursuant to those provisions authorizing the issuance of general obligation bonds to 10% of the authority's total revenues in the preceding fiscal year.

Staff Recommendation: Watch

L&GO Position:

SB 35 (Lois Wolk D, Contra Costa County) Income and corporation taxes: deductions: disaster relief: Counties of Napa, Solano, and Sonoma

Enrolled: 8/20/2015

Status: 8/20/2015-Enrolled and presented to the Governor at 4:15 p.m.

Summary: The Personal Income Tax Law and the Corporation Tax Law provide for a deduction of specified losses sustained as a result of disasters occurring in California in an area determined by the President of the United States to warrant specified federal assistance or, for other disasters for which a specific law has been enacted, proclaimed by the Governor to be in a state of emergency. Those laws allow a taxpayer to elect to deduct those disaster losses on the return for the taxable year preceding the taxable year in which the disaster occurred, filed by a specified date. Existing law also allows individual and corporate taxpayers to utilize net operating losses and carryovers and carrybacks of those losses for purposes of offsetting their individual and corporate tax liabilities. Existing law, for net operating losses incurred in taxable years beginning on or after January 1, 2013, allows net operating losses to be carrybacks to each of the preceding 2 taxable years, as provided, but varies the amount of carryback allowed for net operating losses attributed to specified taxable years. This bill would, for taxable years beginning on or after January 1, 2014, and before January 1, 2024, extend the provisions relating to disaster losses to losses in any city, county, or city and county that is proclaimed by the Governor to be in a state of emergency and would extend the time during which a taxpayer may claim the deduction. This bill would additionally provide that any law that suspends, defers, reduces, or otherwise diminishes the deduction of a net operating loss, other than those

variations already imposed in existing law, shall not apply to a net operating loss attributable to these specified disaster losses. This bill contains other related provisions.

Staff Recommendation: *Watch*

L&GO Position:

SB 489 (Bill Monning D, Santa Cruz) Hazardous Waste Solar Photovoltaic Modules

Amended: 8/24/2015

Status: 9/3/2015-**Enrolled** and presented to the Governor at 10 a.m.

Summary: The Hazardous Waste Control Law, among other things, vests the Department of Toxic Substances Control with the authority to regulate the generation and disposal of hazardous waste. Under now-expired authority, the department adopted regulations exempting specified hazardous waste management activities from certain statutory requirements related to hazardous waste management. These regulations are to remain valid unless repealed. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime. Under existing law, the hazardous wastes that are deemed exempt from the Hazardous Waste Control Law are known as "universal waste" and are regulated pursuant to universal waste management provisions. This bill would authorize the department to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject those modules to universal waste management. The bill would authorize the department to revise the regulations as necessary. Because a violation of these regulations would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Staff Recommendation: *Support*

L&GO Position: *Support*

In Committee

AB 2 (Luis Alejo D, Monterey County) Community revitalization authority

Amended: 7/7/2015

Status: 8/31/2015-Read second time. Ordered to third reading.

Summary: The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined by means of redevelopment projects financed by the issuance of bonds serviced by tax increment revenues derived from the project area. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved agencies and to fulfill the enforceable obligations of those agencies. Existing law also provides for various economic development programs that foster community sustainability and community and economic development initiatives throughout the state. This bill would authorize 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. The bill would provide for the financing of these activities by, among other things, the issuance of bonds serviced by tax increment revenues, and would require 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. The bill would also provide for periodic audits by the Controller. The bill would also require the Department of Housing and Community Development, advised by an advisory committee appointed by the Director of Housing and Community Development, to periodically review the calculation of surplus housing under these provisions. The bill would require certain funds allocated to the authority to be deposited into a separate Low and Moderate Income Housing Fund and used by the authority for the purposes of increasing, improving, and preserving the community's

supply, as specified. The bill would, if an authority failed to expend or encumber surplus funds in the Low and Moderate Income Housing Fund, require those funds to be disbursed towards housing needs. The bill would require an authority to make relocation provisions for persons displaced by a plan and replace certain dwelling units that are destroyed or removed as part of a plan. The bill would authorize an authority to acquire interests in real property and exercise the power of eminent domain, as specified.

Staff Recommendation: *Watch*

L&GO Position:

AB 18 (Bill Dodd D, Napa & Solano County) **Disaster relief: South Napa Earthquake**

Introduced: 12/1/2014

Status: 8/27/2015-In committee: Held under submission.

Summary: The California Disaster Assistance Act generally provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would add the August 24, 2014, South Napa Earthquake, to the list of events for which the state share of state eligible cost is up to 100% and exempt the county from a specified planning requirement as a condition of receiving this level of assistance.

Staff Recommendation: *Support*

L&GO Position: *Support*

AB 21 (Henry Perea D, Fresno County) **California Global Warming Solutions Act of 2006: emissions limit: scoping plan**

Introduced: 12/1/2014

Status: 6/30/2015-Read second time. Ordered to third reading in Senate Assembly.

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. This bill would require the state board in preparing its scoping plan to consult with specified state agencies regarding matters involving energy efficiency and the facilitation of the electrification of the transportation sector. This bill contains other related provisions and other existing laws.

Staff Recommendation: *Watch*

L&GO Position:

AB 40 (Philip Ting D, San Francisco) **Toll bridges: pedestrians and bicycles**

Amended: 9/2/2015

Status: 9/3/2015-Action From Second Reading: Read second time. Third Reading.

Summary: Existing law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would, until January 1, 2021, prohibit a toll from being imposed on the passage of a pedestrian or bicycle over these various toll bridges.

Staff Recommendation: *Watch*

L&GO Position:

AB 229 (Ling Ling Chang R, Ponona/Southern CA) **General plan: proposed public works**

Gut and Amend: State Employees Travel Reimbursement 8/18/2015

Status: 9/1/2015-Read second time. Ordered to third reading.

Summary: Under existing law and bargaining agreements, the state reimburses employees for all necessary and actual expenses they incur when they travel on official state business. This bill would, until January 1, 2019, prohibit a state agency from prohibiting state employees traveling on official state business from using transportation provided by a transportation network company or lodging in

a short-term rental, as defined. The bill would require a state agency to reimburse the actual and necessary expenses of a state employee using a transportation network company or a short-term rental consistent with the agency's standard reimbursement policies. The bill would request and encourage the University of California to adopt travel reimbursement policies in accordance with that prohibition. The bill would define terms for those purposes.

Staff Recommendation: *Watch*

L&GO Position:

AB 1335 (Atkins, San Diego CA) Building Homes and Jobs Act

Amended: 6/3/2015

Status: 6/4/2015-Assembly Rule 69(d) suspended.

Summary: Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, homeownership for very low and low-income households, and down payment assistance for first-time homebuyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law. Existing law requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would enact the Building Homes and Jobs Act. The bill would make legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. The bill 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. The bill would require that revenues from this fee, after deduction of any actual and necessary administrative costs incurred by the county recorder, be sent quarterly to the Department of Housing and Community Development for deposit in the Building Homes and Jobs Fund, which the bill would create within the State Treasury. The bill would, upon appropriation by the Legislature, require that 20% of the moneys in the fund be expended for affordable owner-occupied workforce housing, 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, homeownership opportunities, and other housing-related programs, as specified. The bill 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 Department of Housing and Community Development for the distribution of moneys from the fund. This bill contains other related provisions and other existing laws.

Staff Recommendation: *Support*

L&GO Position:

SB 1 (Beth Gaines R, Folsom County) California Global Warming Solutions Act of 2006

Introduced: 12/1/2014

Status: 4/7/2015-April 15 set for second hearing canceled at the request of author.

Summary: The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Current state board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015. This bill instead would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013.

Staff Recommendation: *Watch*

L&GO Position:

SB 7 (Lois Wolk D, Contra Costa County) Housing: water meters: multiunit structures

Amended: 9/4/2015

Status: 9/8/2015-Read third time. Refused passage. Motion to reconsider made by Assembly Member Williams.

Summary: Existing law generally regulates the hiring of dwelling units and, among other things, imposes certain requirements on landlords and tenants. Among these requirements, existing law requires landlords to provide tenants with certain notices or disclosures pertaining to, among other things, pest control and gas meters. This bill would express the intent of the Legislature to encourage the conservation of water in multifamily residential rental buildings through means either within the landlord's or the tenant's control, and to ensure that the practices involving the submetering of dwelling units for water service are just and reasonable, and include appropriate safeguards for both tenants and landlords. This bill contains other related provisions and other existing laws.

Staff Recommendation: *Watch*

L&GO Position:

SB 113 (Galgiani D, San Joaquin County) Disaster Preparedness and Flood Prevention

Bond Act of 2006

Amended: 7/20/2015

Status: 7/8 - 7/14/2015 set for second hearing canceled at the request of author.

Summary: The Disaster Preparedness and Flood Prevention Bond Act of 2006 authorizes bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects and makes \$3,000,000,000 available, upon appropriation to the Department of Water Resources, for the evaluation, repair, rehabilitation, reconstruction, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control, for improving or adding facilities to the State Plan of Flood Control to increase levels of flood protection in urban areas, and to reduce the risk of levee failure in the Sacramento-San Joaquin Delta. This bill would make available, of the moneys appropriated to the department by the Budget Act of 2015, \$110,000,000 for the upgrade of the levee system of Reclamation District No. 17 to provide urban level of flood protection.

Staff Recommendation: *Watch*

L&GO Position:

Failed Bills

AB 23 (Jim Patterson R, Fresno County) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption

Introduced: 12/1/2014

Status: Failed Passage

Summary: The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Current state board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015. This bill would instead exempt those categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020.

Staff Recommendation: *Watch*

L&GO Position:

AB 45 (Kevin Mullin D, San Mateo County) Household hazardous waste

Introduced: 12/1/2014

Status: Failed

Summary: Would express the Legislature's intent to enact legislation that would establish curbside household hazardous waste collection programs, door-to-door household hazardous waste collection programs, and household hazardous waste residential pickup services as the principal means of collecting household hazardous waste and diverting it from California's landfills and waterways.

Staff Recommendation: *Watch*

L&GO Position:

AB 368 (Marc Steinorth R, Rancho Cucamonga/Southern CA) Community redevelopment

Introduced: 2/17/2015

Status: Failed

Summary: Current law relating to redevelopment agencies provides for specified payments with respect to development project areas. This bill would make nonsubstantive changes to those provisions.

Staff Recommendation: *Watch*

L&GO Position:

AB 369 ((Marc Steinorth R, Rancho Cucamonga/Southern CA) Local government

Introduced: 2/17/2015

Status: Failed

Summary: The Planning and Zoning Law establishes in each city and county a planning agency with the powers necessary to carry out the purposes of that law. Current law sets forth the Legislature's findings and declarations regarding the availability of affordable housing throughout the state. This bill would make nonsubstantive changes to those findings and declarations.

Staff Recommendation: *Watch*

L&GO Position:

AB 1368, (Catharine Baker D, San Ramon, Dublin) Housing element: discharged military personnel

Introduced: 2/27/2015

Status: Failed

Summary: Existing law, the Planning and Zoning Law, requires every city, county revise the housing element of its general plan as frequently as is appropriate, but not less than every five years, to reflect the results of the periodic review of the housing element. Existing law requires the department, based upon data provided by the Department of Finance and in consultation with each council of government (COG), to determine the regional share of the statewide housing need for the subsequent revisions to the housing element. In addition, this bill would authorize a person discharged from service in the United States military to file his or her Department of Defense Certificate of Release or Discharge From Active Duty (DD 214) with the county recorder of his or her place of residence, and would require that the city or county in which the person resides be credited with the production of a new housing unit for the 2014-22 regional housing needs assessment cycle.

Staff Recommendation: *Watch*

L&GO Position:

SB 3 (Mark Leno D, San Francisco) Minimum wage: adjustment

Amended: 3/11/2015

Status: 8/28/2015-Failed Deadline pursuant to Rule 61(a)(11). (Last location was Appropriation Suspense File on 8/19/2015)

Summary: Would increase the minimum wage, on and after January 1, 2016, to not less than \$11 per hour, on and after July 1, 2017, to not less than \$13 per hour. The bill would require the annual automatic adjustment of the minimum wage, commencing January 1, 2019, to maintain employee purchasing power diminished by the rate of inflation during the previous year. The adjustment would be calculated using the California Consumer Price Index, as specified. The bill would prohibit the Industrial Welfare Commission (IWC) from adjusting the minimum wage downward and from adjusting the minimum wage if the average percentage of inflation for the previous year was negative.

Staff Recommendation: *Watch*

L&GO Position:

SB 5 (Andy Vidak R, Kings County/ San Joaquin Valley) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption

Introduced: 12/1/2014

Status: Failed

Summary: Under the California Global Warming Solutions Act of 2006, current State Air Resources Board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015. This bill instead would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020.

Staff Recommendation: *Watch*

L&GO Position:

SB 45 (Tony Mendoza D, Southern California) Economic development

Amended: 3/9/2015

Status: 7/17/2015-Failed Deadline pursuant to Rule 61(a)(10) - 2 Year

Summary: The federal Workforce Investment Act of 1998 (WIA) authorizes workforce investment activities, including activities in which states may participate. The federal Workforce Innovation and Opportunity Act (WIOA), beginning July 1, 2015, repeals and supersedes the WIA and, among other things, requires a state, in order to receive specified allotments of federal funds and before the second full program year after July 22, 2014, to identify planning regions and require local boards and chief elected officials to prepare regional plans for those planning regions, as specified. This bill would require the state, in conformity with WIOA and after consultation with local boards and chief elected officials, to identify planning regions. The bill would require local boards and chief elected officials to prepare regional plans for those planning regions, as specified. By imposing this requirement on local government, the bill would impose a state-mandated local program. The bill would also require the board to aid the Governor in facilitating system alignment across the core programs of WIOA, as defined, and make related and conforming changes. This bill contains other related provisions and other existing laws.

Staff Recommendation: *Watch*

L&GO Position:

SB 127(Andy Vidak R, Corcoran/Southern CA) Environmental quality: Water Quality, Supply, and Infrastructure Improvement Act of 2014

Introduced: 1/20/2015

Status: Failed

Summary: CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA and a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. This bill would require the public agency, in certifying the environmental impact report and in granting approvals for projects funded, in whole or in part, by Proposition 1, including the concurrent preparation of the record of proceedings and the certification of the record of proceeding within 5 days of the filing of a specified notice, to comply with specified procedures.

Staff Recommendation: *Watch*

L&GO Position:

SB 602 (Bill Monning D, Santa Cruz) Seismic safety: California Earthquake Authority

Amended: 8/8/2015

Status: 8/28/2015-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/18/2015)

Summary: Existing law establishes the California Earthquake Authority, which is authorized to transact insurance in the state as necessary to sell policies of basic residential earthquake insurance, as provided. Existing law provides that a public purpose will be served by a voluntary contractual assessment program that provides the legislative body of a public agency with the authority to finance the installation of seismic strengthening improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property. For purposes of financing the installation of seismic strengthening improvements, "public agency" means a city, county, or city and county. This bill would include the California Earthquake Authority as part of the definition of "public agency" for this purpose. This bill contains other related provisions and other existing laws.

Staff Recommendation: *Watch*

L&GO Position:

SB X1-1 (Beall)
Transportation Financing for Road Maintenance
Fact Sheet

BACKGROUND

The state transportation system is critical to California's economic well-being, as it enables us to move goods, people, and ideas around and through the state. For decades, because we prioritized development and expansion of our transportation network, our economy has been able to grow and become the envy of the country.

Unfortunately, we now face a challenge of significant proportions. Our system is aging rapidly and with much of our road and bridge infrastructure past its expected lifespan, rehabilitation and maintenance costs for both the state system and local streets and roads are skyrocketing. At the same time, we have not increased the base revenues for this work since the early 1990s. One-time transportation dollars from state bonds and federal recovery grants have been spent. We no longer have the funding to maintain the infrastructure we have, let alone address the needs of an ever-growing and shifting population.

The state estimates that we currently have a \$59 billion backlog in maintenance on the state system that is growing roughly by \$4 billion per year. Cities and counties suggest they have an equally-staggering \$78 billion backlog for the local system, with projected funding levels insufficient to even maintain the status quo. A nominal increase today will keep us from having to make more drastic changes in the future. Legislation is needed in order to prevent devastating economic consequences for future generations.

THIS BILL

SB 1X creates a much needed, temporary funding plan to address the maintenance backlog of our aging system. This bill:

- Establishes an equitable financing strategy – everyone contributes their fair share for using the roads.
- Includes protections to ensure that funding does not get taken away from transportation purposes.
- Establishes efficiencies in Caltrans to ensure projects are completed on-time and on-budget.
- Provides funding for the state, counties, and cities to address road maintenance needs at all levels.

- Incentivizes local efforts to become a “Self-Help” City or County.
- Funds congestion relief for freight movement at Ports.

SB 1X will save the state money in the future and alleviate the need to raise even higher revenue in future years. California's roads are crumbling and it is imperative to address the problem now.

STATUS/VOTES

Introduced June 22, 2015

SUPPORT

Alameda Corridor-East Construction Authority; Alta Vista; American Council of Engineering Companies; Arup; County of Humboldt; Blackburn Consulting; Blair, Church & Flynn; Brejle & Race Consulting Engineers; California Asphalt Pavement Association; California State Association of Counties; CDM Smith; CEI Engineering Associates Inc; City/County Association of Governments of San Mateo County; City of Camarillo; City of Downey; City of Fountain Valley; City of Los Angeles; County of Humboldt; County of Santa Cruz; Covello Group; CSW/Stuber-Stroeh Engineering Group; D. Craig Knopf; Diaz Yourman & Associates; Desmond Johnston; Guida Surveying Inc; Hatch Engineering; HMH; Huitt-Zollars; ILS Associates Inc; Imperial County Transportation Commission; Infrastructure Engineering Corporation; Inland Foundation Engineering Inc; JBL Traffic Engineering Inc; Kimley Horn; Kleinfelder; KPFF; Lane Engineers Inc; Lawrence Nye Carlson Associates; League of California Cities; Leighton Consulting Inc; Leptien, Cronin, Cooper, Morris & Poore, Inc; Madera County Transportation Commission; Mayor, City of San Jose, Sam T. Liccardo; Mayor, City of San Francisco, Edwin Lee; Mayor, City of Oakland, Libby Schaaf; Mayor, City of Long Beach, Robert Garcia; Mayor, City of Sacramento, Kevin Johnson; Mayor, City of Santa Ana, Miguel Pulido; Metropolitan Transportation Commission; Michael Banker International; MNS Engineers Inc; Moton & Pitalo Inc; Nasland Engineering; Ninyo & Moore; Port of Los Angeles; Quad Knopf; Rau and Associates; Rick Engineering Company; Rural County Representatives of California; SA Associates; Sacramento Area Council of Governments; SANDAG; San Diego Assoc. of Governments; Solano County Transit; Southern California Association of Governments; Santa Clara County Board of Supervisors; Silicon Valley Leadership Group; Sukow Engineering; Transportation Agency of Monterey County;

Towill; Tri City Engineering; Ventura County
Transportation Commission; Wagner Engineering &
Survey Inc; Wendy B. Erickson; Yeh and Associates, Inc

FOR MORE INFORMATION

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Assembly Speaker Toni G. Atkins, 78th Assembly District AB 1335 – Building Homes and Jobs Act

IN BRIEF

The Building Homes and Jobs Act establishes a permanent funding source for affordable housing, through a fee on real estate transaction documents, excluding commercial and residential real-estate sales.

THE ISSUE

California has a housing affordability crisis.

- According to the Public Policy Institute of California (PPIC), as of February 2015, roughly 36% of mortgaged homeowners and approximately 48% of all renters are spending more than one-third of their household incomes on housing.
- California continues to have the second lowest homeownership rate in the nation and the Los Angeles metropolitan area is now a majority renter region. In fact, five of the eight lowest homeownership rates in the nation are in California metropolitan areas.
- California has 12% of the United States population, but 20% of its homeless population – 63% of these homeless Californians are unsheltered (the highest rate in the nation).
- At any given time, 134,000 Californians are homeless. California has 24% of the nation's homeless veterans and one-third of the nations' chronically homeless. The state also has the largest numbers of unaccompanied homeless children and youth, with 30% of the national total.
- For the first time, Standard and Poors Ratings Services cited California's "Persistently high cost of housing" as contributing to a relatively weaker business climate and a credit weakness in the rating of California General Obligation bonds.

BACKGROUND

Increasing the construction, building, and availability of affordable housing is good for the economy, the budget, job creation, and families:

- The Bay Area Council, the Los Angeles Area Chamber of Commerce, the Los Angeles Business Council, the Orange County Business Council, and the Silicon Valley Leadership Group agree that less affordable housing impedes California businesses from attracting and retaining workers.
- On average, a single homeless Californian incurs \$2,897 per month in county costs for emergency room visits and in-patient hospital stays, as well as the costs of arrests and incarceration. Roughly 79% of these costs are cut when that person has an affordable home.
- An estimated 29,000 jobs would be created annually for every \$500 million spent on affordable housing.

THE SOLUTION

Increased and ongoing funding for affordable housing is critical to stabilize the state's housing development and construction marketplace. If developers know that there is a sustainable source of funding available, they will take on the risk that comes with development — and create a reliable pipeline of well-paying construction jobs in the process.

The Building Homes and Jobs Act will utilize a pay as you go approach and generate hundreds of millions of dollars annually for affordable housing through a \$75 fee on real estate recorded documents, excluding those documents associated with real estate sales. The fee is capped at \$225 on a per parcel, per transaction basis. 50% of the funds will be distributed directly to local governments. 20% of the funds will be spent on affordable homeownership needs for a growing workforce and 10% of the funds will go to meet the affordable housing needs of agricultural workers and their families. The funds generated will leverage an additional \$2 to \$3 billion in federal, local, and bank investment.

FOR MORE INFORMATION

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SUPPORT

Abode Communities
Access to Independence
A Community of Friends
Adventist Health
Affirmed Housing
Alameda County Housing Authority
American Federation of State, County, and
Municipal Employees (AFSCME), AFL-
CIO
American Planning Association California Chapter
Apartment Association of Greater Los Angeles
Aspiranet
Association of Bay Area Governments
Association of Regional Center Agencies
Bay Area Council
Biocom
Board of Supervisors-County of Tuolumne
Bridge Housing
Building Industry Association of Southern
California
Burbank Housing Development Corp
Cabrillo Economic Development Corporation
California Apartment Association
California Association of Code Enforcement
Officers
California Association of Food Banks
California Association of Housing Authorities
California Association of Local Housing Finance
Agencies
California Association of Realtors
California Building Industry Association
California Coalition for Rural Housing
California Coalition for Youth
California College and University Police Chiefs
Association
California Community Foundation
California Council of Carpenters
California Council of Community Mental Health
Agencies
California Economic Summit
California Equity Leaders Network
California Faculty Association
California Housing Consortium
California Housing Partnership Corporation
California Infill Builders Federation
California Institute for Rural Studies
California Labor Federation
California Narcotics Officers Association
CA-NV Conference of Operating Engineers
California PACE Association (CalPACE)
California Partnership to End Domestic Violence
California Police Chiefs Association
California Rural Legal Assistance Foundation
California Special Districts Association
California State Association of Electrical Workers
California State Pipe Trades Council
California State Council of Service Employees
International Union (SEIU)
Californians for Safety and Justice
Capitol Area Development Authority
C&C Development Company
Center for Sustainable Neighborhoods
Central City Association
Charities Housing
Christian Church Homes
Circulate San Diego
Cities Association of Santa Clara County
City Heights Community Development Corporation
City of Alameda
City of Albany
City of Berkeley
City of Chowchilla
City of El Centro
City of Emeryville
City of Eureka
City of Fairfield
City of Fremont
City of Glendale
City of Goleta
City of Indian Wells
City of Lafayette
City of Lakeport
City of Lakewood
City of Lodi
City of Los Altos
City of Los Angeles
City of Merced
City of Modesto
City of Morgan Hill
City of Mountainview
City of Napa
City of National City
City of Oakland
City of Pasadena
City of Rocklin
City of Sacramento
City of San Carlos
City of San Diego
City of San Leandro
City of Santa Barbara
City of Santa Monica
City of Santa Rosa

City of South San Francisco
 City of Sunnyvale
 City of Taft
 City of Thousand Oaks
 City of Torrance
 City of Tulare
 City of Turlock
 City of Union City
 City of Walnut Creek
 City of West Hollywood
 Coalition for Economic Survival
 Community Action North Bay (CAN-B)
 Community Action to Fight Asthma
 Community Corporation of Santa Monica
 Community Economics, Inc.
 Community Housing Works
 Community Resource Center
 Congregations Organizing for Renewal (COR)
 Controller Betty Yee
 Corporation for Supportive Housing (CSH)
 County of Alameda
 County of Contra Costa
 County of Los Angeles
 County Welfare Directors Association
 Creswell Consulting
 Department of Housing and Community
 Development of Los Angeles
 Dignity Health
 Downtown Sacramento Partnership
 Downtown Women's Center
 EAH Housing
 East Bay Housing Organizations
 East LA Community Corporation
 Eden Housing
 Enterprise Community Partners
 Equity Community Builders
 EveryOne Home (Homeless Continuum of Care for
 Alameda County)
 Girls Think Tank
 Greenbelt Alliance
 Habitat for Humanity California
 Habitat for Humanity Greater San Francisco
 Hampstead Companies
 Heaven's Windows
 Hello Housing
 Highridge Costa Partners, LLC
 HOPE (Home Ownership for Personal
 Empowerment)
 House Farm Workers!
 Housing Authority of the City of Los Angeles
 Housing Authority of the County of San Bernardino
 Housing California
 Housing Choices Coalition
 Housing Consortium of the East Bay
 Housing Land Trust of Sonoma County
 Housing Leadership Council of San Mateo County
 Housing of Merit
 Hunger Advocacy Network
 Iglesia Adventista del Septimo Dia
 Individual Supporters (Mary Brooks, Greg Hoyte,
 Nancy Heastings, Jeanne Marie Coronado,
 Jean Hom)
 Inquilinos Unidos
 Interfaith Community Services
 Irvine Community Land Trust
 Jewish Family Services of San Diego
 Larkin Street Youth Services
 Laurin Associates
 Leadership Counsel for Justice & Accountability
 LeadingAge California
 League of California Cities
 League of Women Voters of California
 LINC Housing
 LISC San Diego
 Little Tokyo Service Center
 Loma Linda University Health
 Los Angeles Business Council
 Los Angeles Community Action Network
 Los Angeles Homeless Services Authority
 MAAC
 Many Mansions (Ventura County)
 Mayor, City of Fresno-Ashley Swearengin
 Mayor, City of Long Beach-Robert Garcia
 Mayor, City of Los Angeles-Eric Garcetti
 Mayor, City of Oakland-Libby Schaaf
 Mayor, City of Sacramento-Kevin Johnson
 Mayor, City of San Francisco-Ed Lee
 Mayor, City of San Jose-Sam Liccardo
 Mayor, City of Santa Ana-Miguel Pulido
 Mayor, City of Santa Barbara-Helene Schneider
 Mayor, City of Torrance-Patrick Furey
 Mayors and Councilmembers Association of
 Sonoma County
 Mental Health America of California
 Mercy Housing California
 MidPen Housing Corporation
 Mutual Housing California
 National Association of Social Workers, California
 Chapter
 National Community Renaissance
 National Council of La Raza
 Natural Resources Defense Council (NRDC)
 Non-Profit Housing Association of Northern
 California (NPH)

North Bay Leadership Council
Northern California Community Loan Fund
Opportune Companies
Orange County Employees Association
Orange County Business Council
Pacific West Communities
PATH
PATH Ventures
PEP Housing
PolicyLink
Private Essential Access Community Hospitals
(PEACH)
Promise Energy, Inc.
Public Interest Law Project
Reform California
Regional Asthma Management and Prevention
(RAMP)
Related California
Rural Community Assistance Corporation (RCAC)
Rural Smart Growth Task Force
Sacramento City Councilmember Jeff Harris
Sacramento Homeless Organizing Committee
Sacramento Housing Alliance
Safe Alternatives to Violent Environments (SAVE)
San Diego Community Land Trust
San Diego Habitat for Humanity
San Diego Housing Commission
San Diego Housing Federation
San Diego Hunger Coalition
San Diego and Imperial Counties Labor Council,
AFL-CIO
San Diego Organizing Project
San Diego Regional Chamber of Commerce
San Francisco Chamber of Commerce
San Francisco Unified School District
Santa Clara County Board of Supervisors
Satellite Affordable Housing Associates
Self-Help Enterprises
s.f.citi (San Francisco Citizens Initiative for
Technology and Innovation)
Sierra Business Council
Silicon Valley Bank
Silicon Valley Leadership Group
Skid Row Housing Trust
Social Justice Alliance of the Interfaith Council of
Contra Costa County
South Bay Community Services
Southern California Association of Non Profit
Housing
St. Anthony Foundation
State Building and Construction Trades Council,
AFL-CIO

Strategic Actions for a Just Economy
Sutter Health
T.R.U.S.T. South LA
The ARC and United Cerebral Palsy California
Collaboration
Transform
Treasurer John Chiang
UCSF Benioff Children's Hospital Oakland
United Way of Greater Los Angeles
United Way of San Diego County
Valley Industry & Commerce Association (VICA)
Wakeland Housing and Development Corporation
Western Center on Law and Poverty
Western Regional Advocacy Project
Western States Council of Sheet Metal Workers
West Hollywood Community Housing Corporation
Winter Nights Shelter
Women Organizing Resources, Knowledge and
Services (WORKS)

OPPOSITION

American Resort Development Association
California Business Properties Association
California Escrow Association
California Land Title Association
California Mortgage Association
California Taxpayers Association
City of Banning
City of Camarillo
Community Associations Institute
Contra Costa County Clerk-Recorder-Elections
Department
County of Butte
County of Calaveras, Clerk Recorder
County of Glenn, Clerk-Recorder
County of Orange
County of Sacramento, County Clerk/Recorder
Department
County of Tuolumne, Office of Assessor-Recorder
County of Yuba, Clerk Recorder – Registrar of
Voters
County Recorders Association of California
Educational Community for Homeowners (ECHO)
Fresno County Assessor-Recorder
Howard Jarvis Taxpayers Association
Inyo County Clerk/Recorder Kammi Foote
Monterey County, Office of the County Recorder
National Federation of Independent Business
Orange County Clerk-Recorder Hugh Nguyen