



CITY OF LAGUNA NIGUEL CITY COUNCIL AGENDA ITEM

TO: Honorable Mayor and Council Members
FROM: Tamara S. Letourneau, City Manager
DATE: March 16, 2021
SUBJECT: Update on the City's Legislative Advocacy Efforts

RECOMMENDATION

Staff recommends that the City Council receive and file this update on the City's Legislative Advocacy Efforts.

BACKGROUND

On February 19, 2019, the City Council adopted the City's Legislative Platform. The purpose of the legislative platform is to provide an outline and means for summarizing the City's core legislative principles and positions on legislative matters for the purpose of advocacy efforts at the regional, state, and federal levels. The legislative platform serves as the foundation for the City to support or oppose various state and federal legislation. The legislative platform was developed to be consistent with and support the City's long-term strategic mission and vision, as well as to maintain the City's Municipal Code.

The Legislative platform contains "Guiding Principles," which are values that are paramount when determining whether taking action on legislation is required. The Guiding Principles are:

- Preserve and Enhance Local Control
- Fiscal Responsibility
- Promote Economic Development
- Support Responsible Funding Opportunities
- Maintain Quality Public Safety

The Legislative Platform also includes "Policy Statements," which capture positions on issues that the City has previously stated concern for or acted upon. The issues include:

- Local Control
- Local Revenue
- Fiscal Responsibility and Sustainability
- Economic Development
- Funding Opportunities
- Drug Abuse

- Homelessness
- Public Safety
- Sober Living Homes
- Air Traffic Noise
- Utilities
- Environment
- Local Elections

Since the City Council's adoption of the legislative platform, City Staff has been able to take timely action on legislation and regulatory issues. This has allowed staff to effectively and efficiently communicate the City's positions to legislators and policymakers in Sacramento and Washington D.C. on crucial legislation and regulatory efforts that affect the City and its residents.

ANALYSIS

As the deadline to submit new legislation in the state legislature has now passed, staff is providing the City Council with an update on the City's advocacy efforts in this legislative session.

Using the adopted Legislative Platform, eighteen pieces of legislation are currently being tracked (Attachment A). Staff continues to monitor these bills and take advocacy steps when necessary to ensure the City's long-term strategic needs and vision are being met.

Additionally, to date, the City has submitted five legislative advocacy letters to the state legislature. These include:

Legislative Action	
Senate Bill 9: Increased Density in Single-Family Zones (OPPOSE)	Requires a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Could potentially lead to six units on a single lot: 2 Main, 2 ADUs, 2 JADUs
Senate Bill 75: Southern California Fentanyl Task Force (SUPPORT)	Senate Bill 75 would create the Southern California Fentanyl Task Force's creation and will give cities, law enforcement, and lawmakers access to timely information on the prevalence of fentanyl and its toll on the region.
Assembly Bill 274: Unemployment Benefits Chip-Enabled Cards (SUPPORT)	The COVID-19 pandemic continues to have a devastating economic impact, leaving millions of California's unemployed. This bill provides an extra layer of security against unemployment fraud by making all EDD debit cards issued chip-enabled.
Assembly Bill 259: Tax Credit for Restaurants (SUPPORT)	Provides an alcohol license tax credit to restaurants of an amount equal to 50% of licensing fees, saving businesses hundreds of dollars.
Governor Proposed Housing Accountability Unit (OPPOSE)	The proposed Housing Accountability Unit would allocate \$4.3 million in funds to pay for 16 State employees to watch all City Council and Planning Commission meetings.

Overall, the City remains steadfast in its commitment to maintain local control for local governments, economic growth, fiscal responsibility, scenic natural beauty, and the high quality of life that Laguna Niguel residents have come to enjoy.

Staff will continue to take appropriate action on legislation, in-line with the City's Legislative Platform, and will provide similar legislative advocacy efforts updates as is necessary in the future.

FISCAL REVIEW

There is no fiscal impact as a result of this report.

LEGAL REVIEW

No legal review is required for this item.

CONCLUSION

Staff recommends that the City Council receive and file this update on the City's Legislative Advocacy Efforts.



Tamara S. Letourneau
City Manager



Kevin X. O'Connor
Administrative Intern

Attachments:

- A. Legislation Tracking Sheet

ATTACHMENT A

Laguna Niguel- Legislative Tracking Sheet

Bill No.	Bill Title	Abstract	Recommendation	Author	Date Introduced	OCCOG Position	ACC-OC Position	LCC Position	Status
SB 74	Keep California Working Act	The City will support this bill as it aligns with our legislative platform on economic development. Businesses in Laguna Niguel are not immune to the impacts of the COVID-19 pandemic. The City welcomes state grant funding to support our businesses.	Support	Borgeas	12/10/2020		Support	Watch	Committee on Business, Professions and Economic Development
AB 339	State and Local Government: Open Meetings	The City will oppose this bill as it does not aligns with our legislative platform on local control. AB 339 would create unnecessary regulations restricting the City's capability to choose the most cost-efficient and effective form of essential services. Furthermore, the ten language requirement would be unnecessary for our community and be an additional financial burden for our City.	Oppose	Lee	1/28/2021		Oppose	Watch	Introduced and may be heard in committee after February 28
AB 59	Mitigation Fee Act Fees Notice and Timelines	The City will oppose this bill as it does not aligns with our legislative platform on local control. The City is dedicated to protecting our ability to receive revenue through local taxes and fees. Additionally, AB 59 would cause an unnecessary delay in implementing changes to the City's fee structure.	Oppose	Gabriel	12/7/2020		Oppose	Watch	Committee on Local Government
SB 6	Local Planning: Housing: Commercial Zones	Allows housing to become eligible to use on land currently zoned for office and retail 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 the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.	Oppose	Rubio	12/7/2020	Oppose		Watch	Committee on Government, Finance, and Housing read second time with author's amendments and is now set for hearing on 3/11
AB 308	Law Enforcement: Vehicle burglary and theft task forces	Would require the Board of State and Community Corrections to administer grants to law enforcement agencies that participate in regional vehicle burglary and theft reduction joint task forces.	Support	Chen	1/25/2021			Watch	Committee on Public Safety set for hearing on 3/23/21
SB 75	Southern California Fentanyl Task Force	The City will support this bill as it aligns with our legislative platform on drug abuse. Laguna Niguel's adopted legislative platform recognizes the impact of the opioid crisis and is committed to supporting legislation to combat the crisis.	Support	Bates	12/15/2020		Support		Senate Rules Committee
AB 259	Protecting Our Restaurants Tax Credits	Would allow a credit under the Personal Income Tax Law for taxable years beginning on or after January 1, 2020, and before January 1, 2021, to a qualified taxpayer, as defined, in an amount equal to 50% of the annual fee paid or incurred by the qualified taxpayer for an alcohol license for a qualified establishment during that taxable year. The bill would also allow a credit under the Corporation Tax Law for taxable years beginning on or after January 1, 2020, and before January 1, 2021, to a qualified taxpayer, as defined, in an amount equal to 50% of the annual fee paid or incurred by an owner or operator of the qualified taxpayer for an alcohol license, as defined, during that taxable year.	Support	Davies	1/15/2021			Watch	Committee on Revenue and Taxation; Amended and read second time
AB 274	Unemployment Benefits: Chip-enabled Cards	Current law requires unemployment compensation benefits that are directly deposited to an account of the recipient's choice to be deposited to a qualifying account, which includes a prepaid card account that meets certain requirements. Current law includes in the definition of prepaid card or prepaid card account a card, code, or other means of access to funds of a recipient that is usable at multiple, unaffiliated merchants for goods or services, or usable at automated teller machines. This bill would revise the definition of prepaid card or prepaid card account by requiring cards to be chip-enabled, as defined.	Support	Davies	1/19/2021			Watch	Committee on Insurance
SB 9	Housing Developments Approvals	Would require a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Could potentially lead to six units on a single lot: 2 Main, 2 ADUs, 2 JADU	Oppose	Atkins	12/7/2020	Opposes unless amended		Opposes unless amended	Set for hearing on 3/18 referred to committee on Housing, Govt. & Finance
AB 115	Planning and Zoning Commercial Zoning Housing Developments	Would require that a housing development be an authorized use on a site designated in any local agency's zoning code or maps for commercial uses if certain conditions apply. Among these conditions, the bill would require that the housing development be subject to a recorded deed restriction requiring that at least 20% of the units have an affordable housing cost or affordable rent for lower income households, as those terms are defined, and located on a site that satisfies specified criteria.	Watch	Bloom	12/18/2020			Watch	Committee on Housing and Community Development
AB 244	Affordable Housing Cost Study: Housing Plan Addendum	Would require HCD, HFA, and other state agencies to conduct a housing cost study to measure the factors that influence the costs of building affordable housing.	Watch	Rubio	1/13/2021			Watch	Committee in Housing and Community Development
SB 10	Planning and Zoning Housing Developments Density	Allows a local government to adopt an ordinance to allow up to 10 units per parcel, notwithstanding local voter initiatives, in infill, transit-rich, or high opportunity areas.	Oppose	Wiener	12/7/2020	Oppose Unless Amended		Watch	Set for hearing on 3/18 referred to committee on Housing, Govt. & Finance

Bill No.	Bill Title	Abstract	Recommendation	Author	Date Introduced	OCCOG Position	ACC-OC Position	LCC Position	Status
SB 5	Housing Bond Act	It is the intent of the Legislature to enact legislation that would authorize the issuance of bonds and would require the proceeds from the sale of those bonds to be used to finance housing-related programs that serve the homeless and extremely low income and very low income Californians over the course of the next decade.	Watch	Atkins	12/7/2021	Watch	Watch	Watch	Senate Rules Committee
SB 7	Environmental Quality Jobs and Economic Improvement Through Environmental Leadership Act	This bill would reenact the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 until January 1, 2026, and would expand the Act's eligibility to include smaller housing projects.	Watch/Support	Atkins	12/7/2020	Support	Watch	Watch	Passed Senate; Referred to Assembly
SB 8	Density Bonus Law	Bill is currently acting as a placeholder until it is written out. Expectation is that the bill will be similar to SB 1085 of last year. Concession to developers to incentivize the development of low-income housing. Increased housing density of 40%.	Watch/Oppose	Skinner	12/7/2020	Watch		Watch	Referred to Senate Rules Committee
SB 219	Property Taxation: Delinquent Penalties and Costs: Cancellation: Public Health Orders	Bill would authorize the auditor or the tax collector to cancel any penalty, costs, or other charges resulting from tax delinquency upon a finding that failure to make a timely payment is due to a documented hardship, as determined by the tax collector, arising from a shelter-in-place order, as defined, if the principal payment for the proper amount of tax due is paid no later than June 30 of the fiscal year in which the payment first became delinquent.	Watch	McGuire	1/13/2021		Watch	Support	Committee on Government and Finance Set for hearing on 3/11
SB 15	Housing Developments Incentives Rezoning of Idle Retail Sites	Creates a Workforce Housing Reward Program within HCD to provide one-time grants to local governments that rezone vacant big box retail or commercial shopping centers for the purpose of developing workforce housing.	Watch	Portantino	12/7/2020	Support		Watch	Committee on Housing set for Hearing on 3/18
AB 215	Housing Element	Existing law, 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 Department of Housing and Community Development (HCD) to determine whether the housing element is in substantial compliance with specified provisions of that law. That law also requires HCD to notify a city, county, or city and county, and authorizes HCD to notify the office of the Attorney General, that the city, county, or city and county is in violation of state law if HCD finds that the housing element or an amendment to the housing element does not substantially comply with specified provisions of the Planning and Zoning Law, or that the local government has taken action or failed to act in violation of specified provisions of law. This bill would add the Housing Crisis Act of 2019 to those specified provisions of law. The Housing Crisis Act of 2019 created a development fees freeze on new housing developments after a preliminary application is submitted.	Watch	Chiu	1/11/2021			Watch	Committee on Housing, Community Development and Local government