

South Bay Cities Council of Governments

October 26, 2006

TO: SBCCOG Board of Directors

FROM: SBCCOG Executive Director

RE: Disposition of Legislation on which SBCCOG took a position

BILLS THAT BECAME LAW

HOUSING

AB 2511 (Jones)	Land Use: Housing. Places numerous restrictions on local land use authority.	Oppose (4/06) (Ltr sent 6/27/06 to Sen Env Quality Comm)	9/30/06 Chaptered by Secretary of State
SB 1206 (Kehoe)	Redevelopment. Would revise the definition of "predominantly urbanized" & revise the conditions that characterize a blighted area. Would prohibit the inclusion of non-blighted parcels in a redevelopment project area for the purpose of obtaining property tax revenue from the area without substantial justification for their inclusion.	Oppose (4/06) (Ltr sent 5/1/06 to Sen Appr Comm)	9/29/06 Chaptered by Secretary of State
SB 1210 (Torlakson)	Eminent Domain: Would define litigation expenses to mean the party's reasonable attorney's fees and costs, including reasonable expert witness and appraiser fees. Would require a public entity to offer to pay the reasonable costs of an independent appraisal ordered by the owner of a property that the public entity offers to purchase under a threat of eminent domain. Would prohibit an officer who is also a member of the governing body of an organization that has an interest in, or to which the public agency may transfer an interest in, property that the public agency may acquire by eminent domain from voting on any matter affecting that organization.	Oppose (5/06) (League removed opposition on 8/6/06-due to amendments, eminent domain process now fair	9/29/06 Chaptered by Secretary of State

TECHNOLOGY

<p>AB 2987 (Nunez & Levine)</p>	<p>Cable and Video Service. Would establish a procedure for the issuance of state franchises for the provision of video service or open cable systems, that would be administered by the Public Utilities Commission. The Commission would be the sole franchising authority for state franchises to provide video services. <i>The bill would provide that cities, counties, or joint powers authorities</i> would receive state franchise fees in exchange for the use of public rights of way for the delivery of video services provided in their jurisdictions.</p>	<p>Oppose (4/06) (Ltr sent 6/6/06 to SB Senators; Ltr requesting veto sent to Gov 9/20/06)</p>	<p>9/29/06 Chaptered by Secretary of State</p>
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ENVIRONMENTAL QUALITY

<p>SB 1 (Murray)</p>	<p>Electricity: Solar Energy: Net Metering. Would require a seller of production homes to offer the option of a solar energy system by 2011.</p>	<p>Support (6/05) (Letter sent 7/17/05 to Asm Appr Comm)</p>	<p>8/21/06 Chaptered by Secretary of State No LCC Position</p>
<p>SJR 31 (Lowenthal)</p>	<p>Clean Ports: Would urge the Administrator of the U.S. Environmental Protection Agency to adopt federal regulations limiting emissions from marine vessels locomotives & aircraft.</p>	<p>Support (5/06) (Ltr sent 6/19/06 to Asm Transp Comm)</p>	<p>8/15/06 Chaptered by Secretary of State</p>

BILLS THAT DIED IN SESSION

HOUSING

<p>AB 2307 (Mullin)</p>	<p>State Mandates: Housing Element. Provides additional time extensions to SCAG and ABAG so that they can coordinate the next RHNA allocations with their regional transportation plans. Repeals the authority of councils of government to charge a fee to local governments for their role in determining housing needs.</p>	<p>Support (4/06) (Ltr sent 6/8/06 to Asm Appr Comm)</p>	<p>5/25/06 Asm Appropriations Committee, held under submission</p>
<p>AB 2378 (Evans)</p>	<p>Housing Density Bonus. Extends continued affordability agreement to moderate-income dwelling units in a common interest development by requiring the local government to ensure that affordability by recording against the property deed restrictions to require, for at least 30 years, that the units will be resold to persons and families of moderate income at an affordable housing cost or by recording against the properties deed restrictions or liens providing for an equity-sharing agreement, as specified.</p>	<p>Support (4/06) (Ltr sent 6/9/06 to SB Senators)</p>	<p>8/7/06 Senate Transportation and Housing Committee, re-referred</p>

AB 2468 (Salinas/Daucher)	Planning Housing Elements. Would establish housing element self certification where locals elect to zone affordable housing RHNA allocation "by right"	Support (4/06) (Ltr sent 5/3/06 to Asm Appr Comm)	5/15/06 Asm Inactive File
AB 2484 (Hancock)	Housing Development Housing: Density Bonuses. Would provide an exemption from density bonus law for parcels already zoned at high density.	Support (4/06) (Ltr sent 5/4/06 to Asm HCD Comm)	5/10/06 Asm Housing & Comm Dev Committee; Held under submission
AB 2503 (Mullin)	Affordable Housing. Would authorize cities and counties to enter into a joint powers agreement to form an affordable housing pooling arrangement for the acquisition, construction, or development of housing that is affordable to lower income families, as defined, within the jurisdiction of the joint powers agency.	Support (05/06) (Ltr sent 6/9/06 to Asm Appr Comm) LCC sponsored	5/25/06 Asm Appropriations Comm, held under submission
AB 2526 (Arambula)	Affordable Housing Developments. Revises criteria for attached housing developments lowering the areas of density for where they are applicable.	Oppose (4/06) (Ltr sent 5/4/06 to Asm HCD Comm)	6/8/06 From Committee without further action pursuant to Joint Rule 62a
AB 3005 (Emmerson)	Residential Care Facilities. Authorizes the Director of Social Services to consider comments from local governments on adjacent land use issues, prior to sitting a new DSS 6 or fewer group home.	Support (4/06) (Ltr sent 5/4/06 to Asm Appr Comm)	5/25/06 Asm Appropriations, held under submission
AB 3006 (Emmerson)	Alcoholism or Drug Abuse Recovery or Treatment Facilities: Website Disclosures. Would require ADP to maintain on its website a searchable database that would show the location of all alcohol or drug abuse recovery or treatment facilities.	Support (4/06)	4/18/06 Asm Health Committee; hearing cancelled at request of author
AB 3007 (Emmerson)	Alcohol and Drug Treatment Facilities. Would require that the department deny a new application for an ADP if IT determines that another ADP is less than 300 feet away from an existing facility. It also requires the department to notify local planning agencies.	Support (4/06) (Ltr sent 5/4/06 to Asm Appr Comm)	5/25/06 Asm Appropriations Committee, held unders submission
SB 1177 (Hollingsworth)	Housing Density Bonus. Further limits local options under density bonus law.	Oppose (5/06) (Ltr sent 8/7/06 to Asm HCD Comm)	6/14/06 Assembly Housing and Community Development Committee, failed passage
SB 1330 (Dunn)	Housing Developments: Attorneys Fees. Existing Planning and Zoning Law requires local agencies to make specified written findings based upon substantial evidence in the record before disapproving or conditionally approving a housing development project that renders it infeasible for the use of very	Oppose (5/06) (Ltr sent 8/7/06 to Asm HCD Comm)	6/28/06 Assembly Housing & Community Devel Comm; failed passage, reconsideration granted

	low, low-, or moderate-income households, including farmworker housing. This law authorizes an applicant for a housing development project and a person who would be eligible to apply for residence in the development to bring an action for a violation of this provision.		
SB 1754 (Lowenthal)	Housing and Infill Infrastructure Financing Districts. This bill would establish a pilot project allowing for the formation, under criteria developed by councils of governments, of housing and infill infrastructure financing districts. A city or county would be eligible to apply to its council of governments or the California Infrastructure and Economic Development Bank in order to establish a district.	Support (4/06)	5/25/06 Senate Appropriations Committee, held under submission
SB 1800 (Ducheny/Cedillo)	General Plans: Housing. Would require the local government at the same time it revises its housing element to adopt a housing opportunity plan, as a part of the housing element.	Oppose (5/06) (Ltr sent 6/7/06 to Sen Transp and Housing Comm)	5/23/06 Senate Transportation and Housing Comm – re-referred

ENVIRONMENTAL QUALITY

AB 556 (Gordon)	Airport: noise impacts. Would prohibit LAWA from operating an airport having a noise impact area, unless LAWA has applied for and received from the Department of Transportation, a variance from noise standards for a period not exceeding 3 years. The bill would authorize the department, to impose reasonable conditions to achieve the purpose of attaining a level of noise acceptable to a reasonable person residing in the vicinity of the airport, and would provide a procedure for LAWA to apply for an extension of the variance.	Support (5/05) (Letter sent 6/7/05 to Sen Transp & Housing Comm; Letter sent 7/17/05 to Sen Appr Comm)	9/8/05 Sen Inactive File
AB 888 (De la Torre)	Air Pollution: equipment emissions. Would authorize the south coast district to establish a rail yard equipment emission reduction program that would require the owner or lessee of any heavy duty motor vehicle, non-road engine or non-road vehicle to install retrofit controls or replace the existing equipment with clean technologies to reduce emissions.	Support (3/05) (Letter sent 3/25/05 to Sen EQ Comm; Letter sent 5/25/05 to Assem Appr Comm) 8/28/06 Position Changed to Neutral	8/31/06 Assembly refused to concur w Senate Amendments AQMD sponsored.
AB 1101 (Oropeza)	Air pollution. Diesel Magnet Sources. Would establish a compliance schedule for a facility that is a diesel magnet source for specified purposes of the Air Toxics "Hot Spots" Information and Assessment Act.	Support (8/06-Legis Comm Only) (Ltr sent 8/9/06 to Sen Appr)	8//31/06 Read 3 rd time, passage refused

AB 1407 (Oropeza)	Off Road Diesel Fuel. Would require the State Air Resources Board to report to the legislature by 3/1/06 on the efficacy of imposing a fee of \$.05 per gallon on off road diesel fuel as a means of generating revenue to fund projects that mitigate the past, present and future harm to public health resulting from off road diesel fuel in the state.	Support (4/05) (Letter sent 5/3/05 to Assem Appr Comm) AQMD supports – no LCC position	6/15/05 – Referred to Senate Environmental Quality Committee
AB 2928 (Laird & Lieu)	Green Building Construction: Guidelines: Requires the California Integrated Waste Management Board, to develop voluntary green building guidelines for residential home construction.	Support (8/06-Legis Comm Only) (Ltr sent 8/9/06 to Sen Appr)	8/28/06 Senate Environ Quality
SB 459 (Romero)	Air Pollution: SCAQMD: emissions of air contaminants: locomotives. Would authorize the SCAQMD to adopt a locomotive emission impact mitigation fee to be imposed on railroads. The fee would be used to mitigate air pollution.	Support (3/05) (Ltr sent 3/25/05 to Sen EQ Comm; Ltr sent 4/23/05 to Sen Appr Comm) 8/28/06 Position Changed to Neutral	8/31/06 Assembly reconsideration; placed in inactive file AQMD sponsored
SB 764 (Lowenthal)	Air Resources. SCAQMD: ports. Would require the ports of LA and Long Beach to develop a baseline for air quality for their respective ports, in consultation with specified agencies to be met by 4/1/08.	Support (5/05) (Ltr sent 7/27/05 to Asm Transportation Committee)	6/20/05 Assembly Transportation Committee AQMD Supports

TRANSPORTATION

AB 2465 (De La Torre)	Pedestrian-bicyclist safety: vehicles: school zone fines: Allows Los Angeles County and cities within that county, to establish until January 1, 2008, a school pedestrian-bicyclist safety program (Program) and receive funds from a special account in the county treasury if those funds are used to finance programs that enhance the safety of pupils traveling to and from school on foot or by bicycle.	Support (5/06)	5/25/06 Assembly Appropriations, held under submission
SB 760 (Lowenthal)	Ports. Congestion Relief: Security Enhancement: Environmental Mitigation: Regulatory Fee. Would impose on each shipping container a \$30 fee per TEU payable to the port by the marine terminal operator.	Support (6/05) (Letter sent 6/30/05 to Assem Appr Comm)	8/17/05 Assembly Appropriations Committee, Hearing cancelled at request of author. <u>BILL DEAD.</u>

REVENUE AND TAXATION

AB 2033 (Lieu)	Income and Bank and Corporation Taxes: Credit: Joint Strike Fighter & Crew Exploration Vehicle. Would extend repeal date of provisions allowing for tax credits for production of material to be used in a Joint Strike Fighter or Crew Exploration Vehicle	Support – (4/05) Request Amendment to include CEV	5/15/06 Asm Revenue and Taxation Committee, held under submission
ACA 11 (Oropeza)	Transportation Funds. Loans: Would require a loan to the General Fund from the Transportation Fund to be made pursuant to a statute establishing the terms for repayment and would prohibit the enactment of a statute making a new loan prior to the full repayment of each previous loan.	Support (3/05) (Letter sent 5/16/05 to Assem Transport Comm) (Spoke to author 6/27-bill is alive; it or its provisions will move soon)	1/10/06 Assembly Appropriations Committee, re-referred
ACA 7 (Nation)	Local Government Taxation: Special Taxes: Voter Approval. The threshold for voter approval of special taxes would be lowered to 55% from the 2/3rds requirement.	Support (3/05) (Ltr 4/27/05 to Assem Loc Govt Comm; Ltr 5/16/05 to Asm Appr Comm)	5/25/05 Assembly Appropriations Committee-held under submission
ACA 16 (Gordon)	Taxation to Supplement Public Safety Funding. Would allow a local government to impose, extend or increase any special tax for providing supplemental funding for public safety with a 55% vote instead of the 2/3 vote currently required.	Support (5/05) (Letter sent 8/15/05)	1/9/06 To inactive file on motion of Assemblymember Frommer

OTHER

AB 1559 (Gordon)	Homeland Security Communications Interoperability Development Act of 2005- Would require the California Statewide Interoperability Executive Committee (CALSIEC) and the Public Safety Radio Strategic Planning Committee to form a joint committee to prepare a specified report to the Legislature on or before February 1, 2006, with findings and recommendations for implementing a statewide communications interoperability system.	Support (6/05) (Ltr sent 7/25/05 to Sen Appr Comm) No LCC position	8/25/05 Senate Appropriations held under submission
SCA 15 (McClintock)	Eminent Domain: Condemnation Proceedings. Allows that private property may only be taken by eminent domain proceedings only for a stated public use and only upon independent judicial determination that no reasonable alternative exists.	Oppose (8/05) (Letter sent 8/31/05 to Sen Judiciary Comm)	8/30/05 Senate Judiciary Committee; failed passage, reconsideration granted

AB 2015 (Lieu)	Air Quality. South Coast Air Quality Management District. Board Membership. This bill would increase the number of members on the south coast district board from 12 to 13. The bill would add the cities of Calabasas and Malibu to the list of cities included in the western region of the County of Los Angeles.	Support (Letter sent 3/20/06 to Loc Govt and Natural Resources Comm; Ltr sent re: amendment to Loc Govt Comm 4/13/06; Ltr sent to Asm Appr 5/8/06)	8/7/06 Senate Appropriations, re-referred – in suspense file
AB 2880 (Lieu)	California Integrated Waste Management Board: Green Buildings: This bill creates a user-friendly and comprehensive green building website	Support (8/06-Legis Comm Only) (Ltr sent 8/9/06 to Sen Appr)	8/7/06 Senate Appropriations Committee, re referred
SB 1431 (Cox)	Public Contracts: Design-Build Contracting: cities, counties and special districts: This bill would permit any city, until January 1, 2017, with the approval of the city council, to enter into specified design-build contracts, and requires that contracts costing more than \$2,500,000 be awarded by those cities to the lowest responsible bidder or by best value.	Support (5/06)	5/25/06 Senate Appropriations Comm, held under submission

BILLS THAT WERE VETOED

HOUSING

AB 1795 (Bermudez)	Residential Facilities: Licensure Applications: Local Notification. Requires proof that local governments have been notified, prior to issuing a license for a new DSS 6 or fewer facility	Support (4/06) (Ltr sent 5/3/06 to author; Ltr sent 6/6/06 to Sen Human Svcs Comm)	9/29/06 Vetoed by Governor
AB 2158 (Evans)	Regional Housing Needs. Would require COGs to consult with LAFCO while developing RHNA allocation	Support (5/06) (Ltr sent 6/9/06 to Sen Transp and Housing Comm) LCC sponsored	9/30/06 Vetoed by Governor
AB 2922 (Jones)	Redevelopment. Low and Moderate Income Housing Fund. Requires redevelopment agencies to keep records of admin costs; makes affordable housing covenants and restrictions enforceable by a person	Oppose (4/06) (Ltr sent 5/25/06 to Asm Appr; Ltr sent 8/7/06 to Sen	9/30/06 Vetoed by Governor

	who is eligible to reside in the property; and requires that persons of low or moderate income who are displaced by a redevelopment project be given a right of first refusal to occupy replacement housing.	Judiciary)	
SB 1322 (Cedillo)	Housing. Would add emergency shelter, transitional housing, and residential service facilities to existing provisions covering housing element law, and would revise the requirements by which a local government may identify sites suitable for the development of emergency shelters and residential service facilities under this law.	Oppose (4/06) (Ltr sent 8/7/06 to Asm Appr)	10/2/06 Vetoed by Governor

TRANSPORTATION

SB 1404 (Machado)	Vehicles. Parking Violations. Street Cleaning. Requires cities to prove street sweeping occurred on the date a violation ticket was issued.	Oppose (4/06) (Ltr sent 6/22/06 to Asm Transp Comm.)	9/28/06 Vetoed by Governor
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OTHER

AB 2836 (Karnette)	Fire protection: residential care facility for the elderly. Require residential care facilities for the elderly that house or care for 4 or more clients or residents, to have an approved, operable automatic fire sprinkler system on and after January 1, 2014, if they are licensed as of January 1, 2010.	Support (5/06) (Ltr sent 8/7/06 to SB Senators)	9/30/06 Vetoed by Governor
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