City Council Legislative Subcommittee  
Meeting Agenda  
May 26, 2020 – 9:00 a.m.  
Carlsbad City Hall Council Chamber - 1200 Carlsbad Village Drive, Carlsbad CA 92008

CALL TO ORDER & ROLL CALL

PUBLIC COMMENT

SUBCOMMITTEE COMMENTS & ANNOUNCEMENTS

NEW BUSINESS

Item 1. Legislative Update and Draft City of Carlsbad 2020 Legislative Platform  
Recommendation: Receive an update on state and federal legislative and budget activity, recent and ongoing advocacy efforts and operational needs, and provide feedback to staff to prepare the Draft 2020 Legislative Platform for City Council consideration.

Item 2. Draft City Council Policy No. 39 – Intergovernmental Affairs Program  
Recommendation: Review the Draft City Council Policy No. 39 – Intergovernmental Affairs Program; discuss and provide feedback to staff to prepare the document for City Council consideration.

SUBCOMMITTEE MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURN

NEXT MEETING: Tuesday, June 9, 2020, 9:00 a.m.

Per State of California Executive Order N-29-20, and in the interest of public health and safety, we are temporarily taking actions to prevent and mitigate the effects of the COVID-19 pandemic by holding public meetings electronically or by teleconferencing.

All public meetings will comply with public noticing requirements in the Brown Act and will be made accessible electronically to all members of the public seeking to observe and address the Legislative Subcommittee.

Legislative Subcommittee meetings can be watched via livestream on the city website at www.carlsbadca.gov.

You can participate in the meeting by e-mailing your comments to jason.haber@carlsbadca.gov prior to commencement of the agenda item. Your comment will be transmitted to the Legislative Subcommittee at the start of the agenda item.

If you desire to have your comment read into the record at the City Council meeting, please indicate so in the first line of your e-mail and limit your e-mail to 500 words or less.

These procedures shall remain in place during the period in which state or local health officials have imposed or recommended social distancing measures.

Reasonable Accommodations  
Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City of Carlsbad City Manager’s Office at 760-434-2800 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday before the meeting to make arrangements.
City Council Legislative Subcommittee

Meeting Date: May 26, 2020

To: City Council Legislative Subcommittee

From: Jason Haber, Intergovernmental Affairs Director

Item 1: Legislative Update and Draft City of Carlsbad 2020 Legislative Platform

Recommendation: Receive an update on state and federal legislative and budget activity, recent and ongoing advocacy efforts and operational needs, and provide feedback to staff to prepare the Draft 2020 Legislative Platform for City Council consideration.

Discussion:
The city’s state lobbyist, California Strategies, will present an overview of the bills they have identified as having the most significant potential impact on the city (Exhibit 1), as well as an overview of the Governor’s May Revision of the 2020-21 State Budget, with an emphasis on Housing and Homelessness items (Exhibit 2).

The attached redline Draft City of Carlsbad 2020 Legislative Platform (Exhibit 3) incorporates feedback and suggested edits provided by city staff and the City Council Legislative Subcommittee. The document highlights changes made to the previously reviewed draft document, based upon feedback provided at the Subcommittee’s meeting on May 12.

This item will provide an opportunity to discuss final Subcommittee recommendations and to provide feedback to staff to prepare the document for City Council consideration on June 16.

Exhibits:
1. Carlsbad Bill List (5-22-20) – California Strategies
2. Overview of May Revision 2020-21 State Budget – Housing and Homelessness
3. Redline Draft City of Carlsbad 2020 Legislative Platform
AB 2553  (Ting D)  Shelter crisis declarations.
Current Text: Amended: 5/12/2020  html  pdf
Introduced: 2/19/2020
Last Amend: 5/12/2020
Status: 5/22/2020-Action From APPR.: Read second time and amended.Re-referred to APPR..
Location: 5/22/2020-A. APPR.

Calendar: 5/22/2020  #4 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS
Summary: Current law, upon a declaration of a shelter crisis by specified local jurisdictions, specifies
additional provisions applicable to a shelter crisis declared by one of those jurisdictions. Current law,
among other things, exempts from the California Environmental Quality Act specified actions by a state
agency or a city, county, or city and county relating to land owned by a local government to be used
for, or to provide financial assistance to, a homeless shelter constructed pursuant to these provisions.
Current law requires a city, county, or city and county that declares a shelter crisis pursuant to these
provisions to develop a plan to address the shelter crisis on or before July 1, 2019, or July 1, 2020, as
applicable, and to annually report to specified committees of the Legislature on or before January 1,
2019, or on or before January 1 of the year following the declaration of the shelter crisis, as applicable,
and annually thereafter until January 1, 2023. Current law repeals these additional provisions as of
January 1, 2023. This bill would instead apply those additional provisions to a shelter crisis declared by
any county or city.

AB 2580  (Eggman D)  Conversion of motels and hotels: streamlining.
Introduced: 2/20/2020
Last Amend: 5/11/2020
Status: 5/22/2020-Action From APPR.: Read second time and amended.Re-referred to APPR..
Location: 5/22/2020-A. APPR.

Calendar: 5/22/2020  #9 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS
Summary: Would authorize a development proponent to submit an application for a development for
the complete conversion, as defined, of a structure with a certificate of occupancy as a motel or hotel
into multifamily housing units to be subject to a streamlined, ministerial approval process, provided
that development proponent reserves at least 20% of the proposed housing units for lower income
households. The bill would not apply to a hotel or motel conversion on a site that is in a coastal zone,
as defined. The bill would require a local government to notify the development proponent in writing if
the local government determines that the development conflicts with any of those objective standards
within 30 days of submitting a complete application; otherwise, the development would be deemed to
comply with those standards.

SB 950  (Jackson D)  California Environmental Quality Act: housing and land use.
Current Text: Amended: 3/19/2020  html  pdf
Introduced: 2/10/2020
Last Amend: 3/19/2020
Status: 5/13/2020-Set for hearing May 29.
Location: 5/11/2020-S. E.Q.

Calendar: 5/29/2020  1:30 p.m. - 4203 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair
Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to
prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR)
on a project that it proposes to carry out or approve that may have a significant effect on the
environment or to adopt a negative declaration if it finds that the project will not have that effect.
CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may
have a significant effect on the environment if revisions in the project would avoid or mitigate that
effect and there is no substantial evidence that the project, as revised, would have a significant effect
on the environment. This bill would exempt from the requirements of CEQA emergency shelters,
supportive housings, and transitional housings meeting certain requirements.

Current Text: Amended: 5/19/2020
Introduced: 2/12/2020
Last Amend: 5/19/2020
Status: 5/19/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.
Location: 2/20/2020-S. EQ.

Summary: CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA authorizes the preparation of a master EIR and authorizes the use of the master EIR to limit the environmental review of subsequent projects that are described in the master EIR, as specified. This bill would require a lead agency to prepare a master EIR for a general plan, plan amendment, plan element, or specified plan for housing projects where the state has provided funding for the preparation of the master EIR.

Coastal Resources

AB 2619 (Stone, Mark D) Coastal resources: Program for Coastal Resilience, Adaptation, and Access.

Current Text: Introduced: 2/20/2020
Introduced: 2/20/2020
Status: 5/14/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (May 13). Re-referred to Com. on APPR.
Location: 5/13/2020-A. APPR.

Summary: Would establish the Program for Coastal Resilience, Adaptation, and Access for the purpose of funding specified activities intended to help the state prepare, plan, and implement actions to address and adapt to sea level rise and coastal climate change. The bill would create the Coastal Resilience, Adaptation, and Access Fund in the State Treasury, and would authorize the California Coastal Commission and specified state agencies to expend moneys in the fund, upon appropriation in the annual Budget Act, to take actions, based upon the best scientific information, that are designed to address and adapt to sea level rise and coastal climate change, as prescribed.

COVID-19


Current Text: Amended: 5/5/2020
Introduced: 1/10/2019
Last Amend: 5/5/2020
Status: 5/5/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on L., P.E. & R.
Location: 5/5/2020-S. L., P.E. & R.

Summary: Would define "injury," for certain employees who are employed in an occupation or industry deemed essential in the Governor's Executive Order of March 19, 2020 (Executive Order N-33-20), except as specified, or who are subsequently deemed essential, to include coronavirus disease 2019 (COVID-19) that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. The bill would apply to injuries occurring on or after March 1, 2020, would create a conclusive presumption, as specified, that the injury arose out of and in the course of the employment, and would extend that presumption following termination of service for a period of 90 days, commencing with the last date actually worked.


Current Text: Amended: 5/18/2020
Introduced: 2/15/2019
SB 893
(Caballero D) Workers' compensation: hospital employees.


Introduced: 1/28/2020

Last Amend: 4/29/2020


Location: 2/6/2020-S. L., P.E. & R.

Summary: Current law creates a rebuttable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of employment. This bill would define "injury," for a hospital employee who provides direct patient care in an acute care hospital, to include infectious diseases, musculoskeletal injuries, and respiratory diseases, as defined. The bill would create rebuttable presumptions that these injuries that develop or manifest in a hospital employee who provides direct patient care in an acute care hospital arose out of and in the course of the employment.

SB 939


Introduced: 2/6/2020

Last Amend: 5/13/2020

Status: 5/13/2020-Set for hearing May 22. From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD.

Location: 5/11/2020-S. JUD.

Calendar: 5/22/2020 9 a.m. - John L. Burton Hearing Room (4203)  SENATE JUDICIARY, JACKSON, Chair

Summary: Would prohibit a person, business, or other entity from evicting tenants of commercial real property, including businesses and nonprofit organizations, and from taking specified other actions relating to the eviction of tenants of commercial real property, during the pendency of the state of emergency proclaimed by the Governor on March 4, 2020, related to COVID-19. The bill would make an eviction in violation of those provisions void, against public policy, and unenforceable, and would make harassment or mistreatment of or retaliation against a tenant punishable by a fine not to exceed $2,000 for each violation. The bill would make it an act of unfair competition and an unfair business practice to violate the foregoing prohibition.

SB 1159


Introduced: 2/20/2020

Last Amend: 4/22/2020

Status: 5/18/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 3. Noes 1.) (May 14). Re-referred to Com. on APPR.

Location: 5/14/2020-S. APPR.

Summary: Would, until an unspecified date, define "injury" for a critical worker, as specified, to include illness or death that results from exposure to coronavirus disease 2019 (COVID-19) under specified circumstances. The bill would create a disputable presumption, as specified, that an injury that develops or manifests itself while a critical worker is employed arose out of and in the course of the employment.
Density Bonus

**AB 2345**  (Gonzalez D)  Planning and zoning: density bonuses: affordable housing.
- **Current Text:** Amended: 5/11/2020  [html](#)  [pdf](#)
- **Introduced:** 2/18/2020
- **Last Amend:** 5/11/2020
- **Status:** 5/21/2020-From committee: Amend, and do pass as amended and re-reference to Com. on APPR. (Ayes 7. Noes 0.) (May 20).
- **Location:** 5/20/2020-A. APPR.

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**Summary:**
Current law specifies the number of incentives or concessions that an applicant can receive under the Density Bonus Law. Current law specifies that an applicant shall receive 3 incentives or concessions for projects that include at least 30% of the total units for lower income households, at least 15% for very low income households, or at least 30% for persons or families of moderate income in a common interest development. Current law specifies that an applicant shall receive 4 incentives or concessions for projects in which 100% of the total units are for lower income households, as specified. This bill, instead, would authorize an applicant to receive 3 incentives or concessions for projects that include at least 30% of the total units for lower income households, at least 12% of the total units for very low income households, or at least 30% for persons or families of moderate income in a common interest development.

**SB 1085**  (Skinner D)  Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.
- **Current Text:** Amended: 5/18/2020  [html](#)  [pdf](#)
- **Introduced:** 2/19/2020
- **Last Amend:** 5/18/2020
- **Status:** 5/18/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on HOUSING.
- **Location:** 5/18/2020-S. HOUSING

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**Summary:**
The Density Bonus Law requires a city or county to provide a developer that proposes a housing development in the city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to, among other things, construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents, including lower income students. Current law defines “incentives or concessions” to include, among other things, regulatory incentives or concessions proposed by the developer or the city or county that result in identifiable and actual cost reductions to provide for affordable housing costs, as specified. This bill would revise that definition of “incentives or concessions” to include those proposed regulatory incentives or concessions that the developer determines result in identifiable and actual cost reductions to provide for affordable housing costs.

Disaster Preparedness

**AB 2054**  (Kamlager D)  Emergency services: community response: grant program.
- **Current Text:** Amended: 3/9/2020  [html](#)  [pdf](#)
- **Introduced:** 2/3/2020
- **Last Amend:** 3/9/2020
- **Status:** 5/13/2020-From committee: Do pass and re-reference to Com. on APPR. (Ayes 20. Noes 0.) (May 12). Re-referred to Com. on APPR.
- **Location:** 5/12/2020-A. APPR.

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**Summary:**
Would, until January 1, 2024, enact the Community Response Initiative to Strengthen...
Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the C.R.I.S.E.S. Act Grant Pilot Program, which the act would establish. The bill would require the Office of Emergency Services to establish rules and regulations for the act with the goal of making grants to community organizations operating in a minimum of 10 counties, over 3 years, for the purpose of expanding the participation of community organizations in emergency response for specified vulnerable populations. The bill would require a community organization receiving funds pursuant to the program to use the grant to stimulate and support involvement in emergency response activities, as specified.

**AB 2213**  
(Limón D) **Office of Emergency Services: model guidelines.**  
Current Text: Amended: 5/14/2020  
Introduced: 2/12/2020  
Last Amend: 5/14/2020  
Status: 5/18/2020-Re-referred to Com. on APPR.  
Location: 5/14/2020-A. APPR.  

**Summary:** Would require the Office of Emergency Services, in coordination with California Volunteers, to develop model guidelines for local governments, operational areas, and nonprofit, community-based, faith-based, and private sector organizations active in disasters to identify, type, and track community resources, as defined, that could assist in responding to or recovering from local, tribal, regional, national, or international disasters, as specified. The bill would require the OES to publish and distribute the initial model guidelines by May 1, 2022, and to update and distribute the guidelines annually thereafter.

**Emergency Services**

**AB 1945**  
(Salas D) **Emergency services: first responders.**  
Current Text: Amended: 5/4/2020  
Introduced: 1/17/2020  
Last Amend: 5/4/2020  
Status: 5/13/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 20. Noes 0.) (May 12). Re-referred to Com. on APPR.  
Location: 5/12/2020-A. APPR.  

**Summary:** Would, for purposes of the California Emergency Services Act, define “first responder” as an employee of the state or a local public agency who provides emergency response services, including a peace officer, firefighter, paramedic, emergency medical technician, public safety dispatcher, public safety telecommunicator, or emergency response communication employee.

**Emergency Telecommunications**

**SB 794**  
(Jackson D) **Emergency services: telecommunications.**  
Current Text: Amended: 2/25/2020  
Introduced: 1/6/2020  
Last Amend: 2/25/2020  
Status: 5/12/2020-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 13. Noes 0.) (May 12). Re-referred to Com. on APPR. Referral to Coms. on E., U. & C. and JUD. rescinded due to the shortened 2020 Legislative Calendar.  
Location: 5/12/2020-S. E. U., & C.  

**Summary:** Current law authorizes each county, including a city and county, to enter into an agreement to access the contact information of resident accountholders through the records of a public utility or other agency responsible for water service, waste and recycling services, or other property-related services for the sole purpose of enrolling county residents in a county-operated public emergency warning system. Current law requires any county that enters into such an agreement to include procedures to enable any resident to opt out of the warning system and a process to terminate the receiving agency’s access to the resident’s contact information. Current law prohibits the use of the information gathered for any purpose other than for emergency notification. This bill would expand these provisions to authorize a city to enter into an agreement to access the contact information of
resident account holders through the records of a public utility, as specified.

### Health

**AB 2265**  
(Quirk-Silva D)  
**Mental Health Services Act: use of funds for substance use disorder treatment.**  
Current Text: Amended: 5/20/2020  
Introduced: 2/14/2020  
Last Amend: 5/20/2020  
Status: 5/21/2020-Re-referred to Com. on APPR.  
Location: 5/20/2020-A. APPR.  

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**Summary:** Would authorize funding from the Mental Health Services Act, to be used to treat a person with cooccurring mental health and substance use disorders when the person would be eligible for treatment of the mental health disorder pursuant to the MHSA. The bill would also authorize the use of MHSA funds to assess whether a person has cooccurring mental health and substance use disorders and to treat a person who is preliminarily assessed to have cooccurring mental health and substance use disorders, even when the person is later determined not to be eligible for services provided with MHSA funds. The bill would require a person being treated for cooccurring mental health and substance use disorders who is determined to not need the mental health services that are eligible for funding pursuant to the act, to be, as quickly as possible, referred to substance use disorder treatment services.

### Homeless

**AB 1860**  
(Santiago D)  
**Local government finance: special taxes: homeless housing and services.**  
Current Text: Amended: 5/4/2020  
Introduced: 1/7/2020  
Last Amend: 5/4/2020  
Status: 5/5/2020-Re-referred to Com. on REV. & TAX.  
Location: 4/24/2020-A. REV. & TAX  

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**Summary:** Would authorize a local government to impose, extend, or increase a sales and use tax or transactions and use tax in accordance with specified law or a parcel tax, as defined, for the purposes of funding homeless housing and services, as defined, subject to a majority vote of the electorate of the local government voting on the proposition. The measure would require that the ordinance or resolution proposing the tax be approved by a 2/3 vote of the governing board of the local government, include specified additional accountability requirements, and otherwise comply with specified requirements relating to the imposition of special taxes. The bill would also make conforming and other nonsubstantive changes.

**AB 2329**  
(Chiu D)  
**Homelessness: statewide needs and gaps analysis.**  
Current Text: Amended: 5/11/2020  
Introduced: 2/14/2020  
Last Amend: 5/11/2020  
Status: 5/21/2020-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (May 20). Re-referred to Com. on APPR.  
Location: 5/20/2020-A. APPR.  

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**Summary:** Current law requires the Governor to create the Homeless Coordinating and Financing Council to, among other things, identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California and to serve as a statewide facilitator, coordinator, and policy development resource on ending homelessness in California. This bill, upon appropriation by the Legislature, would require the council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to, among other things, identify state programs that provide housing or services to persons experiencing homelessness and create a financial model that will assess certain investment needs for the purpose of moving persons experiencing homelessness into permanent housing.

**AB 3269**  
(Chiu D)  
**State and local agencies: homelessness plan.**
AB 3300
(Santiago D) Homelessness: California Access to Housing and Services Act.
Current Text: Amended: 5/4/2020
Introduced: 2/21/2020
Last Amend: 5/4/2020
Status: 5/22/2020-Action From APPR.: Read second time and amended. Re-referred to APPR..
Location: 5/22/2020-A. APPR.

Summary: Would state the intent of the Legislature that each state and local agency aim to reduce homelessness within its jurisdiction by 90% by December 31, 2028. The bill would require the Homeless Coordinating and Financing Council to set a benchmark goal in reducing homelessness by January 1, 2028, for each state and local agency subject to these provisions, based upon the needs and gaps analysis described above, and annual homelessness reduction benchmarks that progress toward the benchmark goal. The bill, on or before January 1, 2022, would require each state and local agency, as defined, to develop an actionable plan to achieve the benchmark goal set by the coordinating council.

AB 725
(Wicks D) General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions.
Current Text: Amended: 1/16/2020
Introduced: 2/19/2019
Last Amend: 1/16/2020
Location: 1/30/2020-S. RLS.

Summary: The Planning and Zoning Law requires that the housing element include, among other things, an inventory of land suitable for residential development, to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need determined pursuant to specified law. This bill would require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for moderate-income housing be allocated to sites with zoning that allows at least 2 units of housing, but no more than 35 units per acre of housing. The bill would require that at least 25% of a metropolitan jurisdiction's share of the regional housing need for above moderate-income housing be allocated to sites with zoning that allows at least 2 units of housing, but no more than 35 units per acre of housing.
**Summary:** The Planning and Zoning Law allows a development proponent to submit an application for a development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit if the development satisfies certain objective planning standards, including that the development is (1) located in a locality determined by the Department of Housing and Community Development to have not met its share of the regional housing needs for the reporting period, and (2) subject to a requirement mandating a minimum percentage of below-market rate housing, as provided. This bill would require the department to designate areas in this state as high-opportunity areas, as provided, by January 1, 2022, in accordance with specified requirements and to update those designations within 6 months of the adoption of new Opportunity Maps by the California Tax Credit Allocation Committee.

**AB 1851 (Wicks D) Religious institution affiliated housing development projects: parking requirements.**
Introduced: 1/6/2020
Last Amend: 5/5/2020
Status: 5/12/2020-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (May 12). Re-referred to Com. on APPR.
Location: 5/12/2020-A. APPR.

**Summary:** Would prohibit a local agency from requiring the replacement of religious-use parking spaces that a developer of a religious institution affiliated housing development project proposes to eliminate as part of that housing development project. The bill would prohibit the number of religious-use parking spaces requested to be eliminated from exceeding 50% of the number that are available at the time the request is made. The bill would prohibit a local agency from requiring the curing of any preexisting deficit of the number of religious-use parking spaces as a condition of approval of a religious institution affiliated housing development project.

**AB 2256 (Garcia, Eduardo D) Regional housing needs allocations: adjacent cities: agreements.**
Introduced: 2/13/2020
Last Amend: 5/4/2020
Status: 5/5/2020-Re-referred to Com. on H. & C.D.
Location: 4/24/2020-A. H. & C.D.

**Summary:** Would authorize 2 cities that meet specified requirements to enter into a memorandum of understanding to build a housing project in one jurisdiction and share the credit associated with the housing project for purposes of satisfying their regional housing needs allocation requirements. The bill would require the cities to be adjacent and that one city face prohibitive obstacles in the development of affordable housing in its jurisdiction, own land in the 2nd city suitable for the development, and have fiscal resources to finance the housing project. Among other things, the bill would require the memorandum of understanding to provide for the creation of housing for households of low income and very low income and provide for an explicit, mutual agreement for distribution of the credit associated with the housing project in connection with regional housing needs allocation requirements.

**AB 2405 (Burke D) Housing: children and families.**
Introduced: 2/18/2020
Last Amend: 5/4/2020
Status: 5/21/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 20). Re-referred to Com. on APPR.
Location: 5/20/2020-A. APPR.

**Summary:** Would declare that it is the policy of the state that every child and family has the right to safe, decent, and affordable housing, and would require the policy to consider homelessness prevention, emergency accommodations, and permanent housing, as specified. The bill would, among other things, require all relevant state agencies and departments, including, but not limited to, the Department of Housing and Community Development, the State Department of Social Services, and the Office of Emergency Services, and local jurisdictions to consider that state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and
criteria are pertinent to advancing the guidelines listed as core components of Housing First. The bill would make these provisions operative on January 1, 2026.

AB 2406  (Wicks D) Homeless Accountability and Prevention Act: rental registry online portal.
Introduced: 2/18/2020
Last Amend: 5/11/2020
Status: 5/21/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (May 20). Re-referred to Com. on APPR.
Location: 5/20/2020-A. APPR.

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Summary: Would require the Department of Housing and Community Development to enter into a contract with a contractor to create and administer a rental registry online portal, which would be designed to receive specified information from landlords that both (1) own or operate 5 or more rental dwelling units regarding their residential tenancies and to disseminate this information to the general public and (2) accept rental assistance payments from federal or state funds, or both, provided in response to a federal or state proclamation of a state of emergency related to COVID-19, as specified. The bill would require that the rental registry online portal, and the form necessary to support it, be completed by January 1, 2022, and would require a landlord to submit a rental registry form for each property on or before April 1, 2022.

AB 2988  (Chu D) Planning and zoning: supportive housing: number of units: emergency shelter zones.
Introduced: 2/21/2020
Last Amend: 5/4/2020
Status: 5/20/2020-In committee: Set, first hearing. Hearing canceled at the request of author.
Location: 4/24/2020-A. H. & C.D.

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Summary: Under the Planning and Zoning Law, supportive housing, as defined, is a use by right in zones where multifamily and mixed uses are permitted if the developer provides the planning agency with a plan for providing supportive services and the proposed housing development meets specified criteria, including that the housing development consist of 50 units or fewer if it is located in an unincorporated area of a county or city that has a population of fewer than 200,000 and a population of persons experiencing homelessness of 1,500 or fewer. This bill would, additionally, make supportive housing a use by right in zones where emergency shelters are permitted. The bill would revise the above-described limit on the number of units in a housing development to 120 or fewer if it is located within a region served by a continuum of care, as defined, and the most recently published total homeless point-in-time count for the region is 1,500 or fewer.

AB 3040  (Chiu D) Local planning: regional housing need assessment.
Introduced: 2/21/2020
Last Amend: 5/11/2020
Status: 5/21/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 20). Re-referred to Com. on APPR.
Location: 5/20/2020-A. APPR.

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Summary: Would authorize a city or county to include in its inventory of land suitable for residential development specified sites that contain an existing single-family dwelling unit, but that the city or county authorizes to contain 4 dwelling units as a use by right. The bill would require these sites to be identified to satisfy either the moderate or the above-moderate income regional housing need income level. The bill would require a city or county identifying a site pursuant to these provisions to adopt a resolution or ordinance that, among other things, establishes that the additional units may be developed as a use by right on the site. The bill would require the department to review and make findings regarding a resolution or ordinance adopted by a city or county under these provisions.

AB 3088  (Chiu D) Tenancy: termination: rent caps.
Current Text: Amended: 5/12/2020 html pdf
Introduced: 2/21/2020
Last Amend: 5/12/2020
Status: 5/22/2020-Action From H. & C.D.: Read second time. To THIRD READING.
Location: 5/22/2020-A. THIRD READING
AB 3107  
(Bloom D) Planning and zoning: general plan: housing development.


Introduced: 2/21/2020

Last Amend: 5/11/2020

Status: 5/21/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (May 20). Re-referred to Com. on APPR.

Location: 5/20/2020-A. APPR.

AB 3308  
(Gabriel D) School districts: employee housing.


Introduced: 2/21/2020

Last Amend: 5/11/2020

Status: 5/22/2020-Action From H. & C.D.: Read second time and amended. To SECOND READING.

Location: 5/22/2020-A. SECOND READING

AB 3352  
(Friedman D) State Housing Law: enforcement response to complaints.

Current Text: Amended: 5/12/2020 html pdf

Introduced: 2/21/2020

Last Amend: 5/12/2020

Status: 5/21/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (May 20). Re-referred to Com. on APPR.

Location: 5/20/2020-A. APPR.
portion of the building intended for human occupancy, or premises of the building, cite the lead hazard violations or the building, portion of the building intended for human occupancy, or premises on which the building is located as being substandard, as applicable, and provide free copies of the inspection report and citations issued, if any, to the tenant, resident, occupant, or agent, and to all potentially affected tenants, residents, occupants, or the agents of those individuals, as specified.

**SB 795 (Beall D) Economic development: housing: workforce development: climate change infrastructure.**

*Current Text: Amended: 5/6/2020 [html, pdf]*
*Introduced: 1/6/2020*
*Last Amend: 5/6/2020*
*Status: 5/14/2020-Set for hearing May 26 and May 27.*

**Location: 5/12/2020-S. HOUSING**

| Calendar: | 5/26/2020 9 a.m. - Senate Chamber SENATE HOUSING, WIENER, Chair |
| Calendar: | 5/27/2020 9 a.m. - Senate Chamber SENATE HOUSING, WIENER, Chair |

**Summary:** Would continuously appropriate the sum of $10,000,000,000 from the General Fund for expenditure over the 2020–21 fiscal year and each of the 4 following fiscal years. Of that amount, the bill would require the Controller to allocate for each of those fiscal years $1,805,000,000 among various housing programs administered by the Department of Housing and Community Development, the Homeless Housing, Assistance, and Prevention program, and for distribution by the California Workforce Development Board among local agencies to participate in, invest in, or partner with new or existing preapprenticeship training programs established as specified. The bill would require the Business, Consumer Services, and Housing Agency to establish deadlines for applications and submitting final reports under the Homeless Housing, Assistance, and Prevention program with respect to moneys allocated to that program under the bill.

**SB 902 (Wiener D) Planning and zoning: housing development: density.**

*Current Text: Amended: 5/21/2020 [html, pdf]*
*Introduced: 1/30/2020*
*Last Amend: 5/21/2020*
*Status: 5/21/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on HOUSING.*

**Location: 2/12/2020-S. HOUSING**

| Calendar: | 5/26/2020 9 a.m. - Senate Chamber SENATE HOUSING, WIENER, Chair |
| Calendar: | 5/27/2020 9 a.m. - Senate Chamber SENATE HOUSING, WIENER, Chair |

**Summary:** Would authorize a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to 10 units of residential density per parcel, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria.

**SB 1138 (Wiener D) Housing element: emergency shelters: rezoning of sites.**

*Current Text: Amended: 3/24/2020 [html, pdf]*
*Introduced: 2/19/2020*
*Last Amend: 3/24/2020*
*Status: 5/14/2020-Set for hearing May 26 and May 27.*

**Location: 2/27/2020-S. HOUSING**

| Calendar: | 5/26/2020 9 a.m. - Senate Chamber SENATE HOUSING, WIENER, Chair |
| Calendar: | 5/27/2020 9 a.m. - Senate Chamber SENATE HOUSING, WIENER, Chair |

**Summary:** The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes a housing element. Current law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and to make adequate provision for the existing and projected needs of all economic segments of a community. This bill would revise the requirements of the housing element, as described above, in
connection with identifying zones or zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. If an emergency shelter zoning designation where residential use is a permitted use is unfeasible, the bill would permit a local government to designate zones for emergency shelters in a nonresidential zone if the local government demonstrates that the zone is connected to amenities and services, as specified, that serve homeless people.

**SB 1299 (Portantino D)** Housing development: incentives: rezoning of idle retail sites.

**Current Text:** Amended: 4/1/2020 [html, pdf]

**Introduced:** 2/21/2020

**Last Amend:** 4/1/2020

**Status:** 5/14/2020-Set for hearing May 26 and May 27.

**Location:** 5/11/2020-S. HOUSING

**Calendar:**
- 5/26/2020 9 a.m. - Senate Chamber - SENATE HOUSING, WIENER, Chair
- 5/27/2020 9 a.m. - Senate Chamber - SENATE HOUSING, WIENER, Chair

**Summary:** Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are affordable to very low and low-income households. This bill, upon appropriation by the Legislature, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of workforce housing. The bill would define various terms for these purposes. In order to be eligible for a grant, the bill would require a local government, among other things, to apply to the department for an allocation of grant funds and provide documentation that it has met specified requirements.

**SB 1385 (Caballero D)** Local planning: housing: commercial zones.

**Current Text:** Amended: 5/20/2020 [html, pdf]

**Introduced:** 2/21/2020

**Last Amend:** 5/20/2020

**Status:** 5/21/2020-Set for hearing May 28.

**Location:** 5/11/2020-S. GOV. & F.

**Calendar:** 5/28/2020 8:30 a.m. - John L. Burton Hearing Room (4203) - SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

**Summary:** The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an authorized use on a neighborhood lot that is zoned for office or retail commercial use under a local agency’s zoning code or general plan. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

**Labor Relations**

**SB 1173 (Durazo D)** Public employment: labor relations: employee information.

**Current Text:** Amended: 3/26/2020 [html, pdf]

**Introduced:** 2/20/2020

**Last Amend:** 3/26/2020

**Status:** 5/18/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 3. Noes 2.) (May 14). Re-referred to Com. on APPR.

**Location:** 5/14/2020-S. APPR.

**Summary:** Current law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, provisions commonly referred to as the Educational Employment Relations Act,
and the Higher Education Employer-Employee Relations Act, among others, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. Current law requires these public employers to provide certain labor representatives with the names and home addresses of newly hired employees, as well as their job titles, departments, work locations, telephone numbers, and personal email addresses, within 30 days of hire or by the first pay period of the month following hire. Current law also requires the public employers to provide this information for all employees in a bargaining unit at least every 120 days, except as specified. This bill would generally authorize an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the above-described requirements.

### Land Use

**AB 3155** *(Rivas, Robert D)*  
Subdivision Map Act: streamlined approval process: subdivisions.  
Current Text: Amended: 5/12/2020  
Introduced: 2/21/2020  
Last Amend: 5/12/2020  
Status: 5/22/2020-Action From APPR.: Read second time and amended. Re-referred to APPR.  
Location: 5/22/2020-Action From APPR.  

**Summary:** The Planning and Zoning Law requires 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 incentives intended to facilitate and expedite the construction of affordable housing. Existing law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies 3 specified objective planning standards. This bill would exempt a project from the 3 objective planning standards, as specified, if the project involves the subdivision of a parcel for 10 or fewer units and is not a part of a larger project involving more than 10 units, the project is not a public work, as defined, and the project satisfies the requirements of any applicable inclusionary housing ordinance of the local government, as specified.

**AB 3234** *(Gloria D)*  
Subdivision Map Act.  
Current Text: Amended: 5/18/2020  
Introduced: 2/21/2020  
Last Amend: 5/18/2020  
Status: 5/19/2020-Re-referred to Com. on APPR.  
Location: 5/12/2020-Action From APPR.  

**Summary:** Would specify that no tentative or final map shall be required for the creation of a parcel or parcels necessary for the development of a small lot subdivision for a housing development project, as defined in the Housing Accountability Act, that meets specified criteria, including that the site is an infill site, as defined, is located in an urbanized area or urban cluster, as defined, and the proposed site to be subdivided is no larger than 5 acres, among other requirements. The bill would authorize a city, county, or city and county to provide by ordinance for the creation of a small lot subdivision if that ordinance meets the same requirements or requires smaller lots, less parking, or greater density than those requirements.

**SB 1120** *(Atkins D)*  
Subdivisions: tentative maps.  
Current Text: Amended: 5/20/2020  
Introduced: 2/19/2020  
Last Amend: 5/20/2020  
Status: 5/21/2020-Set for hearing May 28.  
Location: 2/27/2020-Action From GOV. & F.  

**Summary:** Would require a proposed housing development containing 2 residential units to be considered ministerially, without discretionary review or hearing, in zones where allowable uses are limited to single-family residential development if the proposed housing development meets certain requirements, including that the proposed housing development would not require demolition or
alteration requiring evacuation or eviction of an existing housing unit that is subject to a recorded
covenant, ordinance, or law that restricts rents to levels affordable to persons and families of
moderate, low, or very low income.

**Local Government**

**SB 1386** (Moorlach R)  Local government: assessments, fees, and charges: water.
Current Text: Amended: 4/1/2020  [html](#)  [pdf](#)
Introduced: 2/21/2020
Last Amend: 4/1/2020
Status: 5/22/2020-Action From GOV. & F.: Read second time. To THIRD READING.
Location: 5/22/2020-S. THIRD READING

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<th>Calendar: 5/22/2020 #2 SENATE SENATE BILLS - SECOND READING FILE</th>
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<tbody>
<tr>
<td><strong>Summary:</strong> The Proposition 218 Omnibus Implementation Act prescribes specific procedures and</td>
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<td>parameters for local jurisdictions to comply with these requirements and, among other things,</td>
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<td>authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a</td>
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<td>schedule of fees or charges authorizing automatic adjustments that pass through increases in</td>
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<td>wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation</td>
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<td>under certain circumstances. Current law defines, among other terms, the term “water” for these</td>
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<td>purposes to mean any system of public improvements intended to provide for the production, storage,</td>
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<td>supply, treatment, or distribution of water from any source. This bill would specify that “water” for</td>
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<td>purposes of the Proposition 218 Omnibus Implementation Act also includes the public fixtures,</td>
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<td>appliances, and appurtenances connected to an above-described system of public improvements</td>
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<td>intended to provide for the production, storage, supply, treatment, or distribution of water from any</td>
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<td>source.</td>
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**Micromobility**

**AB 2168** (McCarty D)  Planning and zoning: electric vehicle charging stations: permit application: approval.
Introduced: 2/11/2020
Last Amend: 5/4/2020
Status: 5/5/2020-Re-referred to Com. on L. GOV.
Location: 3/2/2020-A. L. GOV.

| Summary: Would require an application to install an electric vehicle charging station to be deemed  |
| complete if, 5 business days after the application was submitted, the building official of the city, county, |
| or city and county has not deemed the application complete, as specified, and if the building official has not  |
| issued a one-written correction notice, as specified. The bill would require an application to install an  |
| electric vehicle charging station to be deemed approved if 15 business days after the application  |
| was deemed complete certain conditions are met, including that the building official of the city, county,  |
| or city and county has not approved the application, as specified, and the building official has not made  |
| findings that the proposed installation could have an adverse impact, as described above, and  |
| required the applicant to apply for a use permit. |

**AB 2421** (Quirk D)  Land use: permitting: wireless communications.
Current Text: Amended: 3/12/2020  [html](#)  [pdf](#)
Introduced: 2/19/2020
Last Amend: 3/12/2020
Status: 5/12/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (May 12).
Re-referred to Com. on APPR.
Location: 5/12/2020-A. APPR.

| Summary: Would, until January 1, 2024, require local agencies to adopt specified approval procedures  |
| for an application to install an emergency standby generator, that meets specified standards, within  |
| the physical footprint of a macro cell tower site. Because this bill would impose new duties on local  |
| agencies, it would impose a state-mandated local program. |
**AB 3116** (Irwin D) Mobility devices: personal information.

Current Text: Amended: 5/12/2020  html  pdf

Introduced: 2/21/2020

Last Amend: 5/12/2020

Status: 5/13/2020-Re-referred to Com. on APPR.

Location: 5/12/2020-A. APPR.

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Summary: Would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator’s mobility devices operating in the geographic area under the public agency’s jurisdiction and provide specified notice of that requirement to the operator. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration of mobility options, and road safety. The bill would prohibit a public agency from sharing trip data with a contractor or agent.

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**AB 2570** (Stone, Mark D) False Claims Act.


Introduced: 2/20/2020

Last Amend: 5/4/2020

Status: 5/12/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (May 11). Re-referred to Com. on APPR.

Location: 5/11/2020-A. APPR.

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Summary: The False Claims Act requires a complaint filed by a qui tam plaintiff to be filed in superior court in camera and allows the complaint to remain under seal for up to 60 days to allow for the Attorney General or prosecuting attorney to elect to intervene and proceed with the action or to decline to proceed, as specified. The act prohibits service to be made on the defendant until after the complaint is unsealed. This bill, with respect to whether a false record or statement is material, would require that the materiality test focus on the potential effect of the false record or statement when it is made. This bill would specify that the amount of damages, as described above, include consequential damages. The bill would state that these changes are declaratory of existing law.

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**SB 793** (Hill D) Flavored tobacco products.


Introduced: 1/6/2020

Last Amend: 5/5/2020

Status: 5/13/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (May 13). Re-referred to Com. on APPR.

Location: 5/13/2020-S. APPR.

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Summary: Would prohibit a tobacco retailer, or any of the tobacco retailer’s agents or employees, from selling, offering for sale, or possessing with the intent to sell or offer for sale, a flavored tobacco product or a tobacco product flavor enhancer, as those terms are defined. The bill would make a violation of this prohibition an infraction punishable by a fine of $250 for each violation. The bill would state the intent of the Legislature that these provisions not be construed to preempt or prohibit the adoption and implementation of local ordinances related to the prohibition on the sale of flavored tobacco products. The bill would state that its provisions are severable.

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**SB 865** (Hill D) Excavations: subsurface installations.

Current Text: Amended: 5/7/2020  html  pdf

Introduced: 1/17/2020

Last Amend: 5/7/2020

Status: 5/12/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 0.) (May 12). Re-referred to Com. on APPR.

Location: 5/12/2020-S. APPR.
Summary: Would provide that the California Underground Facilities Safe Excavation Board is also known as the "Dig Safe Board" and would make conforming changes to references in the act. The bill would require the board, on and after January 1, 2022, to be within the Office of Energy Infrastructure Safety within the Natural Resources Agency, as established pursuant to the California Energy Infrastructure Safety Act. The bill would require policy committee review at least once every 3 years.

**Mitigation Fee Act**

**AB 1484 (Grayson D) Mitigation Fee Act: housing developments.**


Introduced: 2/22/2019

Last Amend: 9/6/2019

Status: 9/9/2019-Read second time. Ordered to third reading. Re-referred to Com. on RLS. pursuant to Senate Rule 29.10(b).

Location: 9/9/2019-S. RLS.

Summary: The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed. This bill would prohibit a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project, as defined, unless specified requirements are satisfied by the local agency, including that the housing impact requirement be roughly proportional in both nature and extent to the impact created by the housing development project.

**Paid Family Leave**

**AB 3216 (Kalra D) Employee leave: authorization.**

Current Text: Amended: 5/12/2020  html  pdf

Introduced: 2/21/2020

Last Amend: 5/12/2020

Status: 5/21/2020-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (May 20). Re-referred to Com. on APPR.

Location: 5/20/2020-A. APPR.

Summary: would revise and recast provisions under the the Moore-Brown-Roberti Family Rights Act, or California Family Rights Act (CFRA), to make it an unlawful employment practice for any employer to refuse grant a request by an employee, with qualified employment service, to take up to 12 workweeks of unpaid protected leave during any 12-month period for family care and medical leave, including birth of the employee's child or adoption, to care for the employee's own medical condition, or for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as specified. The bill would also make it an unlawful business practice for an employer to refuse to grant an employee up to 12 workweeks of leave in a 12-month period for emergency leave, as defined.

**Property Taxes**

**SB 1319 (Bates R) Property taxation: change in ownership.**

Current Text: Introduced: 2/21/2020  html  pdf

Introduced: 2/21/2020

Status: 3/5/2020-Referred to Com. on GOV. & F.

Location: 3/5/2020-S. GOV. & F.

Summary: Current law specifies those circumstances in which the transfer of ownership interests in a corporation, partnership, limited liability company, or other legal entity results in a change in ownership of the real property owned by that entity, and generally provides that a change in ownership as so
described occurs if a legal entity or other person obtains a controlling or majority ownership interest in the legal entity. Current law requires the Franchise Tax Board to include a question on returns for partnerships, banks, and corporations to assist in the determination of whether a change in ownership under the circumstances described above has occurred. This bill would additionally specify that if 90% or more of the direct or indirect ownership interests in a legal entity are sold or transferred in a single transaction, as defined, the real property owned by that legal entity has changed ownership whether or not any one legal entity or person that is a party to the transaction obtains control, as defined.

Public Safety

**AB 2236**  
*(Gabriel D)*  
**Peace officer training: hate crimes.**  
Current Text: Amended: 5/7/2020  
Introduced: 2/13/2020  
Last Amend: 5/7/2020  
Status: 5/20/2020-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (May 19). Re-referred to Com. on APPR.  
Location: 5/19/2020-A. APPR.  

Summary: Current law requires the Commission on Peace Officer Standards and Training (POST) to develop and implement a course of instruction and training for specified peace officers on the topic of hate crimes. Current law requires that training to be implemented into the basic course and requires, as specified, all state and local law enforcement agencies to provide the training to all peace officers they employ. This bill would require POST to develop and periodically update an interactive refresher course on hate crimes for in-service peace officers, and require specified peace officers to take the course every 5 years.

**AB 2481**  
*(Lackey R)*  
**Sexual assault forensic evidence: testing.**  
Current Text: Amended: 5/11/2020  
Introduced: 2/19/2020  
Last Amend: 5/11/2020  
Status: 5/20/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 19). Re-referred to Com. on APPR.  
Location: 5/20/2020-A. APPR.  

Summary: Would require a law enforcement agency, for any sexual assault forensic evidence received by the law enforcement agency prior to January 1, 2016, to submit that evidence to the crime lab on or before January 31, 2022. The bill would additionally require a crime lab, for any sexual assault evidence kit received by a law enforcement agency prior to January 1, 2016, and submitted to the crime lab on or after January 1, 2021, to process that evidence kit no later than January 31, 2023, except as specified. Because the bill would impose a higher level of service on local law enforcement agencies in processing that evidence, it would impose a state-mandated local program.

**AB 2532**  
*(Irwin D)*  
**Firearms: gun violence restraining orders.**  
Current Text: Amended: 5/7/2020  
Introduced: 2/19/2020  
Last Amend: 5/7/2020  
Status: 5/20/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (May 19). Re-referred to Com. on APPR.  
Location: 5/20/2020-A. APPR.  

Summary: Current law, commencing on September 1, 2020, authorizes specified individuals, including a law enforcement officer, or a family member, employer, or coworker of a person, to petition the court to issue an order restraining that person from possessing a firearm, as specified, or to petition the court for the renewal of such an order. This bill would authorize a district attorney, county counsel, or city attorney to file a petition on behalf of a law enforcement officer, requesting the issuance or renewal of these orders, and to represent an officer in any subsequent court proceeding related to the issuance or renewal of the order.

**AB 2617**  
*(Gabriel D)*  
**Firearms: gun violence restraining orders.**  
Current Text: Amended: 5/6/2020  
Introduced: 2/20/2020
Solid Waste and Recycling

**AB 1080** (Gonzalez D) Solid waste: packaging and products.


Introduced: 2/21/2019

Last Amend: 9/9/2019

Status: 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/14/2019)(May be acted upon Jan 2020)

Location: 9/15/2019-S. 2 YEAR

Summary: Would enact the California Circular Economy and Pollution Reduction Act, which would impose a comprehensive regulatory scheme on producers, retailers, and wholesalers of single-use packaging, as defined, and priority single-use products, as defined, to be administered by the department. As part of that regulatory scheme, the bill would require the department, before January 1, 2024, to adopt regulations that require producers, as defined, (1) to source reduce, to the maximum extent feasible, single-use packaging and priority single-use products, and (2) to ensure that all single-use packaging and priority single-use products that are manufactured on or after January 1, 2030, and that are offered for sale, sold, distributed, or imported in or into California are recyclable or compostable.

**SB 54** (Allen D) Solid waste: packaging and products.

Current Text: Amended: 9/10/2019  html, pdf

Introduced: 12/11/2018

Last Amend: 9/10/2019

Status: 1/23/2020-Ordered to inactive file on request of Assembly Member Calderon.

Location: 1/23/2020-A. INACTIVE FILE

Summary: Would enact the California Circular Economy and Pollution Reduction Act, which would impose a comprehensive regulatory scheme on producers, retailers, and wholesalers of single-use packaging, as defined, and priority single-use products, as defined, to be administered by the Department of Resources Recycling and Recovery. As part of that regulatory scheme, the bill would require the department, before January 1, 2024, to adopt regulations that require producers, as defined, (1) to source reduce, to the maximum extent feasible, single-use packaging and priority single-use products, and (2) to ensure that all single-use packaging and priority single-use products that are manufactured on or after January 1, 2030, and that are offered for sale, sold, distributed, or imported in or into California are recyclable or compostable.

Surplus Property

**SB 1453** (Durazo D) Surplus residential property.

Current Text: Introduced: 2/21/2020  html, pdf

Introduced: 2/21/2020

Status: 3/12/2020-Referred to Com. on RLS.

Location: 2/21/2020-S. RLS.
Summary: Current law declares the intent of the Legislature to preserve, upgrade, and expand the supply of housing to persons and families of low or moderate income, through the sale of specified surplus residential property owned by public agencies. Current law establishes priorities and procedures that any state agency disposing of that surplus residential property is required to follow, and defines relevant terms for these purposes. This bill would make nonsubstantive changes to those provisions.

Workers Compensation

**SB 664**  
(Allen D)  
Electronic toll and transit fare collection systems.

Current Text: Amended: 9/10/2019  
Introduced: 2/22/2019  
Last Amend: 9/10/2019  
Status: 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was P. & C.P. on 9/10/2019)(May be acted upon Jan 2020)  
Location: 9/15/2019-A. 2 YEAR

Summary: Current law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with specified objectives, including that a vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Current law authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle’s use of the toll facility. This bill would expand the above-described objective so that a user of a toll facility shall also not be required to purchase or install more than one device to use on all toll facilities.

Total Measures: 60  
Total Tracking Forms: 60
SB 934 (Bates R) Corporate taxes: exempt organizations: filing fees.
Introduced: 2/6/2020
Last Amend: 4/29/2020
Status: 5/21/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 21).
Re-referred to Com. on APPR.
Location: 5/21/2020-S. APPR.
Summary: The Corporation Tax Law exempts the income of various types of nonprofit organizations from taxes imposed by that law, except as provided, if an application for exemption is filed with, and a filing fee of $25 is paid to, the Franchise Tax Board and the Franchise Tax Board issues a determination exempting the organization from tax. Current law also requires, among other things, that filing fee to be paid when an organization whose exemption was revoked applies to reestablish as an exempt organization. This bill would eliminate the $25 filing fee on January 1, 2021.

SB 1090 (Bates R) Coastal erosion: installation of shoreline protective devices: application process.
Current Text: Amended: 4/9/2020
Introduced: 2/19/2020
Last Amend: 4/9/2020
Location: 5/11/2020-S. N.R. & W.
Calendar: 5/26/2020 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE NATURAL RESOURCES AND WATER, STERN, Chair
Summary: Would, except as provided, require the California Coastal Commission or a local government with an approved local coastal program to approve the repair, maintenance, or construction of retaining walls, return walls, seawalls, revetments, or similar shoreline protective devices for beaches or adjacent existing residential properties in the coastal zone in the Counties of Orange and San Diego that are designed to mitigate or protect against coastal erosion. If a local government denies the application for a shoreline protective device, the bill would require the local government to inform the commission, in writing, of its decision with supporting evidence. The bill would require the commission, if it denies an application or if it receives notice of a local government’s denial, to submit a report to the Legislature of its denial or the report from the local government.

SB 1319 (Bates R) Property taxation: change in ownership.
Current Text: Introduced: 2/21/2020 html pdf
Introduced: 2/21/2020
Status: 3/5/2020-Referred to Com. on GOV. & F.
Location: 3/5/2020-S. GOV. & F.
Summary: Current law specifies those circumstances in which the transfer of ownership interests in a corporation, partnership, limited liability company, or other legal entity results in a change in ownership of the real property owned by that entity, and generally provides that a change in ownership as so described occurs if a legal entity or other person obtains a controlling or majority ownership interest in the legal entity. Current law requires the Franchise Tax Board to include a question on returns for partnerships, banks, and corporations to assist in the determination of whether a change in ownership under the circumstances described above has occurred. This bill would additionally specify that if 90% or more of the direct or indirect ownership interests in a legal entity are sold or transferred in a single transaction, as defined, the real property owned by that legal entity has changed ownership whether or not any one legal entity or person that is a party to the transaction obtains control, as defined.

SB 1373 (Bates R) State highways: State Route 241: reduction.
Current Text: Amended: 5/19/2020
Introduced: 2/21/2020
Last Amend: 5/19/2020
Status: 5/19/2020-From committee with author's amendments. Read second time and amended. Referred to Com. on TRANS.
Location: 5/11/2020-S. TRANS.
Calendar: 5/29/2020 9 a.m. - Senate Chambers SENATE TRANSPORTATION, BEALL, Chair

Summary: Current law establishes the state highway system throughout the state and designates State Route 241 from State Route 5 south of the City of San Clemente to State Route 91 in the City of Anaheim. This bill would delete from the state highway system the portion of State Route 241 from State Route 5 south of the City of San Clemente to Oso Parkway east of the City of Mission Viejo.
Summary: Would prohibit certain joint powers agencies from constructing, funding, or operating a major thoroughfare within a specified area of Southern California, and would restrict the authority of the Department of Transportation to approve, permit, take possession of, or otherwise authorize the construction of a major thoroughfare in that same area, as specified. The bill would prohibit a state agency, city, county, joint powers authority, regional transportation agency, or other local government entity, or any other person or entity, from constructing, funding, approving, or otherwise authorizing the building of a street, road, or highway in or on, or that encroaches on, San Onofre State Beach or lands that are part of the Richard H. and Donna O'Neill Conservancy, with specified exceptions.

Summary: Would make the testimony of a victim or witness in a felony prosecution for a violation or attempted violation of specified crimes of sexual assault that states that the victim or witness, at or around the time of the violation or attempted violation, unlawfully possessed or used a controlled substance or alcohol inadmissible in a separate prosecution of that victim or witness to prove illegal possession or use of that controlled substance or alcohol.

Summary: Would expand the purpose of the California Ocean Resources Enhancement and Hatchery to encompass any marine fish species important to sport and commercial fishing. The bill would revise provisions relating to the advisory panel by, among other things, specifying which members are voting members, by adding a voting member representing the public or nongovernmental organization interests, or both, by providing for an alternate member to be designated for each voting member, and by establishing 3-year terms for each member and alternate member. The bill would require all members and alternate members to be appointed by the director after soliciting nominations for members and evaluating certain criteria. Except for the advisory panel’s advisory function, the bill would eliminate the advisory panel’s other functions, including the power to approve financing of any part of the program.
Total Budget

- The 2020-2021 Total Budget is projected to be $203.3 billion
- The 2020-21 General Fund budget is projected to be $133.9 billion.
- Rainy Day Fund—The Budget draws down $16.2 billion in Rainy Day Fund over three years. The May Revision reflects the withdrawal of $8.3 billion, including $7.8 billion from the Rainy Day Fund and $450 million from the Safety Net Reserve in 2020-21.

Budget Toplines

Today, Governor Newsom presented an extremely sobering May Revise update to his January budget proposal. He reviewed the significant economic circumstances from the COVID-19 pandemic—including a projected 24.5% unemployment rate in CA and a $42.2B reduction in tax revenues—that have negatively impacted all programs in the 2020-21 budget. The Governor indicated that there has been a 22.3% reduction in revenues from the time he introduced his January budget proposal. The three, primary tax revenue sources for the State have been impacted, as follows: Personal Income Tax—reduced by 25.5%; Corporate Tax—reduced by 22.7%; and, Sales Tax—reduced by 27.2%. In his May Revise, Governor Newsom is proposing a $133.9B General Fund budget (9.4% decrease from 2019-20 budget) and a total budget of $203.3B from all sources (5.4% decrease from 2019-20 budget). He is projecting a $54.3B budget deficit that will need to be filled to meet the Constitutional requirement for a “balanced budget”. This deficit includes a projected $42.2B reduction in revenues and a corresponding $13.1B increase in caseload growth. While under the May Revision the budget would be balanced next year, a significant structural out-year deficit would remain, increasing to over $16 billion by 2023-24.

The Governor stated that the May Revision is guided by the principle of prudent fiscal management to: protect public health, public safety and public education; provide assistance to small businesses and Californians most hurt by the pandemic; and to invest in a safe and quick economic recovery.

He presented several “solutions” that he is proposing for the CA Legislature to adopt in the annual budget bill, as well as significant cuts across programs and general government.
Solutions & Cuts

- **Rainy Day Fund**—The Governor is proposing to draw down the entire $16.2B that has been saved over the past several budget cycles in the Fund, but he is proposing to do this over a three-year period. In Year 1 (2020-21), he is proposing to draw down $7.8B. Year 2 (2021-2022), he is proposing $5.4B. For Year 3 (2022-23), he is proposing $2.9B.

- **Safety Net Reserve**—The Governor is proposing to use, over two budget cycles, the $900M that is in the Safety Net Reserve. In Year 1 (2020-21), the Governor is proposing to use $450M from this Reserve. For Year 2 (2021-22), he is proposing to draw down the remaining $450M.

- **Proposition 98 (K-14) Reserve**—The Governor is proposing to use $524 from this fund.

- **CARES Act**—The Governor is projecting using $8.3B of federal CARES Act funds, representing 15% of “solutions” to close the deficit. Specifically, the May Revision proposes to:
  - Use $4.4 billion for schools to run summer programs and other programs that address equity gaps that were widened during the school closures.
  - Direct $3.8 billion to protect public health and public safety; $1.3 billion to counties for public health, behavioral health and other health and human services programs; and $450 million to cities for public safety and to support homeless individuals.

- **January 2020 Budget Proposal Rollbacks**—The Governor is proposing to not move forward with most of his January proposals, representing a 15% reduction in costs.

- **Special Funds, Borrowing and Deferrals**—Borrow $4.1B from Special Funds, and $6.3B in deferrals. (19% of solutions)

- **Program Cuts and Trigger**—The Governor is proposing a variety of program funding reductions, totaling $14B, but these are only “triggered” if President Trump and Congress do not enact some version of the Heroes Act, that just passed the House. Depending on the amount of federal relief, some or all of these proposed cuts may not be effectuated.

- **State Workforce Wage Cuts**—The Governor is proposing both a 10% reduction in employee salaries, and a 5% reduction resulting from new “efficiency” measures for state agencies and departments.

- **Revenue Enhancements**—The Governor is proposing to place limits on several existing tax credits and tax extensions. This represents 8% of his deficit closing solutions.

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**Budget Summary:**

**Housing and Homelessness**

**Project Roomkey**—the May Revision proposes $750 million in federal funding and directs the use of these funds to purchase hotels and motels secured through Project Roomkey, to be owned and operated by local governments or non-profit providers. This includes $150 million in General Fund backfill for previously provided funds. This proposal would replace the $750 million California Access the Services Fund proposed in the Governor’s January proposal.
• The state will also use these funds to provide significant technical assistance to local jurisdictions or other parties seeking to purchase and operate former Project Roomkey hotels and motels to address homelessness in their localities.

Homeless Coordinating and Financing Council Administrative Resources—$1.5 million General Fund ongoing and 10 permanent Homeless Coordinating and Financing Council positions to effectively carry out statutory mandates and strengthen its strategic coordination of the state's efforts to address homelessness.

CARES Act Distribution to Local Governments—The May Revision allocates a portion, $1.7 billion, of the state's $9.5 billion CARES Act funding to local governments—$450 million to cities that did not receive a direct allocation and $1.3 billion to counties based on population size—to be used toward homelessness, public health, public safety, and other services to combat the COVID-19 pandemic.

• Cities—Six California cities received a direct CARES Act allocation as a result of their size—for a total of $1.5 billion direct from the federal government. The May Revision supplements this by providing $450 million to all cities that did not receive a direct allocation. Of these recipients, cities with populations above 300,000 will receive a direct state allocation while all other cities will be provided funding through their counties. Recipient jurisdictions must spend these funds consistent with federal law and are advised to prioritize these dollars to supplement existing efforts by counties and Continuums of Care to address the impacts of COVID-19 on people experiencing homelessness, including but not limited to outreach and hygiene efforts, shelter and housing supports, public safety, and rental subsidies.

• Counties—The state is allocating $1.3 billion of its CARES Act funding directly to counties based on population size to address the public health, behavioral health, and other health and human services needs that have arisen as a result of the COVID-19 pandemic.

*Funding is contingent on adherence to federal guidance and the state's stay-at-home orders and will be released upon jurisdictions' certification of both.

The allocations are detailed in the following chart.
Jurisdictions in acquiring housing for people experiencing homelessness, as well as securing low- and moderate-income housing in response to the COVID-19 pandemic.

Community Development Block Grant Program—$1.1 billion in available federal funds through the Community Development Block Grant Program for critical infrastructure and disaster relief related to the 2017 and 2018 wildfires.

CARES Act Funding for Housing and Homelessness Programs—$532 million in federal funds for housing and homeless programs under the CARES Act. These funds will assist the state and local jurisdictions in acquiring housing for people experiencing homelessness, as well as securing low- and moderate-income housing in response to the COVID-19 pandemic.

National Mortgage Settlement—$331 million from the National Mortgage Settlement for housing counseling, mortgage assistance and renter legal aid services as follows: the California Housing Financing Agency will administer $300 million for housing counseling and mortgage assistance, and the remaining $31 million to the Judicial Council to provide grants to legal aid services organizations.
Statutory Changes to Streamline Funding for Housing Programs—Certain statutory changes to existing housing programs to streamline funding. This includes the creation of a joint application for tax credits between the Tax Credit Allocation Committee and California Debt Limit Allocation Committee, the realignment of Housing and Community Development's program award schedules to expedite funding awards and have a greater impact on the ground, and working on improvements to revamp the state's housing planning process with input from key stakeholders and local governments.

Funds Proposed for Reversion—Given the increased federal funds and anticipated future actions to support jobs and infrastructure, as well as the effects of the COVID-19 Recession, the following funds are proposed for reversion:

- $250 million in mixed-income development funds over the next three years.
- $200 million in infill infrastructure grant funds.
- $115 million in other housing program funds.

The May Revision maintains several proposals from the Governor's January budget. These include:

- $500 million in low-income housing state tax credits.
- Ongoing funding including a real estate transaction fee (estimated at $277 million for 2020-21) for affordable housing.
- Ongoing revenue from cap and trade auction proceeds (estimated at $452 million for 2020-21) for infill development that also reduces vehicle miles traveled and greenhouse gas emissions.
- $4 billion in Proposition 1 bonds for veterans and affordable housing programs.
The Legislative Platform provides a foundation for the City of Carlsbad's Intergovernmental Affairs Program and enables the city to efficiently and effectively address intergovernmental and legislative matters affecting the city. The purpose of this Legislative Platform is to clearly express the city's position on, and provide a basis for prioritizing and acting upon, a broad range of intergovernmental and legislative matters that may impact the city's ability to operate effectively.

The City Council has identified the following Guiding Principles, Legislative Priorities and Position Statements to guide the city's advocacy efforts. The Legislative Platform will be reviewed annually by the City Council Legislative Subcommittee and amended as needed by the City Council.

**Guiding Principles**

**I. Preserve Local Control** - The city supports the broadest authority for our citizens and the City Council to make decisions and provide public services locally. As cities are voluntarily created by the residents of a community to provide local self-government and to make decisions at the local level to best meet the needs of the community, the city opposes preemption of local control.

**II. Maintain Fiscal Responsibility** — The city supports legislative and budget measures that protect and enhance its existing funding sources, revenue base and control over local government budgeting. The city opposes efforts to shift local funds to the county, state or federal governments, diminish its revenue base or impose new mandates that are unfunded or inadequately funded.

**III. Protect Quality of Life** — The city supports legislative and budget actions that preserve the safety, security and well-being of our residents, businesses and visitors. The city opposes efforts that would negatively impact the infrastructure, public safety, community development, community services and environmental programs that support city efforts to maintain and enhance the quality of life in Carlsbad.

**2020 Legislative Priorities**
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2020 Legislative Platform: Position Statements

1. **Community Services**

   **Arts, Cultural Resources, Historic Preservation and Education**
   (a) Support funding and legislation that supports the arts, culture, historic preservation & education.

   **Child Care**
   (a) Support measures that reduce regulatory complexities and the burden of insurance costs for child care providers.

   (b) Support funding for the construction, renovation and maintenance of child care facilities.

   (c) Support the provision of reasonable tax incentives for employers who offer child care services.

   (d) Support legislation that restores local control over child care services in areas such as licensure, staffing, education and training.

   **Public Parks/Recreational Facilities**
   (a) Support funding for community park facilities, open space, and recreation programs.

   (b) Support legislation that preserves the ability to implement integrated pest management practices.

   **Public Libraries**
   (a) Support funding for local public libraries and the State Library.

   (b) Oppose Internet filtering laws that apply to publicly funded libraries.

   (c) Support legislation that preserves library patron privacy.

   (d) Support legislation that preserves net neutrality.

   **Seniors**
   (a) Support legislation that fosters independence of older Californians.

   **Healthy Cities**
   (a) Support legislation that recognizes and prevents adverse impacts affecting public health and the welfare of citizens, and particularly minors.
(b) Support funding and legislation that assists local communities in addressing problems associated with recent legal and illegal immigrants to the United States, in areas such as housing, health services, education and employment.

(c) Support funding for local communities attempting to address the needs of migrant workers.

2. **Environmental Quality**

(a) Support legislation that complements the city’s Environmental and Sustainability Guiding Principles.

(b) Support funding and legislation to improve recreational water quality, habitat management, and open space.

(c) Support funding and legislation that facilitates and protects local control of habitat management planning, maintenance and administration.

**Climate Change**

(a) Support legislation that promotes market penetration of alternative fuel vehicles.

(b) Support funding and legislation that facilitates actions to mitigate the sources of greenhouse gas emissions.

(c) Support legislation that reduces the amount of ozone depleting compounds discharged into the atmosphere.

**California Environmental Quality Act (CEQA)**

(a) Support legislation that either requires citizen initiatives to comply with CEQA before being placed on the ballot or exempting from this requirement a City Council initiated ballot measure dealing with the same subject matter on the same ballot.

(b) Support legislation that streamlines federal and state environmental review processes and limits court reviews of environmental documentation.

**Hazardous Materials**

(a) Support efforts for the proper and cost-effective disposal of solid, hazardous and medical waste.

(b) Oppose legislation that makes local municipalities financially responsible for the removal, abatement or mitigation of hazardous materials.
(c) Support funding and legislation that addresses concerns regarding the safe handling and storage of nuclear waste generated at the decommissioned San Onofre Nuclear Generating Station, particularly as it relates to the vulnerability to damage from seismic activity, landslides, tsunamis and sea level rise.

**Solid Waste**

(a) Support legislation that preserves the ability of local governments to regulate solid waste and recyclable materials.

(b) Support measures that promote procurement and market development of recyclable and recycled materials.

(c) Support legislation that promotes source reduction measures.

(d) Oppose legislation regulating "flow control" of solid waste materials.

(e) Support measures that promote the recycling and reclaiming of natural resources, including water, timber, oil, gas minerals and earth metals.

(f) Support measures that would make low-interest loans and grants available to local agencies for programs that encourage the recycling and reclaiming of resources.

(g) Support measures that would reduce the use of single-use plastics and Styrofoam packaging and prevent these materials from entering the waste stream, including public education and community partnership initiatives.

(h) Support legislation that facilitates development of local and regional recycling and composting facilities.

**Utilities**

(a) Support legislation that establishes regulatory and market mechanisms to maximize the state's energy self-sufficiency and security.

(b) Support legislation that establishes regulatory and market mechanisms that promote competition and reasonable, justifiable energy prices.

(c) Support legislation that aggressively pursues refunds to consumers for rates that have been determined to be unjust or unreasonable.

(d) Support legislation that expedites the development of needed infrastructure (e.g., generation, transmission, and natural gas pipelines) to create robust and functional markets.
(e) Support legislation that increases the diversity of the state’s and region’s energy resources, particularly increasing the use of higher-efficiency, clean distributed generation (e.g., combined heat and power) and renewable resources.

(f) Support legislation that encourages and incentivizes the adoption of new and emerging technologies that provide real-time pricing to promote better price response by consumers.

(g) Support legislation that promotes municipal renewable energy development.

(h) Support legislation that allows net energy metering.

(i) Support legislation that provides financial incentives for renewable energy.

(j) Support legislation that minimizes adverse environmental impacts of the state’s and the region’s energy use.

(k) Support funding and legislation that promotes alternative energy sources.

(l) Support legislation that prohibits the California Energy Commission from issuing any license to operate a power plant unless and until it has received the report required by the California Coastal Commission under the Warren-Alquist Act.

(m) Support legislation that protects competitive neutrality, procurement autonomy, ratepayer affordability, reliability, decarbonization and social equity initiatives of community choice aggregation.

(n) Support legislation that establishes rules under which Public Safety Power Shutoff events can be undertaken.

Coastal Issues

(a) Support measures that provide funding for urban waterfront restoration and enhancement.

(b) Support legislation that would aid the restoration, preservation and enhancement of beachfront property, sand, bluffs, access, public infrastructure and parking.
(c) Support measures that would preserve and extend the authority of cities over land use regulations concerning the placement of onshore facilities which service offshore oil drilling.

(d) Support legislation that requires the double hulling of oil tankers.

(e) Support legislation that promotes aquatic research, education and aquaculture.

(f) Oppose any new offshore oil and gas leasing, drilling and exploration in all State of California and U.S. waters in the Pacific Ocean.

(g) Support legislation providing that if Coastal Commission staff has an opportunity to participate in local and or regional habitat management plans, there is a presumption of consistency with the Federal Coastal Management Act.

(h) Support legislation to allow cities to issue all coastal development permits within their jurisdiction consistent with a previously certified coastal plan.

(i) Support legislation that allocates state and federal funds for the construction of facilities to capture and treat the flow of raw sewage entering San Diego from Tijuana.

3. Water

   General Principles
   (a) Support measures that provide for the equitable allotment and distribution of preferential water rights.

   Water Conservation
   (a) Support measures that will encourage water conservation practices by all water consumers.

   (b) Support measures that ensure conservation credit for municipal investments in water recycling systems and development of alternative sources.

   Water Recycling
   (a) Support measures that promote the production and distribution of reclaimed water.
Water Storage & Conveyance Systems
(a) Support a balanced water transportation and regional storage system that provides for the needs of San Diego County, while protecting the Delta and Central Valley regions with minimal impact on agriculture and the environment.

(b) Support measures that increase water supply and storage facilities within the region and allow for economically feasible water transfers within the system.

New Technology
(a) Support legislation and regulations that encourage the use and development of alternative water sources, including desalination.

(b) Support funding and legislation that promotes the development of engineering solutions and alternative uses to eliminate wastewater treatment ocean discharges.

Financial Considerations
(a) Support legislation to develop an ongoing funding source to implement the federally mandated Clean Water Act of 1987 and to ensure protection of local resources.

(b) Support legislation that would exempt stormwater and urban runoff management programs from Proposition 218 requirements.

(c) Support legislation that allows Water Districts to award contracts in conformity with the provisions of the local City Charter.

4. Governance, Transparency, and Labor Relations

Labor Relations
(a) Support legislation that allows cities with civil service/personnel systems to contract out services to the private sector to save taxpayer dollars.

(b) Support legislation that limits the ability of employees to receive workers' compensation benefits for occupational injuries/illnesses that result from stress, disciplinary action, or performance evaluations or consultations.

(c) Support any measure that would reverse the imposition of compulsory and binding arbitration with respect to public employees.

(d) Oppose any measure that would grant employee benefits that should be decided at the local bargaining table.
(e) Oppose any legislation that would reduce local authority to resolve public employee disputes, and support legislation that would preserve court jurisdiction, and/or impose regulations of an outside agency (such as PERB).

(f) Oppose measures that propose a standard higher than the normal civil standards in disciplinary proceedings for peace officers.

(g) Support legislation that clarifies existing labor laws concerning whether an individual is considered an employee rather than an independent contractor.

(h) Support measures that promote efforts to advance workplace diversity, equity and inclusion.

(i) Oppose measures that would expand release time for union business.

(j) Oppose measures that would establish confidentiality privileges for union representatives.

(k) Oppose measures that would require municipalities to pay erroneous retirement benefits.

Workers' Compensation
(a) Oppose legislation that expands or extends any presumptions of occupational injury or illness and support legislation that repeals the presumption that the findings of a treating physician are correct.

(b) Oppose legislation that increases workers' compensation benefits without providing for concurrent cost controls.

Governance and Ethics
(a) Oppose legislation or constitutional amendments that weaken or interfere with the powers of charter cities and diminish local autonomy or home rule authority.

(b) Support legislation that reduces and provides for recovery of costs, maintains privacy and eliminates attorney's fees for administering public records laws.

(c) Support legislation that improves access to, and reduces the cost of, healthcare for public employees.
(d) Support measures that reform California's tort system to reduce and limit liability exposure for public agencies and restore the ability of public agencies to obtain affordable insurance.

(e) Support legislation that recognizes or broadens immunities for public agencies and oppose legislation that attempts to limit or restrict existing immunities.

(f) Support legislation that requires plaintiffs to make a good faith showing of liability prior to filing a lawsuit against a public entity.

5. Housing, Community and Economic Development

Planning and Zoning

(a) Support legislation to strengthen the legal and fiscal capability of local agencies to prepare, adopt and implement fiscal plans for orderly growth, development, beautification and conservation of local planning areas, including, but not limited to, regulatory authority over zoning, subdivisions, annexations, and redevelopment areas.

(b) Support measures in local land use that are consistent with the doctrine of "home rule" and the local exercise of police powers in planning and zoning processes.

(c) Support legislation requiring environmental review of initiatives to amend a general plan or zoning ordinance before the initiative is placed on the ballot or enacted.

(d) Oppose legislation or constitutional amendments that would restrict the power of California cities to use eminent domain for public purpose projects.

(e) Support measures that allow local agencies to condition mobile home park conversions from rental to resident ownership pursuant to local land use regulations including a requirement to provide public improvements and infrastructure where necessary to promote the health, safety, and welfare of park residents.

(f) Support legislation that preserves the authority of local agencies to regulate short-term vacation rentals.

(g) Support legislation that enables local agencies to effectively address issues concerning public safety and proper management of group homes.
(h) Oppose legislation that would diminish local control to set and assess development review and building inspection fees.

**Housing**

(a) Support efforts to develop federal and state participation, financial support and incentives (tax benefits, grants, loans) for programs which provide adequate, affordable housing (home ownership and/or rental opportunities) for all economic segments of the community including the elderly, handicapped, and low-income persons.

(b) Support legislation that provides incentives (tax benefits, grants, loans, credits for affordable units) to local agencies, private developers and non-profit groups in order to rehabilitate residential units and commercial properties.

(c) Support legislation that would provide additional funding for rental subsidy assistance programs (such as Section 8) via more vouchers or certificates.

(d) Support repeal of Article 34 (Public Housing Project Law) of the California Constitution.

(e) Support legislation that allows entitlement cities to use Community Development Block Grant (CDBG) funds for new construction of housing units.

(f) Support state legislation that strengthens local inclusionary housing programs.

(g) Support the repeal or modification of the Davis-Bacon Wage Act, as it relates to charter cities, that set a prevailing wage scale for public projects, substantially increasing the cost of publicly assisted housing developments.

(h) Support legislation that will consolidate and streamline the administration and reporting requirements for the CDBG program.

(i) Oppose legislation that would give the State financial administrative responsibilities for the CDBG program.

(j) Support legislation that requires availability of adequate school facilities contemporaneously with occupancy of housing.
(k) Support measures that would establish a formula-based Regional Housing Needs Assessment allocation methodology that reflects the unique needs and practical capacity of local communities.

(l) Oppose measures that diminish local authority to implement growth management initiatives that ensure communities do not exceed carrying capacities and the provision of adequate public facilities.

(m) Support measures that would exempt affordable housing projects from complying with the California Environmental Quality Act.

Subdivision Map Act
(a) Support legislation that would automatically extend approved or conditionally approved tentative, final and parcel maps under the Subdivision Map Act during and for a limited time period after a statewide financial or public health crisis, or other declared State of Emergency.

Economic Development
(a) Support legislation that facilitates economic development efforts and encourages businesses to locate or remain in California.

(b) Oppose legislation or constitutional amendments that would restrict the power of California cities to use eminent domain for redevelopment projects, including economic redevelopment, where a prior finding of blight has been determined.

(c) Support legislation that would establish new tax increment financing tools.

(d) Support legislation that helps businesses who have had business interruption insurance claims denied, or otherwise incur unrecoverable revenue losses resulting from a statewide financial or public health crisis, or other declared State of Emergency.

(e) Support legislation that protects small businesses from extraordinary health insurance premium increases being applied during and for a limited time period after a statewide financial or public health crisis, or other declared State of Emergency.

(f) Support legislation that would remove impediments to the automatic extension of local permits during and for a limited time period after a statewide financial or public health crisis, or other declared State of Emergency.
6. **Public Safety**

**Fire Services**
(a) Oppose legislation that would restrict or reduce the ability of local government to determine the extent or method of fire hazard mitigation necessary in or around wildland areas.

(b) Oppose legislation that would diminish local control to set and assess fire inspection fees.

(c) Support legislation that preserves local agencies' ministerial development review and approval rights, including applicability to accessory dwelling units.

(d) Oppose legislation that attempts to circumvent code requirements by statute.

**Emergency Services and Preparedness**
(a) Support legislation granting immunity to or limiting liability of governmental entities and their employees who provide emergency medical instructions and/or treatment as a part of their public safety dispatch system.

(b) Oppose legislation that would restrict a local government from revising the delivery of emergency medical service to its citizens and support measures that broaden these powers.

(c) Support legislation that would enhance cost recovery or provide funding for emergency medical services and pre-hospital care.

(d) Support legislation that would strengthen community and disaster preparedness, public safety, and resiliency.

(e) Support legislation that would enhance statewide wildland fire safety infrastructure.

(f) **Support legislation that provides state and federal emergency funding and regulatory relief that allows cities to devote the necessary resources and meet the operational challenges of protecting the public health, safety and welfare in response to a declared State of Emergency.**

**Law Enforcement**
(a) Support legislation that strengthens local law enforcement.
(b) Support measures that would provide a greater share of seized assets to localities and increased discretion for local spending.

(c) Support legislation that would allow for the destruction, confiscation, or extended safekeeping of firearms or other deadly weapons involved in domestic violence incidents.

(d) Support legislation that strengthens penalties for repeat drug and property crime offenders.

Drugs & Alcohol
(a) Support measures which strengthen present state or federal laws to increase penalties and give local governments the power to restrict or regulate the sale, manufacture, or use of dangerous drugs.

(b) Support legislation that discourages, prevents, and penalizes driving under the influence of drugs or alcohol.

(c) Support legislation that enhanced local agencies ability to recover costs from guilty parties for damage to public property and services in accidents involving driving under the influence of drugs and/or alcohol.

(d) Support legislation that would provide funding for addiction rehabilitation treatment.

(e) Support any measure that protects children and youth from exposure to tobacco, second hand smoke and tobacco-related products.

(f) Support legislation that preserves local control over medical and adult-use cannabis businesses, and enhances and protects maximum local regulatory, land use, and enforcement authority in relation to such businesses.

Homelessness
(a) Support funding and legislation that provides resources for local agencies to provide referral services for persons experiencing homelessness.

(b) Support measures that provide resources to address the mental health needs of persons experiencing homelessness.

Miscellaneous
(a) Support legislation that would assist local safety agencies in regionalization of activities such as training, crime labs, specialty responses such as hazardous materials and technical rescue, and other appropriate functions.
(b) Support legislation to increase the number of border patrol agents at the International Border.

(c) Support legislation that provides financial assistance to local agencies for Homeland Security.

(d) Support the enactment of legislation to prevent gun violence.

(e) Support measures to expand mental health and social-emotional health services and the inclusion of safety education in schools.

(f) Support measures to provide resources to develop school safety guidelines, conduct comprehensive school safety audits and maintain continued vigilance and monitoring of safety matters in schools.

(g) Support legislation to eliminate restrictions on the collection and compiling of data related to violence perpetrated with firearms, including research into the causes and consequences of gun violence.

(h) Support measures to provide funding to support 911 communication centers.

(i) Support measures to provide funding to support the San Diego Law Enforcement Coordination Center.

7. Revenue and Taxation

(a) Support legislation that assists cities to enforce and collect local taxes.

(b) Support measures that protect the fiscal independence of cities and safeguard existing revenue sources from preemption by any other public agency.

(c) Oppose any change in revenue allocations which would negatively (current or future) affect local government, including the redistribution of sales tax, property tax, transient occupancy tax and other taxes and fees.

(d) Support legislation that makes funds to support public facilities (i.e., facilities, open space) more available to local municipalities.

(e) Oppose legislation that attempts to eliminate the “pay first and litigate later” provisions of law and oppose any bill that proposes to reduce or
eliminate the obligation of any online travel agency to pay transient occupancy taxes under state or local law.

(f) Support measures which would strengthen cities' ability to reorganize and consolidate water districts, sewer districts, school districts, and other special districts that operate within or provide service to a city.

(g) Oppose federal measures which remove the deduction of all state and local taxes for federal income tax purposes.

(h) Support measures that implement basic structural changes in state government that result in state budget expenditures being brought into balance with state revenues.

(i) Support measures which relieve taxpayers of the burden of paying for services which could be charged directly to the service user, and which simplify the process of establishing such fees.

(j) Support legislation that would provide greater accountability on the part of counties for the distribution of funds back to municipalities, including, but not limited to, fines and forfeitures.

(k) Support measures to reinstate flexibility in the administration of Article XIII-B (The Gann Initiative).

(l) Oppose any measure that restricts or limits a public entity's ability to use tax exempt debt for the purchase or construction of public purpose improvements.

(m) Oppose legislation that shifts state and county criminal justice costs to cities.

(n) Oppose the use of the federal gas tax for federal debt reduction.

(o) Support legislation that streamlines permitting processes without undermining the ability of local government to apply and be compensated for the enforcement of reasonable building, planning and fire protection standards.

(p) Oppose measures that propose significant economic changes without the completion of a balanced, comprehensive economic analysis.

State Mandates

(a) Support legislation that would eliminate unfunded state and federal mandates or would require timely reimbursement to cities.
(b) Oppose measures that would impose mandates for which there is no guarantee of local reimbursement or offsetting benefits, or would shift the cost of government services to cities.

(c) Oppose legislation that creates surcharges for state oversight of state mandated programs.

8. **Transportation, Communication and Public Works**

*Transportation*

(a) Support measures that would increase the ability of local agencies to finance local and regional transportation facilities and improvements, including alternative modes of transportation and transportation demand management systems and transportation systems management initiatives.

(b) Support legislation that provides for effective and efficient transportation alternatives.

(c) Oppose transportation proposals that would adversely affect the quality of life in North San Diego County by causing traffic congestion, air pollution or other problems.

(d) Encourage and support double tracking of the rail corridor within the City limits in a manner that:

1. Improves public safety access and response times.
2. Eliminates or reduces existing at-grade rail crossings within the rail corridor.
3. Improves local, regional, and coastal access for all travel modes (bike, pedestrian, vehicle, transit).
4. Minimizes impacts to neighborhoods.
5. Maximizes community and neighborhood connections.
6. Protects and/or improves the economic vibrancy of surrounding neighborhoods and the city.
7. Protects and/or enhances environmental resources.

(e) Oppose legislation that diminishes local control over the regulation and deployment of micro-mobility solutions.

(f) Oppose measures that would result in the consolidation of the North County Transit District and Metropolitan Transit System.
(g) Support measures that protect residents, businesses and visitors from the adverse impacts of aircraft operating at McClellan-Palomar Airport.

(h) Oppose changes in aviation policies that would allow McClellan-Palomar Airport to expand without authorization from the city.

(i) Support legislative and regulatory initiatives to study and mitigate the noise and air quality impacts associated with air traffic overflights.

(j) Support measures that would increase local control over airports located within municipal boundaries.

**Public Works**

(a) Oppose legislation that would erode or purport to erode a charter city's ability to design, implement, determine wage rates or fund any and all public works projects within its jurisdiction.

(b) Support funding and legislation that supports utilities undergrounding.

**Contracts**

(a) Support legislation prohibiting firms from bidding on City projects if the firm is currently involved in legal proceedings against the City arising from prior projects.

(b) Oppose measures that would eliminate state licensing requirements for professionals involved in designing public and private developments.

(c) Support measures that would clarify the roles and responsibilities of public agency officers and employees as related to the prohibition on entering into or participating in making contracts in which they have a financial interest.

**Telecommunications**

(a) Support legislation and regulations of telecommunications facilities and services that:
   1. Maintain local control over the public right-of-way.
   2. Provide just compensation for the use of right-of-way and overseeing public service standards.
   3. Ensure public, education, and governmental access is available and affordable.
   4. Provide free access for public information services and announcements.
   5. Maintain local control, including but not limited to discretionary permits over wireless communications facilities.
   6. Reinstates competition in the telecommunications industry.
(b) Support legislation that requires cable television companies to assure that audio and video portions of adult entertainment channels are completely blocked 24 hours a day in the homes of non-subscribers.

(c) Oppose any measure or legislation that prevents local franchising of cable television or video services, regardless of the technology used to deliver the cable television or video services to the subscriber.
City Council Legislative Subcommittee

Meeting Date: May 26, 2020

To: City Council Legislative Subcommittee

From: Jason Haber, Intergovernmental Affairs Director

Item 2: DRAFT CITY COUNCIL POLICY NO. 39 – Intergovernmental Affairs Program

**Recommendation:** Review the Draft City Council Policy No. 39 – Intergovernmental Affairs Program; discuss and provide feedback to staff to prepare the document for City Council consideration.

**Discussion:**
Exhibit 1 presents a redline draft amendment to the existing City Council Policy No. 39 – Legislative Program, which is proposed to be re-titled as “Intergovernmental Affairs Program.” The draft amendment was developed by staff and incorporates input provided by the City Council Legislative Subcommittee at its meetings on Nov. 25 and Dec. 10, 2019, and on March 10, 2020. The document highlights changes incorporated after the Subcommittee’s March 10 meeting.

One substantive change is proposed to reflect the Subcommittee’s request to include a provision that allows the city to be responsive to proposed bill amendments that may require action on an expedited timeline that would not allow the matter to be considered at a Subcommittee or City Council meeting.

**Exhibits:**
1. Redline Draft City Council Policy No. 39 – Intergovernmental Affairs Program
DRAFT
City Council Policy No. 39 – Intergovernmental Affairs Program

Category: Administration
Specific Subject: Intergovernmental Affairs Program

PURPOSE:
To establish the guidelines of the city's intergovernmental affairs program.

BACKGROUND:
The city's intergovernmental affairs program enables the city to efficiently and effectively address intergovernmental and legislative matters affecting the city. By establishing a standing City Council Legislative Subcommittee and an Intergovernmental Affairs Director position, the city recently enhanced its capacity to monitor, analyze, manage and respond to a steadily increasing stream of new legislation and an increasingly complex network of relationships existing among governmental agencies at the federal, state and local level. This policy establishes an appropriate and flexible intergovernmental affairs program for the City of Carlsbad.

POLICY:
1. The city will maintain an ongoing membership in the League of California Cities, which serves to promote the unified position of municipalities in San Diego County and throughout California to the state and federal legislature.

2. The City Council will adopt a Legislative Platform that clearly expresses the city's position on, and provides a basis for prioritizing and acting upon, a broad range of intergovernmental and legislative matters.
   a. The Legislative Platform will be reviewed annually by the City Council Legislative Subcommittee and amended as-needed by the City Council.

3. The City Council will adopt Legislative Priorities to guide the city's advocacy efforts during the state's biennial legislative session.
   a. The Legislative Priorities will be reviewed annually by the City Council Legislative Subcommittee and amended as-needed by the City Council.

4. The City Council Legislative Subcommittee will work in coordination with the Intergovernmental Affairs Director, City Manager's Office, City Attorney's Office, city departments, legislative consultants and the Carlsbad community to:
March 10, 2020  
Page 2

a. Receive information and advise the City Council on intergovernmental and legislative matters affecting the city;

b. Continuously monitor state and federal proposed legislation, and:
   i. Review proposed legislation for consistency with the Legislative Platform;
   ii. Make recommendations to the City Council to identify high priority bills; and
   iii. Make recommendations to the City Council to adopt advocacy positions on high priority bills not addressed by the Legislative Platform;

c. Proactively seek to identify local and regional legislative needs and recommend bill sponsorship opportunities to the City Council; and

d. Engage and inform the Carlsbad community (residents, businesses, stakeholder groups) and other governmental agencies on intergovernmental and legislative matters affecting the city.

5. Only the Mayor or the Mayor's designee may sign a letter on behalf of the city or the city's subsidiary entities, to oppose or support legislation, or otherwise advocate in support or opposition of intergovernmental matters.

6. Only the City Council may authorize a letter to be sent on behalf of the city or the city's subsidiary entities to oppose or support legislation not clearly addressed by the Legislative Platform.

PROCEDURE:
A. The city will utilize the League of California Cities' Summary of Existing Policy and Guiding Principles as an organizational framework for structuring the city's Legislative Platform.

B. The City Council Legislative Subcommittee will review the Legislative Platform annually, and will recommend amendments to the City Council for adoption, as needed.

C. The Intergovernmental Affairs Director will monitor the League of California Cities's CA Cities Advocate, Action Alerts and other informational resources, and will engage the City Attorney's Office, city departments, city boards, committees and commissions, legislative consultants, federal, state and local governmental agencies, affiliated professional associations and the Carlsbad community to identify and inform the City Council Legislative Subcommittee on emerging and ongoing legislative trends, proposed legislation and other intergovernmental matters having a direct and significant impact on the city's fiscal, operational and environmental health, and the overall quality of life enjoyed by its Carlsbad residents and other stakeholders.
March 10, 2020
Page 3

i. The City Council Legislative Subcommittee will consider emerging and ongoing legislative trends and proposed legislation in reviewing the city’s Legislative Priorities annually, and will recommend amendments to the City Council for adoption, as needed.

ii. The Intergovernmental Affairs Director will identify and inform the City Council Legislative Subcommittee on proposed legislation and other intergovernmental matters that may have a direct and significant impact on the city’s fiscal, operational and environmental health, and the overall quality of life enjoyed by its Carlsbad residents and other stakeholders.

   a. If the City Council Legislative Subcommittee deems such to be a potential high priority bill or other intergovernmental matter clearly consistent or inconsistent with the Legislative Platform, the City Manager and Intergovernmental Affairs Director shall be authorized to request, and the Mayor or the Mayor’s designee shall be authorized to take appropriate action in support or opposition.

   b. If the City Council Legislative Subcommittee deems such to be a potential high priority bill or other intergovernmental matter not clearly consistent or inconsistent with the Legislative Platform, the City Council Legislative Subcommittee will develop and present a recommended advocacy position to the City Council for consideration.

   c. In cases when the City Council Legislative Subcommittee cannot reach a decision as to whether a proposed piece of legislation should be deemed a high priority bill, or whether it is consistent or inconsistent with the Legislative Platform, the matter will be referred to the City Council to make such determination.

   d. As the State Legislature nears the end of the legislative session each year, hundreds of bills are often amended and passed over the course of only a few days. In cases when a late-breaking bill amendment is determined by the City Manager to have a potentially significant beneficial or detrimental effect on the city; and when such amendment is scheduled to be heard by the Legislature before it can be reviewed by the City Council Legislative Subcommittee or City Council, as may otherwise be required; the City Manager and Intergovernmental Affairs Director shall be authorized, in coordination with the Mayor, to take appropriate action in support or opposition of the proposed amendment, consistent with a position taken by the League of California Cities or another affiliated professional association.

D. The Intergovernmental Affairs Director will provide the City Council with a monthly update on the progress of high priority bills and other intergovernmental matters.