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Issue #79

## **Governor's Action Pending on Bills Impacting Cities** *Cities Should Send Signature and Veto Requests Now*

Nearly 800 bills — including many of interest to cities — reached the desk of Gov. Jerry Brown before the Aug. 31 adjournment of the 2015-16 legislative session. The Governor now has until Sept. 30 to sign or veto bills. The following is a list of bills on which the League is urging the Governor to sign or veto. Cities should submit letters regarding bills in which they have an interest. For more information on legislative language, the League's position letters and sample position letters for cities, please enter bill number in the League's [bill search](#). Sign or veto letters for priority bills may also be submitted through the League's online [action center](#).  
*For more, see Page 2.*



## **Join City Officials Nationwide for NLC's City Summit in Pittsburgh**

The National League of Cities (NLC) will be holding its [City Summit](#) (formerly Congress of Cities) in Pittsburgh, Pennsylvania this year. The conference is Nov. 16-19 and will bring together local leaders from throughout the United States for a unique opportunity to network and learn from experts and each other. *For more, see Page 6.*



## **League-Sponsored Bond Agency Issues \$24.85 Million in Tax-Exempt Bonds for Affordable Housing in Irvine**

Some of the most significant benefits of League membership for cities since 1988 have flowed from the League's co-sponsorship of the [California Statewide Communities Development Authority](#) (CSCDA). *For more, see Page 6.*

<http://www.cacities.org/CMSModules/Newsletters/CMSPages/GetNewsletterIssue.aspx?issueId=1177>

## **Request for Signature**

### **AB 350 (Alejo) California Voting Rights Act: Notice and Cure**

Provides a 'notice and cure' provision for cities who are being sued under the California Voting Rights Act (CVRA). This measure would give cities 135 days to switch to district-based elections through the ordinance process without the fear of soaring legal fees.

### **AB 723 (Chiu) Housing: Finance**

Makes helpful changes to rules governing the allocation of Community Development Block Grant (CDBG) funds for small, "non-entitlement" cities (fewer than 50,000 residents) and counties, which receive federal CDBG dollars via the California Department of Housing and Community Development (HCD) rather than directly from the federal government. According to most recent data from the California Department of Finance, there are 306 cities with less than 50,000 residents.

### **AB 806 (Dodd and Frazier) Economic Development**

Clarifies loan, lease and sale agreements and property acquisition are included in the range of options a community may employ to advance economic development. Provides additional flexibility for local agencies to acquire and dispose of properties to create economic opportunities.

### **AB 1244 (Gray) Workers Compensation: Fraud**

Creates a suspension process for medical providers who commit serious crimes or are involved in fraudulent activity that is modeled after the suspension process for Medi-Cal. Currently, there is no suspension process for medical providers in the workers' compensation system beyond removal from the Qualified Medical Examiner list. This bill should result in less fraud in the workers' compensation system, thereby reducing costs to employers.

### **AB 1276 (Santiago) Child Witnesses: Human Trafficking**

Allows a minor age 15 or younger who is a victim of human trafficking to testify in court by means of closed-circuit television in criminal proceedings, if a court finds:

- Open court testimony would cause severe emotional distress;
- Defendant has issued threats of serious bodily injury against the minor or his/her family;
- Defendant caused great bodily injury to the minor during the commission of the offense;
- Defendant or his counsel behaved in a way that prevented completion of minor's testimony during a hearing or trial; and
- Defendant used a deadly weapon during the commission of the offense.

### **AB 1592 (Bonilla) Autonomous vehicles: pilot project**

Allows the Contra Costa Transportation Authority to conduct a pilot project to test the full range of autonomous vehicle technology, including vehicles without a steering wheel, gas/brake pedal, or driver.

### **AB 1719 (Rodriguez) CPR Training**

Requires school districts and charter schools that require a course in health education as a prerequisite to graduation from high school, to include within the curriculum instruction in cardiopulmonary resuscitation.

### **AB 1787 (Gomez) Local Government Translation Services**

If a local legislative body limits the time for public comment, this measure would require the legislative body to provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body, unless simultaneous translation equipment is used to allow the body to hear the translated public testimony simultaneously.

### **AB 1789 (Santiago) Personal Income Taxes: Voluntary Contributions: School Supplies for Homeless Children Fund**

Extends the voluntary tax contributions to the School Supplies for Homeless Children Fund until January 2022 or until the contribution by taxpayers does not meet the \$250,000 contribution amount.

**AB 1952 (Gordon) Property Tax Postponement Program**

Makes several modifications to assist with the implementation of the recently reestablished Property Tax Postponement, a state loan program operated by the State Controller to help lower income seniors and disabled persons stay in their homes and reduce their risk of default and delinquency.

**HOT AB 2220 (Cooper) District-Based Elections**

This is a simple expansion of SB 493 (Cannella, 2015) which will allow cities with a population threshold over 100K to switch to districts via the ordinance process versus the ballot process. Ballot initiatives are costly and do not insulate a city from CVRA litigation if the measure fails.

**AB 2269 (Waldron) Animal Shelters**

Prohibits the sale or transfer of live animals from pounds and animal shelters to any animal dealer or research facility for purposes of research or experimentation.

**AB 2406 (Thurmond) Junior Accessory Dwelling Units**

Allows a local agency to create an ordinance for junior accessory dwelling units (JADU) in single-family residential zones. JADUs are units that are no more than 500 square feet in size and contained entirely within a single-family residence. The unit may include separate sanitation facilities or may share the facilities with the existing structure.

**AB 2491 (Nazarian) Vehicles: Stopping, Standing, and Parking**

Authorizes local governments to adopt an ordinance that prohibits a person from stopping, parking, or leaving a vehicle parked within 15 feet of driveways used by emergency vehicles to enter or exit a police station, ambulance service facility, or general acute care hospital.

**AB 2492 (Alejo and E. Garcia) Cleanup to CRIA Law**

Includes helpful changes for implementation of last year's AB 2 Community Revitalization and Investment Authorities (CRIAs):

- Clarifies calculation of crime and unemployment data.
- Allows use of countywide and citywide income data.
- Allows access to financing options provided to EIFD's.
- Facilitates disadvantaged communities' use of the tool.

**AB 2594 (Gordon) Stormwater Resources**

Clarifies that a public entity that captures stormwater, in accordance with a stormwater resource plan, before the water reaches a natural channel, may use the captured water.

**AB 2679 (Cooley) Medical Marijuana: Regulation: Research**

Expands authorized research activities of the University of California's Marijuana Research Program to include motor skills. Provides interim guidance for what manufacturing processes are legal for marijuana-derived products under the Medical Cannabis Regulation and Safety Act, including legal forms of butane extraction. Sunsets once the state begins issuing manufacturing licenses.

**AB 2693 (Dababneh) Property Assessed Clean Energy (PACE)**

Enhances existing consumer protections and disclosures associated with the PACE program.

**AB 2722 (Burke) Transformative Climate Communities Program**

Creates the Transformative Climate Communities Program to award competitive grants to develop and implement neighborhood-level climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities.

**AB 2724 (Gatto) Unmanned Aircraft/Drones**

Requires drone manufacturers to provide information for online access to Federal Aviation Administration (FAA) Safety regulations and the FAA registration requirement in their product packaging. Requires drone owners to procure liability insurance in an amount determined by the Department of Insurance.

**AB 2728 (Atkins) California Organized Investment Network (COIN)**

Extends the sunset date on the COIN tax credit program to Jan. 1, 2018. Includes language that expands the definition of a “community development investment” to include reservation-based and rural communities (either up to 10,000, or up to 20,000 population, as defined).

**AB 2821 (Chiu) Housing for a Healthy California Program**

Requires HCD to establish the Housing for a Healthy California Program, which would fund competitive grants to pay for interim and long-term rental assistance for homeless Medi-Cal recipients. Establishes criteria for an applicant to be eligible for a grant, including having identified a source of funding for housing transition services and tenancy sustaining services.

**AB 2853 (Gatto) Public Records Internet Reports**

Allows a public agency to comply with certain disclosure requirements under the California Public Records Act by posting any public record on its internet website and, in response to a request for a public record posted on the internet website, directing a member of the public to the location on the internet website where the public record is posted.

**SB 441 (Wolk) Public Records Act: Exemptions**

Exempts from disclosure any identification number, alphanumeric character, or other unique identifying code used by a public agency to identify a vendor or contractor, or an affiliate of a vendor or contractor, unless the identification number, alphanumeric character, or other unique identifying code is used in a public bidding or an audit involving the public agency.

**SB 807 (Gaines) Unmanned Aircraft: Local Agency Immunity**

Provides stronger immunity for local agency first responders who damage or destroy a drone that interferes with their emergency operations.

**SB 817 (Roth) Property Tax Allocation; Recently Incorporated Cities**

Assists four recently incorporated cities in Riverside County which were severely harmed in 2011 when the state swept all remaining shares of city vehicle license fee (VLF) revenues. These lost revenues would be replaced with shares of property tax in the same manner that all existing cities (under the 2004 VLF-property tax swap) received property tax to offset lost shares of the VLF. In short, these cities will be treated equally with all others.

**SB 866 (Roth) Veterans Housing**

Allows Proposition 41 bond funding to be used to create supportive housing for female veterans and their children who have suffered sexual abuse.

**SB 1046 (Hill) Ignition Interlock Devices**

Expands an existing four-county ignition interlock device program to be statewide in scope. Requires persons convicted of Driving Under the Influence offenses to install and maintain an Ignition Interlock Device, i.e. a breathalyzer, on their motor vehicle in order to obtain a restricted driver’s license, or to have a driver’s license reinstated.

**SB 1108 (Allen) Local Redistricting Commissions**

Allows a general law city to establish their own citizen redistricting commission. Currently, charter cities already have that authority.

**SB 1221 (Hertzberg) Firefighters: Interaction with Mentally Disabled**

Authorizes the Commission on Peace Officer Standards and Training to make its coursework on assessing, interacting with, and providing assistance to mentally disabled persons available to firefighters and fire departments.

**SB 1288 (Leno) Rank Choice Voting**

Allows a general law city to change their voting methodology to rank choice voting but must be done through the vote of the people. Currently, charter cities already have that authority.

## **Request for Veto**

### **HOT AB 626 (Chiu) Public contracts: claim resolution**

Establishes a claims resolution process that would require local governments to respond to every claim for disputed payment amounts from a contractor within 45 days; pay undisputed amounts within 60 days; meet and confer if claimant continues to dispute payment amounts or if the agency fails to respond to a claim; and force mediation when meet and confers don't resolve disputes.

### **AB 650 (Low) Taxicab transportation services**

Makes preemptory changes in anticipation of the expected reorganization of the California Public Utilities Commission (PUC) that would remove transportation companies from the PUC's regulatory authority. Except for the city and county of San Francisco, will limit city/county service fees, cap taxi driver permit fees at \$75, and prevent expansion or adoption of ordinances that help ensure adequate levels of disability access if those policies were not in place by July 1, 2016. Cities and counties would still have to perform all other regulatory functions that are required of them, such as background checks and drug and alcohol testing, until the PUC is reorganized.

### **AB 779 (C. Garcia) Local Government Compensation Reports**

Creates a duplicative compensation report that must be posted to an agencies' website for each elected official. Compensation is broken down into: salary; overtime; unused vacation; stipends; pension; retirement and health premium contributions; automobile, phone and technology allowances.

### **HOT AB 1217 (Daly) Orange County Fire Authority**

Establishes a legal precedent of state interference in the governance of local joint powers authorities by codifying a rule that members of the Orange County Fire Authority Board of Directors cannot appoint alternates.

### **AB 1505 (Hernández) Statute of Limitations: Public Contracts**

Increases the statutes of limitations on competitive bidding violations, specifically Public Contract Code Section 20163, that prohibits local governments from breaking up public works projects into smaller projects for purposes of evading competitive bidding requirements.

### **AB 1643 (Gonzalez) Workers Compensation: Apportionment**

Eliminates the 'apportionment' process for certain non-industrial work injuries. Apportionment is a key cost controller in the workers compensation system.

### **AB 1669 (Hernández) Displaced Employees: Service Contracts: Collection and Transportation of Solid Waste**

Requires local governments to give a 10 percent bidding preference to solid waste collection and transportation services contractors that agree to retain the employees from the previous such contractor for up to 90 days.

### **HOT AB 2586 (Gatto) Parking**

Permanently deletes the Jan. 1, 2017 sunset on AB 61 (Gatto, Chapter 71, 2013), which prohibits cities from ticketing cars at broken meters. Also requires that cities make parking promptly available once street sweeping and other maintenance activities have been provided and prohibits cities from providing incentives when contracting out for private parking enforcement

### **SB 654 (Jackson) Parental Leave**

Expands the current California Family Rights Act (CFRA) to public and private entities of 20 employees or more. Current law mandates CFRA applies to employers of 50 or more.

### **HOT SB 897 (Roth) Workers Compensation: '4850' Time Expansion**

Expands '4850' time for an additional year for first responders who suffer a catastrophic injury at the hands of another. Definitions within the bill will expand the applicability of the new law to allow for increased abuse of '4850' time.

### **HOT SB 1069 (Wieckowski) Land Use: Zoning**

Restricts a local agency's ability to impose requirements on second units (renamed "accessory dwelling units" or ADUs). Prohibits local agencies from imposing parking standards on units that are within one half mile of public transit, located within an architecturally and historically significant district, or when there is a car share vehicle within one block; among other conditions. Also places confusing restrictions on the water/sewer connection and capacity fees.

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**'NLC' Continued from Page 1...**

See how this once-industrial town has transformed into a beautiful and vibrant city. Its architecture, food, artists, museums, and universities are attracting young professionals and creating a place where people love to live. Don't miss the opportunity to experience the Pittsburgh's transformed attractions by attending the new NLC City Summit.

The 2016 City Summit will give plenty of opportunities to learn with NLC University seminars to build technical and leadership skills, mobile workshops around Pittsburgh that showcase collaborative solutions to issues facing local government and an abundance of conference workshop sessions.

Topics include:

- Economic Development;
- Technology and Data Uses for Cities;
- Sustainability;
- Leadership Relationships;
- Demographics;
- Transportation and Alternatives;
- Climate Change and Impacts on Cities; and
- Cultural and Social Issues in the Community.

Come join more than 2,000 mayors, council members, and city staff members this November in Pittsburgh for the annual City Summit. Experience four days of workshops, inspiring keynote addresses, and educational workshops throughout the city and surrounding areas. [Register now](#) to attend.

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**'CSCDA - Irvine' Continued from Page 1...**

This program provides a variety of public agencies and developers access to low-cost, tax-exempt financing and economic development tools. CSCDA recently issued \$24,854,128 in tax-exempt multi-family affordable housing bonds for Luxaira in Irvine.

**About Luxaira**

The vision for Luxaira began in 1996 with the closure of the Marine Corps Air Station El Toro. The project is a 157-unit affordable housing community for low-income seniors located on 4.88 acres at Great Park Neighborhoods located in the city of Irvine by Related California (Related) and Riverside Charitable Corporation (RCC). The benefits of the project for the city of Irvine and Orange County include the following:

- 100 percent of the affordable rental housing units will be rent restricted for low-income senior tenants;
- The building will bring new economic vibrancy to the project site;
- A positive impact to restaurants and retail in the area; and
- The project consists of 12 studios, 124 one-bedroom units, 20 two-bedroom units and 1 manager's unit.

CSCDA, Related, and RCC partnered with MUFG Union Bank, N.A. to provide \$24.85 million in tax-exempt multi-family affordable housing bonds for the project. Although the financing for the project requires the affordability of units for low-income seniors to be maintained for 55 years, the Regulatory Agreement with the city of Irvine requires the project to maintain the affordability of units in perpetuity.

## **Background**

CSCDA is a joint powers authority created in 1988 and is sponsored by the League of California Cities® and the California State Association of Counties. It was created by cities and counties for cities and counties. More than 500 cities, counties and special districts are program participants in CSCDA, which serves as their conduit issuer and provides access to efficiently finance locally-approved projects. CSCDA has issued more than \$50 billion in tax exempt bonds for projects that provide a public benefit by creating jobs, affordable housing, healthcare, infrastructure, schools and other fundamental services. Visit [CSCDA's website](#) for additional information on the ways in which CSCDA can help your city.

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