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MCCMC LEGISLATIVE COMMITTEE MEETING
MONDAY, MARCH 25, 2024 __ 8:00 AM
TELECONFERENCE:

<https://us06web.zoom.us/j/81606690139?pwd=b6eZ8vjsJcxt5ah7PxX7sHXa7yjb7W.1>

CALL-IN NUMBER: +1 669 444 9171

MEETING ID: 846 2577 1862

AGENDA

A. WELCOME/INTRODUCTIONS

B. REPORTS

Nancy Hall Bennett, League of California Cities: Ballot Measures
Kyra Ross, Emanuels Jones & Associates: Overview of Bills to Watch

C. UPDATES

• Budget & Legislative Update on bills to take a position – Emanuels Jones & Associates

D. COMMITTEE BUSINESS

Action Items (More information can be found below)

- **AB-1773 (Dixon) Vehicles: electronic bicycles**
Cal Cities Position: Pending support
- **AB-1778 (Connoly) Vehicles: electronic bicycles**
Cal Cities Position: Support.
- **AB-2286 (Aguiar-Curry) Vehicles: autonomous vehicles**
Cal Cities Position: Support (humans iv AVs).
- **AB-3005 (Wallis) Motor Vehicle Fuel Tax Law: adjustment suspension**
Cal Cities Position: Oppose, limit vehicle fuel tax adjustment.
- **SB 937 (Wiener) Development projects: permits and other entitlements: fees and charges.**
Cal Cities Position: Pending
- **SB-1164 (Newman) Property taxation: new construction exclusion: accessory dwelling units**

Cal Cities Position: Oppose-suspend for 15 years reappraisal for property tax purposes any property on which an ADU is inbuilt.



E. CHAIRS REPORT

1. **AB 1633** (chaptered) - Curtails use of CEQA
2. **AB 1305** (chaptered) -Eliminates the use of noise generated by others as a factor to be considered in EIR reports.
3. **AB 1893** (Pending) This bill would authorize a local agency to disapprove or conditionally approve a housing development project for very low, low-, or moderate-income households if it makes a finding that (A) the local agency has failed to adopt a revised housing element that is in substantial compliance with the Housing Element Law, (B) the housing development project is proposed for a site zoned for residential use or residential mixed-use development, and (C) the housing development project exceeds specified density requirements, has a density that is less than the minimum allowed by state or local law, or does not meet objective standards quantifiable, written development standards, as specified.
CALCITIES takes the position that compliance should be determined in court.

F. CALENDAR

Upcoming MCCMC Legislative Committee Meetings:

- April 22, 2024
- May 27, 2024 (Holiday-no meeting)

G. ADJOURN

MCCMC LEGISLATIVE COMMITTEE SCOPE OF ADVOCACY:



Fiscal Protection: Protect city revenues from the State.

Local Control: Support legislation that enhances local control of resources to provide services while supporting regional cooperation. Oppose unfunded mandates, preemption of local authority, and control of land use.

Transportation Investment: Promote a stable transportation finance structure for state and local government. Support multimodal transportation that enhances livable communities.

Housing and Land Use: Protect local government land use authority. Oppose punitive housing legislation and legislation that restricts or reduces local discretion on land use decisions.

Other legislation can be recommended to MCCMC at a regular meeting.



ACTION ITEMS

1. AB-1773 (Dixon) Vehicles: electronic bicycles.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1773

This bill would clarify that a recreational trail for these purposes includes a boardwalk, as defined, regardless of whether the facility also provides bicycle access. Notwithstanding specified law, the bill would impose a fine, not to exceed \$35, against a person convicted of an infraction for a violation of an ordinance prohibiting or regulating electric bicycles on recreational trails. By expanding the scope of a crime, this bill would impose a state-mandated local program.

2. AB-1778 (Connoly) Vehicles: electronic bicycles.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1778

This bill would, until January 1, 2029, authorize a local authority within the County of Marin, or the County of Marin in unincorporated areas, to adopt an ordinance or resolution that would prohibit a person under 16 years of age from operating a class 2 electric bicycle or require a person operating a class 2 electric bicycle to wear a bicycle helmet, as specified.

3. AB 2286 (Aguiar-Curry). Vehicles: autonomous vehicles.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2286

This bill would require a manufacturer of an autonomous vehicle to report to the department a collision on a public road that involved one of its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that is operating under a testing permit that resulted in damage of property, bodily injury, or death within 10 days of the collision.

4. AB-3005 (Wallis) Motor Vehicle Fuel Tax Law: adjustment suspension.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB3005

This bill would authorize the Governor to suspend an adjustment to the motor vehicle fuel tax, as described above, scheduled on or after July 1, 2025, upon making a determination that increasing the rate would impose an undue burden on low-income and middle-class families. The bill would require the Governor to notify the Legislature of an intent to suspend the rate adjustment on or before January 10 of that year, and would require the Department of Finance to submit to the Legislature a proposal by January 10 that would maintain the same level of funding for transportation purposes as would have been generated had the scheduled adjustment not been suspended.

5. SB 937 (Wiener) Development projects: permits and other entitlements: fees and charges.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB937

This bill would defer cities' collection of development fees until the certificate of occupancy is issued on a housing project. The bill would not allow a city to charge interest rates on any of the deferred fees. Additionally, the bill would extend by 18 months a housing entitlement that was issued before January 1, 2024, and that will expire before December 31, 2025. The goal of the bill is "to provide developers with flexibility to navigate challenging market conditions, while protecting a key source of revenue for local governments."

6. SB 1164 (Newman) Property taxation: new construction exclusion: accessory dwelling units.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1164

This bill attempts to accelerate the construction of ADU's by allowing property owners to claim an exemption from property tax reassessment for ADU construction until 15 years have passed or when the property changes hands, effectively stopping any property tax increase based on the assessed value of the ADU addition.



BILLS TO WATCH

Cal Cities Position: (11) Bill to Watch

1.AB 1820 (Schiavo) Housing development projects: applications: fees and exactions

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1820

This is a bill that would allow developers to request a fee and exaction statement estimate from their local jurisdiction at the time the preliminary application is submitted. The local jurisdiction would have 10 days to comply with the request unless the application is not complete.

Cal Cities Position:

2.SB 915 (Cortese) Local government: autonomous vehicles.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB915

This bill allows local governments to consider adequate safeguards that promote community safety, such as reasonable vehicle caps, data transparency rules, and interactions with emergency responders, as well as regulate maximum fare rates, ensure ADA accessibility, and perform annual inspections for health and safety. The measure, co-sponsored by CalCities and backed by labor advocates and local government groups, is modeled after the existing statute that allows local governments to pass ordinances regulating taxicabs.

Cal Cities Position: Sponsor

3.AB 1886 (Alvarez) Housing Element Law: substantial compliance: Housing Accountability Act.

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB1886

This measure is one of a number of bills pushing for the use of “builders’ remedy” to increase affordable housing. The bill would clarify when a housing element is considered to be in substantial compliance with state law by specifying that if a city or county fails to comply with state housing law, as determined by HCD, a builder’s remedy project can be accelerated with limited restrictions.

Cal Cities Position: Pending

4.SB 1116 (Portantino) Unemployment insurance: trade disputes: eligibility for benefits.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1116 This bill, a substantially similar re-run of SB 799 (Portantino) Unemployment insurance: trade disputes: eligibility for benefits from 2023 that would allow striking workers, after two weeks, to be eligible for unemployment benefits. The bill was vetoed by the Governor last year who noted that the bill would be “too costly given the state’s already debt-ridden unemployment insurance fund that is struggling to fulfill its existing responsibilities despite owing the federal government \$18.5 billion.”

Cal Cities Position: Watch



5.AB-2561 (McKinnor): Local public employees; vacant positions.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2561

This bill would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days within the past 180 days to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan consisting of specified components to fill all vacant positions within the subsequent 180 days.

Cal Cities Position: Watch

6.AB-2234 (Boerner) Vehicles: electronic bicycles.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2234

This bill would require the California Highway Patrol, on or before June 30, 2025, to issue a skills waiver containing specific information, in an electronic format, to each person who completes the electric bicycle safety and training programs described above. The bill would state the intent of the Legislature to create a diversion program, comprised of traffic safety training and community service, for a person who is cited for a traffic violation while operating an electric bicycle.

Cal Cities Position: Support

7.AB-2050 (Coauthors: Assembly Members Berman, Bryan, Hart, Lee, and Blanca Rubio) Voter registration database: Electronic Registration Information Center.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2050

This bill would allow the Secretary of State to apply for membership with the Electronic Registration Information Center and, if that application is approved, allow the Secretary of State to execute a membership agreement with the Electronic Registration Information Center on behalf of the state. The bill would require the Secretary of State to ensure that any confidential information or data provided by another state remains confidential, and would authorize the Secretary of State to transmit confidential information or data pursuant to that agreement.

Cal Cities Position: Watch

8.AB-2302 (Coauthors: Assembly Members Adis and Senator Laird) Open meetings: local agencies: teleconferences.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2302

This bill would revise limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The bill, for the purpose of counting meetings attended by teleconference, would define a “meeting” as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

Cal Cities Position: Watch

9.SB-1211 (Skinner) Land use: accessory dwelling units.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1211

For purposes of the detached ADU requirements, this bill would prohibit a local agency from requiring the replacement of parking spaces when a carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of or conversion to an accessory dwelling unit. The bill would also, for purposes of those detached ADU requirements, require a local agency to instead allow 2 detached, new construction accessory dwelling units and allow up to 25%



of the existing multifamily dwelling units. The bill would specify that the number of accessory dwelling units allowed under the inside dwelling ADU requirements counts towards the maximum number of accessory dwelling units allowed under the detached ADU requirements. The bill would make conforming changes.

Cal Cities Position: Pending

10.AB-2085 (Bauer-Kahan) Planning and zoning: ministerial approval: community clinic.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2085

This bill would authorize a development proponent to submit to a local agency an application for a licensed community clinic that is located in a zone where office, retail, health care, or parking are a principally permitted use. The bill would make the development subject to a streamlined, ministerial approval process where the development is not subject to a conditional use permit or any other nonlegislative discretionary approval, as described. The bill would provide that a development eligible for approval pursuant to this process is not a “project” for purposes of CEQA, thereby expanding the exemption for ministerial approval of projects under CEQA. By establishing the streamlined, ministerial approval process for these developments, the bill would impose a state-mandated local program.

Cal Cities Position: Take to Policy Committee

11.SB 1031 (Wiener) San Francisco Bay Area: local revenue measure: transportation improvements.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1031

This bill would allow voters in the 9-county Bay Area to consider, as early as November 2026, a transportation revenue and reform measure that would preserve and enhance public transportation operations, improve the condition of local streets and roads, and promote mobility and access for pedestrians, bicyclists and scooter and wheelchair users.

Cal Cities Position: Watch