



## **ATTACHMENT A**

### **Status of Bills with an Official City Position**

**October 12, 2021**

**SECTION ONE: NEW LEGISLATION – 0 Items**

**SECTION TWO: UPDATED LEGISLATION – 0 Items**

**SECTION THREE: PENDING LEGISLATION – 1 Items**

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
ACA 1	Aguiar-Curry (D)	Local government financing: affordable housing and public infrastructure: voter approval	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> No votes yet.			
<b>Status:</b> April 22, 2021 – Referred to Committee on Appropriation			
<b>Issue areas associated with the City’s Legislative Platform:</b> Local Finance			
<b>Description:</b> The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to this limit that would authorize a local agency to levy an ad valorem tax to service bond debt incurred to fund the production of certain types of affordable housing if the proposition is approved by 55% of voters in the jurisdiction.		<b>Analysis:</b> This bill would lower the threshold for local government general obligation bonds, sales taxes or transactions from 2/3rds to 55%. New taxes could fund construction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing.	
<b>Most Recent Vote Summary:</b> No votes yet.			

**SECTION FOUR: RESOLVED LEGISLATION – 27 Items**

**Sub-section A: Vetoed Legislation**

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 556	Dodd (D)	Street light poles, traffic signal poles: small wireless facilities attachments	Oppose
			<b>LOCC Position</b>
			Oppose

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<b>Local Legislator Votes:</b> Waldron – Yes. Jones – Yes.	
<b>Status:</b> October 4, 2021 – Vetoed by Governor, sent to Senate for consideration of Governor’s veto.	
<b>Issue areas associated with the City’s Legislative Platform:</b> Telecommunication, Land Use/Planning and Economic Development	
<b>Description:</b> This bill would prohibit a local government or local publicly owned electric utility from unreasonably denying the leasing or licensing of its street light poles or traffic signal poles to communications service providers for the purpose of placing small wireless facilities on those poles. The bill would require that street light poles and traffic signal poles be made available for the placement of small wireless facilities under fair, reasonable, and non-discriminatory fees, as provided. The bill would authorize a local government or local publicly owned electric utility to condition access to its street light poles or traffic signal poles on reasonable terms and conditions, including reasonable aesthetic and safety standards. The bill would specify time periods for various actions relative to requests for placement of a small wireless facility by a communications service provider on a street light pole or traffic signal pole.	<b>Analysis:</b> SB 556 directly conflicts with the Federal Communications Commission's (FCC) adopted regulations on wireless services deployment, which cities and counties across the nation are actively implementing. This measure requires local governments to make space available to telecommunications providers without recognizing local authority to manage the public right-of-way preserved in federal law
<b>Most Recent Vote Summary:</b> September 2, 2021 on Senate Floor – Pass (27-6-7).	

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 477	Weiner (D)	General plan: annual report	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – Yes			
<b>Status:</b> October 5, 2021 – Vetoed by Governor, sent to Senate for consideration of Governor’s veto.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Housing and Redevelopment			
<b>Description:</b> SB 477 would require cities and counties to submit additional detailed information on housing development projects in annual progress reports (APRs) submitted to the Department of Housing and Community Development (HCD), as specified. The bill would also authorize HCD to assess the accuracy of information submitted as part of the APR and require local planning agencies to correct any inaccurate information		<b>Analysis:</b> Additionally required elements of the annual report would include specified information on costs, standards, and applications for proposed housing development projects and specified information on housing development projects within the jurisdiction.	
<b>Most Recent Vote Summary:</b> September 3, 2021 on Senate Floor – Pass (37-0-3).			

## Sub-section B: Chaptered Legislation

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
AB 33	Ting (D)	Energy Conservation Assistance Act of 1979: energy storage systems and transportation electrification infrastructure	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – Yes.			

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**Status:** September 23, 2021 – Signed by Governor and Chaptered by Secretary of State.

**Issue areas associated with the City's Legislative Platform:** Sustainability

**Description:** The Energy Conservation Assistance Act of 1979 states the intent of the Legislature that the Energy Commission administer the State Energy Conservation Assistance Account to provide grants and loans to local governments and public institutions to maximize energy use savings, including technical assistance, demonstrations, and identification and implementation of cost-effective energy efficiency measures and programs in existing and planned buildings or facilities. This bill would require the Energy Commission, in administering the account, to provide grants and loans to local governments and public institutions to maximize energy use savings, expand installation of energy storage systems and expand the availability of transportation electrification infrastructure, including technical assistance, demonstrations, and identification and implementation of cost-effective energy efficiency, energy storage, and transportation electrification infrastructure measures and programs in existing and planned buildings or facilities.

**Analysis:** This bill previously was written to prohibit the approval of or provision of funding for the construction of new school buildings that have natural gas connections. Subsequent amendments entirely reworked the bill to provide incentives and financial support to local governments to maximize energy savings and expand the availability of state assistance in several electrification infrastructure measures and programs that are existing and planned. Staff is analyzing this for potential support, as it may provide funding that can be leveraged by the city for measures identified in its Climate Action Plan.

**Most Recent Vote Summary:** September 2, 2021 on Assembly Floor – (Pass 74-0-5).

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
AB 215	Chiu (D)	Housing Element: regional housing need: relative progress determination	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – No. Jones – No.			
<b>Status:</b> September 28, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Land Use/Planning and Economic Development			
<b>Description:</b> Requires jurisdictions with relatively low progress towards meeting their regional housing needs to have a mid-cycle housing element consultation with the Department of Housing and Community Development (HCD) and adopt pro-housing policies		<b>Analysis:</b> This bill would require local governments to have a mid-cycle housing element consultation with HCD if the housing production in their jurisdiction is below both their pro-rated regional housing share and below the regional average for all housing or housing affordable to lower income households. During the consultation, the local government and HCD would review and update, as necessary, all goals, policies, quantified objectives, financial resources, and scheduled programs.	
<b>Most Recent Vote Summary:</b> September 10, 2021 on Assembly Floor – (Pass 60-5-15).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
AB 602	Grayson (D)	Development fees: impact fee nexus study	Watch
			<b>LOCC Position</b>
			Oppose Unless Amended
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – Yes.			
<b>Status:</b> September 28, 2021 – Signed by Governor and Chaptered by Secretary of State.			

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**Issue areas associated with the City's Legislative Platform:** Local Finance.

**Description:** This bill, among other things, would require, on and after January 1, 2022, a city, county, or special district that conducts an impact fee nexus study to follow specific standards and practices, including, but not limited to, (1) that prior to the adoption of an associated development fee, an impact fee nexus study be adopted, (2) that the study identify the existing level of service for each public facility, identify the proposed new level of service, and include an explanation of why the new level of service is necessary, and (3) if the study is adopted after July 1, 2022, either calculate a fee levied or imposed on a housing development project proportionately to the square footage of the proposed units, or make specified findings explaining why square footage is not an appropriate metric to calculate the fees.

**Analysis:** To ensure that any proposed impact fees meet legal requirements, including the essential nexus test and the reasonable relationship test, local governments must conduct a nexus study prior to imposing a new impact fee or increasing a fee above the level of fees allowed by the previous nexus study. These nexus studies often identify the new demand for services from development, usually on a per-unit or per-capita basis, an expected level of service provision, and a maximum level of impact fees needed to fund the facilities to meet that level of service provision. Some nexus studies also consider the feasibility of different levels of fees and their effects on local housing production. Local governments must spend the revenues generated by impact fees on capital projects and cannot use them to support ongoing operations and maintenance.

**Most Recent Vote Summary:** September 8, 2021 on Assembly Floor (Pass 78-0-2).

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
AB 816	Chiu (D)	State and local agencies: homelessness plan	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – No.			
<b>Status:</b> September 29, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Housing and redevelopment - homelessness			
<b>Description:</b> Current law requires the Governor to create the Homeless Coordinating and Financing Council and to appoint up to 19 members of that council, as provided. Current law specifies the duties of the coordinating council, including creating partnerships among state agencies and departments, local government agencies, and specified federal agencies and private entities, for the purpose of arriving at specific strategies to end homelessness. This bill, upon appropriation by the Legislature or upon receiving technical assistance offered by the federal Department of Housing and Urban Development (HUD), if available, would require the coordinating 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.		<b>Analysis:</b> This bill would require the state and local governments to assess available resources to address homelessness and provide that analysis to the Council. The Council would review and provide feedback to the entity submitting the analysis. Based on the gaps and needs analysis, the HCD will develop benchmark goals for each state and local agency to reduce homelessness. Based on those goals, the state and local governments will develop an actionable plan and submit it to the Council by January 1, 2023. Each year the plan will be updated and resubmitted. State and local governments are only accountable for planning according to the resources they have available to them at the time the plan is adopted and submitted.	
<b>Most Recent Vote Summary:</b> September 10, 2021 on Assembly Floor (Pass 62-15-4).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
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AB 1029	Mullin (D)	Housing elements: prohousing local policies	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – no vote recorded. Jones – No.			
<b>Status:</b> September 28, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Affordable Housing			
<b>Description:</b>		Would add preservation of affordable housing units as a pro-housing local policy that the Department of Housing and Community Development (HCD) may consider in developing a pro-housing designation. Specifically, this bill: 1) Would add, to the list of policies that HCD may consider to be a pro-housing policy, the preservation of affordable housing units through the extension of existing project-based rental assistance covenants, if such covenants avoid the displacement of affected tenants or avoid a reduction in available affordable housing units. 2) Would include an urgency clause and states that urgency is necessary in order to ensure that local governments seeking to preserve existing affordable housing units in their communities are included by HCD on the list of communities deemed as a “pro-housing jurisdiction.” 3) Would contain a number of findings and declarations related to the need to preserve existing affordable housing units.	<b>Analysis:</b> Would add the preservation of affordable housing units through the extension of existing project-based rental assistance covenants to avoid the displacement of affected tenants and a reduction in available affordable housing units to the list of specified prohousing local policies.
<b>Most Recent Vote Summary:</b> September 2, 2021 on Assembly Floor (Pass – 59-17-3).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 640	Becker (D)	Transportation financing: jointly proposed projects	Support
			<b>LOCC Position</b>
			Support
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – Yes.			
<b>Status:</b> July 16, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Local Finance, Transportation			
<b>Description:</b> Current law provides for the deposit of various funds, including revenues from certain increases in fuel taxes and vehicle fees, for the program into the Road Maintenance and Rehabilitation Account. After certain allocations for the program are made, existing law requires the remaining funds available for the program to be continuously appropriated 50% for allocation to the department for maintenance of the state highway system or for the State Highway Operation and Protection Program and 50% for apportionment to cities and counties by the Controller pursuant to a specified formula. Current law requires a city or county to submit to the California Transportation Commission a list of proposed projects, as specified, to be eligible for an apportionment of those funds. This bill would authorize cities and counties to jointly propose projects to be funded by the cities and counties’ apportionments of those funds, as specified.			<b>Analysis:</b> SB 640 would enable two or more eligible cities or one or more cities and a county to combine resources on projects affecting multiple jurisdictions. This measure would also consolidate reporting requirements into a single report. These changes will save cities money and assist with project delays incurred when contractors must treat multiple projects in the same region independently.
<b>Most Recent Vote Summary:</b> July 8, 2021 on Assembly Floor – Pass (76-0-3).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
AB 1409	Levine (D)		Watch

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		Planning and zoning: general plan: safety element	<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – Yes.			
<b>Status:</b> October 5, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Land Use/Planning and Economic Development			
<b>Description:</b> Current law, upon the next revision of a local hazard mitigation plan on or after January 1, 2022, or beginning on or before January 1, 2022, if a local jurisdiction has not adopted a local hazard mitigation plan, requires the safety element to be reviewed and updated as necessary to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios. This bill would also require the safety element to be reviewed and updated to identify evacuation locations. By increasing the duties of local planning officials with respect to the update of general plans, this bill would impose a state-mandated local program.		<b>Analysis:</b> This bill requires each local jurisdiction to review the safety element of a local hazard mitigation plan and update the plan as necessary to identify evacuation locations. Specifically, this bill: 1) Requires, upon the next revision of a local hazard mitigation plan on or after January 1, 2022, or, if a local jurisdiction has not adopted a local hazard mitigation plan, beginning on or before January 1, 2022, the safety element be reviewed and updated as necessary to identify evacuation locations under disasters scenarios. 2) Allows a county or city that has adopted a local hazard mitigation plan, emergency operations plan or other document that fulfills commensurate goals and objectives to use the information from the document in the safety element to comply with this section and, in that case, summarize and incorporate the other plan or document into the safety element.	
<b>Most Recent Vote Summary:</b> August 30, 2021 on Senate Floor – Pass (39-0-1).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 8	Skinner (D)	Housing Crisis Act of 2019	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – no vote recorded.			
<b>Status:</b> September 16, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Land Use/Planning and Economic Development			
<b>Description:</b> Existing law, pursuant to the Housing Crisis Act (HCA) of 2019, places restrictions on certain types of development standards, amends the Housing Accountability Act (HAA), and makes changes to local approval processes and the Permit Streamlining Act. This bill would make several amendments to the HCA to clarify approvals.		<b>Analysis:</b> This bill would clarify, for various purposes of the Housing Crisis Act of 2019, that “housing development project” includes projects that involve no discretionary approvals, projects that involve both discretionary and nondiscretionary approvals, and projects that include a proposal to construct a single dwelling unit. The bill would specify that this clarification is declaratory of existing law.	
<b>Most Recent Vote Summary</b> September 1, 2021 on Senate Floor – Pass (30-3-7).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 9	Atkins (D)	Housing development: approvals	Oppose
			<b>LOCC Position</b>
			Oppose Unless Amend

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<b>Local Legislator Votes:</b> Waldron – No. Jones – No.	
<b>Status:</b> September 16, 2021 – Signed by Governor & Chaptered by Secretary of State.	
<b>Issue areas associated with the City’s Legislative Platform:</b> Land Use/Planning and Economic Development	
<b>Description:</b> Would require a proposed housing development containing 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing 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, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.	<b>Analysis:</b> State driven ministerial or by-right housing approval processes fail to recognize the extensive public engagement associated with developing and adopting zoning ordinances and housing elements that are certified by the California Department of Housing and Community Development (HCD). A doubling (or more) of the development intensity could cause overloading of infrastructure as well as major changes to the community character.
<b>Most Recent Vote Summary:</b> August 30, 2021 on Senate Floor – Pass (28-7-5).	

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 10	Weiner (D)	Planning and zoning: housing development: density	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – no vote recorded. Jones – Yes.			
<b>Status:</b> September 16, 2021 – Signed by Governor and Chapter by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Land Use/Planning and Economic Development			
<b>Description:</b> Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified 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, 2023, based on specified criteria.		<b>Analysis:</b> This bill would provide local jurisdictions the ability to approve market rate development in any parcels declared to be urban infill, transit rich, or jobs rich. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction’s General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act.	
<b>Most Recent Vote Summary:</b> August 30, 2021 on Senate Floor – Pass (28-6-6).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 63	Stern (D)	Fire prevention: vegetation management: public education: grants: defensible space: fire hazard severity zones: forest management	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Jones – Yes. Waldron Yes.			



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**Status:** September 28, 2021 – Signed by Governor and Approved by Secretary of State

**Issue areas associated with the City's Legislative Platform:** Land Use/Planning and Economic Development

**Description:** Would, among other things, require the Director of Forestry and Fire Protection to identify areas of the state as moderate and high fire hazard severity zones and would require a local agency to make this information available for public review and comment, as provided.

**Analysis:** This bill would require CalFIRE to identify moderate and high fire hazard severity zones in LRAs and requires local agencies to make information regarding these zones available for public review and comment within 30 days, as specified; Require the SFM and HCD to propose that the building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fire risk, be expanded to also apply to high fire severity zones. Requires the CBSC to adopt the expanded building standards in the regularly occurring code adoption cycle; Requires the SFM and HCD to consider whether it is appropriate to also expand the building standards in (2) to moderate fire severity zones and, if so, to recommend such an expansion to the CBSC.

**Most Recent Vote Summary:** September 10, 2021 on Assembly Floor – Pass (73-0-7).

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 290	Skinner (D)	Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints	Watch
			LOCC Position
			Watch
Local Legislator Votes: Jones – No. Waldron – Yes.			
Status: September 28, 2021 – Signed by Governor and Chaptered by Secretary of State.			
Issue areas associated with the City’s Legislative Platform: Housing and Redevelopment			
Description: This bill would require a unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based. The bill would require a city or county to grant one incentive or concession for a student housing development project that will include at least 20% of the total units for lower income students.			Analysis: See description. Pending staff’s analysis.
Most Recent Vote Summary: August 30, 2021 on Senate Floor – Pass (32-4-4).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 478	Weiner (D)	Planning and Zoning Law: housing development projects	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Waldron – No. Jones – Yes.			
<b>Status:</b> September 28, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Housing and Redevelopment			
<b>Description:</b> SB 478 would prohibit a local agency from imposing a floor-to-area ratio (FAR) of less than 1.0 for a housing development project	<b>Analysis:</b> The Planning and Zoning Law requires the Department of Housing and Community Development to notify a local jurisdiction and authorizes the department to notify the Attorney General, that the local jurisdiction is in violation of state law if the department finds that the housing element or an amendment to that element, or any specified action or failure to act, does not substantially comply with the law as it pertains to housing elements or that any local		

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of three to seven units, or a FAR of less than 1.25 for a project of eight to 10 units, if the project is located in a multifamily zone or mixed-use zone, as specified.	government has taken an action in violation of certain housing laws. Would prohibit a local agency, as defined, from imposing a floor-to-area ratio standard that is less than 1.0 on a housing development project that consists of 3 to 7 units, or less than 1.25 on a housing development project that consists of 8 to 10 units. The bill would prohibit a local agency from imposing a lot coverage requirement that would preclude a housing development project from achieving the floor-to-area ratios described above.
<b>Most Recent Vote Summary:</b> September 9, 2021 on Senate Floor – Pass (30-6-4).	

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 619	Laird (D)	Organic waste: reduction regulations	Support
			<b>LOCC Position</b>
			Support in Concept
<b>Local Legislator Votes:</b> Waldron – Yes. Jones – Yes.			
<b>Status:</b> October 5, 2021 – Signed by Governor and Chaptered by Secretary of State.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Sustainability			
<b>Description:</b> Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve those targets for reducing organic waste in landfills, and authorizes those regulations to require local jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction, to authorize local jurisdictions to impose penalties on generators for noncompliance, and to include penalties to be imposed by the department for noncompliance. Current law provides that those regulations shall take effect on or after January 1, 2022, except that the imposition of penalties by local jurisdictions pursuant to the regulations shall not take effect until 2 years after the effective date of the regulations. This bill, until January 1, 2023, would require the department to only impose a penalty on a local jurisdiction, and would require a penalty to only accrue, for a violation of the regulations if the local jurisdiction did not make a reasonable effort, as determined by the department, to comply with the regulations.			<b>Analysis:</b> Requires, until January 1, 2023, CalRecycle to only impose a penalty on a local jurisdiction, and would require a penalty to only accrue, for a violation of the regulations if the local jurisdiction did not make a reasonable effort, as determined by the department, to comply with the regulations.
<b>Most Recent Vote Summary:</b> September 9, 2021 on Senate Floor – Pass (38-0-2).			

### Sub-section C: Legislation Pending Governor Action (Enrolled)

Enrolled legislation has passed both houses and is at the Governor’s desk for their signature. Pending the Governor’s signature, these bills will become state law. The Governor has discretion to sign or veto each bill.

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 4	Gonzalez (D)	Communications: California Advanced Services Fund	Watch
			<b>LOCC Position</b>
			Support
<b>Local Legislator Votes:</b> Waldron – no vote recorded. Jones – No.			
<b>Status:</b> September 17, 2021 – Enrolled and presented to the Governor.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Telecommunication			

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<b>Description:</b> Would require the Governor's Office of Business and Economic Development to coordinate with other relevant state and local agencies and national organizations to explore ways to facilitate streamlining of local land use approvals and construction permit processes for projects related to broadband infrastructure deployment and connectivity.	<b>Analysis:</b> League of California Cities Draft Letter of Support: "SB 4 is a step in the right direction, ensuring the continued collection of an essential source of broadband funding. This measure not only authorizes the ongoing collection of the existing CASF surcharge but also makes it easier for local governments to access these grants. Additionally, SB 4 would create a Broadband Bond Financing and Securitization Account to fund broadband infrastructure deployment by local governments. These funding opportunities would allow local governments to continue to play a vital role in deploying broadband infrastructure in their communities."
<b>Most Recent Vote Summary:</b> September 9, 2021 on Senate Floor – Pass (29-8-3).	

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 44	Allen (D)	California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Jones – no vote recorded. Waldron – Yes.			
<b>Status:</b> September 9, 2021 – Enrolled and presented to the Governor.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Sustainability			
<b>Description:</b> Would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for an environmental leadership transit project, as defined, proposed by a public or private entity or its affiliates.		<b>Analysis:</b> This bill would make certain transit projects eligible for expedited administrative and judicial review under the California Environmental Quality Act (CEQA).	
<b>Most Recent Vote Summary:</b> September 3, 2021 on Senate Floor – Pass (33-0-7)			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 52	Dodd (D)	State of emergency: local emergency: planned power outage.	Watch
			<b>LOCC Position</b>
			Support
<b>Local Legislator Votes:</b> Jones – Yes. Waldron – Yes.			
<b>Status:</b> September 9, 2021 – Enrolled and presented to the Governor.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Public Safety			
<b>Description:</b> Existing law, the California Emergency Services Act, authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or the territorial limits of a local government caused by, among other things, a sudden and severe energy shortage. This bill would define a “deenergization event” as a planned power outage, as specified, and would make a deenergization event one of those conditions constituting a local emergency, with prescribed limitations. (Based on text date 4/12/2021)			<b>Analysis:</b> This bill would expand the definition of “sudden and severe energy shortage” to include a “deenergization event,” defined as a planned power outage, as specified, and would make a deenergization event one of those conditions constituting a state of emergency and a local emergency.

**Most Recent Vote Summary:** September 1, 2021 on Senate Floor – Pass (39-0-1)

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 378	Gonzalez (D)	Local government: broadband infrastructure development project permit processing: microtrenching permit processing ordinance	Watch
			LOCC Position
			Watch
Local Legislator Votes: Jones – Yes. Waldron – Yes.			
Status: September 9, 2021 – Enrolled and presented to the Governor.			
Issue areas associated with the City’s Legislative Platform: Telecommunications, Land Use/Planning and Economic Development			
Description: This bill establishes a definition for microtrenching and requires local governments to allow fiber installers to use microtrenching as a method for installing fiber unless the local government makes a specified finding that permitting microtrenching would adversely impact public health and safety.		Analysis: Would require a local agency to allow, except as provided, microtrenching for the installation of underground fiber if the installation in the microtrench is limited to fiber. The bill would also require, to the extent necessary, a local agency with jurisdiction to approve excavations to adopt or amend existing ordinances, codes, or construction rules to allow for microtrenching. The bill would provide that these provisions do not supersede, nullify, or otherwise alter the requirements to comply with specified safety standards.	
Most Recent Vote Summary: September 2, 2021 on Senate Floor – Pass (39-0-1).			

### Sub-section D: Two-Year Legislation

Two-year legislation did not pass both houses by the deadline of midnight on September 10, 2021 to continue to the Governor’s desk for calendar year 2021. These bills are eligible for consideration pending the resumption of the two-year legislative session in 2022.

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
AB 897	Mullin (D)	Office of Planning and Research: regional climate networks: climate adaption action plans	Watch
			<b>LOCC Position</b>
			Support
<b>Local Legislator Votes:</b> Waldron – Yes.			
<b>Status:</b> September 10, 2021 – Did not pass Senate, converted to 2-year bill.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Sustainability			
<b>Description:</b> Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state’s climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor’s office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion			<b>Analysis:</b> Requires the Office of Planning and Research (OPR) to facilitate the creation of regional climate networks (networks) and create standards for the development of a regional climate adaptation action plan

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of agencies with land use planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.	(plan) to support the implementation of regional climate adaptation efforts.
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**Most Recent Vote Summary:** August 16, 2021 in Senate Appropriations Committee (Pass 7-0-0).

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
AB 1401	Friedman (D)	Residential and commercial development: parking requirements	Watch
			LOCC Position
			Oppose
Local Legislator Votes: Waldron – No.			
Status: August 26, 2021 – In committee: Held under submission.			
Issue areas associated with the City’s Legislative Platform: Oppose legislation that would limit or restrict local land use decision-making authority, including the imposition of one-size-fits-all, land-use, parking, building and development guidelines.			
Description: Would prohibit a local government from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit, as defined. The bill would not preclude a local government from imposing requirements when a project provides parking voluntarily to require spaces for car share vehicles. The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a new multifamily or nonresidential development to provide electric vehicle parking spaces or parking spaces that are accessible to persons with disabilities, as specified.		Analysis: Prohibits local governments from enforcing minimum automobile parking requirements for developments located close to public transit. The League of California Cities writes in opposition, “AB 1401 could negatively impact the State’s Density Bonus Law by providing developers parking concessions without also requiring developers to include affordable housing units in the project. The purpose of Density Bonus Law is to provide concessions and waivers to developers in exchange for affordable housing units.”	
Most Recent Vote Summary: August 16, 2021 in Senate Appropriations Committee – Pass (7-0-0)			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 6	Caballero (D)	Local planning: housing: commercial zones	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Jones - Yes.			
<b>Status:</b> August 23, 2021 – From committee with author’s amendments. Read second time and amended. Re-referred to Committee on Housing and Community Development.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Land Use/Planning and Economic Development			
<b>Description:</b> This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a neighborhood lot, which is defined as a parcel within an office or retail commercial zone that is not adjacent to an industrial use. 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		<b>Analysis:</b> This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a neighborhood lot, which is defined as a parcel within an office or retail commercial zone that is not adjacent to an industrial use.	

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the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction. The bill would require the housing development to meet all other local requirements for a neighborhood lot, other than those that prohibit residential use, or allow residential use at a lower density than that required by the bill. The bill would authorize a local agency to exempt a neighborhood lot from these provisions in its land use element of the general plan if the local agency concurrently reallocates the lost residential density to other lots so that there is no net loss in residential density in the jurisdiction, as provided.	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.
<b>Most Recent Vote Summary:</b> May 24, 2021 on Senate Floor – Pass (32-2-6).	

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 12	McGuire (D)	Local government: planning and zoning: wildfires	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Jones – No.			
<b>Status:</b> July 12, 2021 – Set for first hearing. Failed passage in committee. Reconsideration granted.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Local Control			
<b>Description:</b> This bill imposes certain fire hazard planning responsibilities on local governments; requires cities and counties to make specified findings on fire standards prior to permitting development in very high fire hazard severity zones (VHFHSZ); and incorporates fire hazard planning into regional housing needs allocation (RHNA) objectives and methodology.		<b>Analysis:</b> This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.	
<b>Most Recent Vote Summary:</b> July 12, 2021 in Assembly Committee on Housing and Community Development – Passed under reconsideration (8-0-0).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 15	Portantino (D)	Housing development: incentives: rezoning of idle retail sites.	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Jones – no vote recorded.			
<b>Status:</b> June 2, 2021 – In Assembly. Read first time. Held at Desk.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Housing and Redevelopment			
<b>Description:</b> SB 15 would establish a program administered by the Department of Housing and Community Development (HCD), upon appropriation of funding by the Legislature on or after January 1, 2023, to provide grants to cities and counties that rezone idle or underutilized big box retailer or		<b>Analysis:</b> This bill seeks to incentivize local governments to convert idle retail sites into affordable housing by requiring HCD to issue grants to cities that rezone commercial sites to make residential an allowable use. In order to receive a grant, a city would need to rezone the site as a use by right, approve a housing development project affordable to households earning up to 120% AMI, impose certain labor standards, and issue a certificate of occupancy. The grant would be equal to seven times the average amount of annual sales and use tax revenue	

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commercial shopping center properties and instead provide for the development of specified lower and moderate income housing.	generated by each idle site identified in the local government's application over the seven years immediately preceding the date of the local government's application. The goal of the grant is to offset the lost sales tax revenue that would have been generated from a commercial property.
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**Most Recent Vote Summary:** June 1, 2021 – Senate Floor (Pass 38-0-2)

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 555	McGuire (D)	Local Agencies: transient occupancy taxes: short-term rental facilitator: collection	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Jones – Yes.			
<b>Status:</b> August 26, 2021 – Hearing: held in committee and under submission.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Local Finance			
<b>Description:</b> Would authorize a local agency, defined to mean a city, county, or city and county, including a charter city, county, or city and county, to enact an ordinance exclusively delegating its authority to collect any transient occupancy tax imposed by that local agency on short-term rentals to the California Department of Tax and Fee Administration and to enter into a contract with the department for purposes of registration, rate posting, collection, and transmission of revenues necessary to collect and administer any transient occupancy tax imposed on a short-term rental as specified in this bill.		<b>Analysis:</b> SB 555 would (1) establish a system by which local governments may require short-term rental platforms to collect local charges, and (2) contract with the California Department of Tax and Fee Administration (CDTFA) to collect those charges from the short-term rental platforms and remit them to the local governments.	
<b>Most Recent Vote Summary:</b> July 13, 2021 in Assembly Judiciary Committee – Pass (9-0-2).			

Bill Number	Author(s)	Bill Title	San Marcos Recommended Position
SB 581	Atkins (D)	General Plan	Watch
			<b>LOCC Position</b>
			Watch
<b>Local Legislator Votes:</b> Jones – Yes.			
<b>Status:</b> July 1, 2021 – Ordered to inactive file on request of Assembly Member Chau.			
<b>Issue areas associated with the City’s Legislative Platform:</b> Land Use/Planning and Economic Development			
<b>Description:</b> 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. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development. The law requires that the annual report include, among other specified information, the number of housing development applications received and the number of units		<b>Analysis:</b> This bill adds to the reporting requirements for the annual progress report (APR) that local governments are required to submit to the state Department of Housing and Community Development (HCD) each year in relation to their housing elements, whether the city or county is party to a court action related to a violation of state housing law. This bill requires a city or county to report in its APR whether it is party to a court action related to a violation of state housing law, and the disposition of that action, including but not	

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approved and disapproved in the prior year. This bill would additionally require the planning agency include in the annual report whether the city or county is a party to a court action related to a violation of state housing law, and the disposition of that action.

limited to: 1) Housing element law. 2) The Housing Accountability Act. 3) Streamlining for permanent supportive housing. 4) Streamlined ministerial approval for certain housing projects. 5) Density bonus law. 6) The Housing Crisis Act.

**Most Recent Vote Summary:** June 30, 2021 in Assembly Committee on Appropriations – Pass (14-0-2).